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NEVILLE PROOF FENCE

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The separation of Aboriginal children from their families formed a central plank of Aboriginal affairs policy in Australia for at least the first six decades of the twentieth century. In no state was the separation policy more pervasive than in Western Australia. And no one individual stands out more in the planning and implementation of the removal or separation policy than Auber Octavius Neville, chief protector of Aborigines in Western Australia from 1915 until 1940. This article focuses on Aboriginal affairs in Western Australia during the Neville era and also on the influence his views and ideas attained on the national stage, where he played a leading role during the 1937 Conference of Commonwealth and State Aboriginal Authorities.

ON 11 MAY 1995, the Australian Commonwealth government announced that the Human Rights and Equal Opportunity Commission (HREOC) would conduct a National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families (the National Inquiry). The National Inquiry was officially launched in Adelaide on 10 August 1995. On 26 May 1997, after eighteen months of public and private hearings (and submissions), the National Inquiry report, *Bringing Them Home,* was presented in the Commonwealth Parliament of Australia.[1] This report, which has generated significant public, media and academic debate and criticism,[2] documents widespread and systematic racial discrimination and gross ill-treatment of Australian Aborigines resulting from the perception of lawmakers and administrators that there was a need to resolve "the Aboriginal problem."[3]

The National Inquiry report states that from at least the mid or late nineteenth century, there was a policy of forcible separation adversely affecting Aborigines in all states and territories across Australia. It argues that in many cases, forcible separation resulted in deprivation of liberty, violation of parental rights, abuses of legislative and administrative powers, breaches

of guardianship obligations, and breaches of human rights. The report also presents the argument that these separation policies and practices amounted to genocide.

The National Inquiry refers to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, which Australia ratified in 1949 and which came into force in 1951. The convention defines genocide as

> any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group.

In presenting its case for labeling the separation policies as genocidal, the National Inquiry cites the views of Auber Octavius Neville. The National Inquiry writes that "AO Neville, Western Australia's Chief Protector (1915–1940), believed he could 'do nothing' for 'full bloods,' who were thought to be dying out. However, he could absorb the 'half -castes' into the dominant European society."[4]

This article examines Neville's period as Chief Protector of Aborigines in Western Australia, particularly the views he held and actions he took to separate Aboriginal children from their families. Neville received much attention in the critically acclaimed film *Rabbit-Proof Fence* (where he was portrayed by noted British actor Kenneth Branagh). This is understandable, as his fingerprints loomed large in the administration of Aboriginal affairs in Western Australia for nearly three decades in the early twentieth century. It should be added that Neville also assumed a prominent role on the national stage, as his views and ideas took a leading role in the 1937 Conference of Commonwealth and State Aboriginal Affairs authorities. Before examining the Neville era, I provide an outline of the early twentieth century prior to Neville's appointment as Chief Protector of Aborigines in Western Australia.

1900–1915

The Push for Greater Interference

During the 1890s the part-Aborigine, or so-called half-caste population, of the Colony of Western Australian, particularly in the southwest, was attract-

ing the attention of government officials. In 1891 there were 571 half-castes in Western Australia; ten years later, 951—of whom 691 were in the south-west region, forming over 45 percent of the total southwestern Aboriginal population.[5]

The first Chief Protector of Aborigines in Western Australia was Henry Prinsep, appointed in 1898. Prinsep was convinced that half-castes needed to be separated from the so-called full-bloods and the "full bloods" had to be segregated from the rest of society. In particular, he believed Aboriginal children of "mixed descent" living in "native camps" learned only "laziness" and, left to their own devices, would grow up to be "vagrants and outcasts," "not only a disgrace, but a menace to our society." Prinsep believed that it was the government's duty to place the children in missions to be trained as "useful workers . . . and humble labourers."[6]

During this period most of the Aboriginal children in missions had been placed there by either parents or, if orphans, the Aborigines Department. However, even though Prinsep lacked any legislative authority to force the removal of Aboriginal children to missions, the department still coerced some children into missions against their parents' wishes.[7] This, however, was difficult to achieve as parents usually were unwilling to surrender their children. Prinsep complained in his 1902 annual report that "the natural affections of the mothers . . . stood in [the] way" of inducing parents to send their children to the "native" missions.[8]

During the later part of the ninetieth century, humanitarians in both the settled population of Western Australia and from within the ranks of British society criticized the colonial government's treatment of Aborigines. Of particular concern were the alleged abuses and maltreatment of Aborigines working in the pastoral industry.

Unsurprisingly, pressure was mounted for an investigation into the administration of the Aboriginal population. In April 1904 Walter James, then premier of Western Australia, approached Dr. Walter Roth, the Oxford-educated assistant protector of Aborigines in Queensland, to elicit his interest in serving as Royal Commissioner into Aboriginal Administration in Western Australia. He agreed, and on 31 August Roth was formally appointed as head of the Royal Commission on the Condition of the Natives. Roth completed his report on 24 December 1904, and it was tabled in parliament in January 1905. Roth agreed with Prinsep that it was necessary to remove the half-caste children from the general Aboriginal population. In fact, he seems to suggest that most Aboriginal children should be separated from adult "members": "There is a large number of absolutely worthless blacks and half-castes about who grow up to lives of prostitution and idleness; they are a perfect nuisance; if they were taken away young from their surroundings of temptation much

good might be done with them." To this effect, Roth recommended that legislation be introduced allowing the Aboriginal population to be segregated from the general population and making the chief protector the legal guardian of all Aboriginal children.[9]

The recommendations of the Roth commission report were to receive legislative force through the Aborigines Act 1905 (W.A.). The Western Australian 1905 act closely resembled the Aborigines Protection and Restriction of the Sale of Opium Act 1897 (Qld.), reflecting Roth's involvement with the Aboriginal affairs department in Queensland. The 1905 act acted as a blueprint for much of the Aboriginal-specific legislation that was to follow in Australia's other jurisdictions.

The 1905 Act

The 1905 legislation reflected desire by the government and ruling classes to segregate and control Aboriginal peoples.[10] The Aborigines Act 1905 (W.A.) created a ministerial post and department charged with promoting Aboriginal welfare through education, health care, and other provisions (sec. 4). For the purposes of the act, an Aborigine was deemed to be "an aboriginal inhabitant of Australia," a "half-caste," or the child of a "half-caste" who was co-habiting or otherwise habitually living or associating with Aborigines (secs. 3[a–c]); or "a half-caste child whose age apparently does not exceed sixteen years" (sec. 3[d]). The definition of "half-caste" included "any person born of an aboriginal parent on either side, and the child of any such person." These combined section 3 definitions were to apply prospectively and retroactively.

Contrary to the section 3 definition of Aborigine, the act provided a supplementary definition of "half-caste" in section 2. This "half-caste" definition included any person with an Aboriginal mother and non-Aboriginal father except for "quadroons," itself a term that was not defined. Where the term "half-caste" appeared in the act, apart from section 3, this definition of half-caste served to exclude certain Aboriginal children from the scope of the chief protector's guardianship obligations. It was not clear when the narrow (sec. 2) or broad (sec. 3) definition of half-caste was to apply under any given statutory provision, because the narrow definition stated that it would apply "unless the context [of the provision] otherwise requires." The narrower definition appears to have been intended to generally exclude from guardianship Aboriginal children whose immediate matrilineal descent was non-Aboriginal.

The Chief Protector of Aborigines headed the Aborigines Department and became the legal guardian of all Aboriginal and half-caste children less than sixteen years old (sec. 8). An amendment extended the chief protector's

guardianship powers to enable removal of an illegitimate half-caste child to the exclusion of the mother's rights (Aborigines Act Amendment Act 1911 [W.A.], sec. 3).

Certain of the department's custodial duties under the 1905 act targeted children only (for example, sec. 6 [3]), while other provisions were intended to protect the welfare of all Aborigines regardless of age. These duties included the apportionment of monies, distribution of clothing, maintenance and education of children, health and general supervision and care of Aboriginal welfare.[11]

The 1905 act also empowered the Governor to set aside Crown lands for Aboriginal reservations (sec. 10). It imposed restrictions on Aborigines' right of movement, (sec. 12) and restricted access by non-Aborigines to reserves (secs. 14, 15) or camps (sec. 36). Miscegenation was proscribed (sec. 43). Female Aborigines were prohibited from being within two miles of a river or inlet used by pearlers or other sea boats (secs. 40, 41). A prohibition was introduced to prevent the removal, without the protector's permission, of children under the age of sixteen or all female "aboriginals" or "half-castes" from a "district" (sec. 9). The act imposed restrictions on the employment of Aborigines and their rights to contract (secs. 16–32, 35). Restrictions were also imposed on the right of Aborigines to own property (sec. 33), to marry (sec. 42), and to consume alcohol (sec. 45; see also sec. 10).

The 1905 Act in Action

Australian historian Anna Haebich argues that the 1905 act "laid the basis for the development of repressive and coercive state control over the state's Aboriginal population" and "set up the necessary bureaucratic and legal mechanisms to control all Aboriginal contacts with the wider community, to enforce the assimilation of Aboriginal children and to determine the most personal aspects of Aboriginal lives."[12] The Aborigines Department was granted the status of a full government department but without the necessary injection of resources to properly and adequately carry out its duties. It relied on local protectors who were not paid an honorarium as recommended by the Roth Royal Commission. Police were also used as protectors, which created confusion and conflict between the police duties to protect and duties to control and prosecute.

Although the 1905 act granted the chief protector new powers to separate Aboriginal children from their families, between 1906 and 1910 the numbers of children in missions fell from 133 to 97 in the south.[13] Attention focused on the northwest of the state, where increasing numbers of children were being removed to missions (the actual numbers are not available)[14] and new

missions and other homes for Aboriginal children were being established. At the time of the act's enactment, there were five missions and homes for Aboriginal children. Between 1905 and 1914 ten additional institutions were established: seven in the northwest, one in the Perth city area, and two in the southwest.

To facilitate family separation even further, police, protectors, and justices of the peace were given the power to remove children without the authorization of the chief protector as previously required. This new regulation related to half-caste children under eight years of age.[15] Removal was furthered facilitated in 1911 when the chief protector's guardianship was extended "to the exclusion of the rights of the mother of an illegitimate half-caste child."[16] The 1911 amendment provided for the governing authorities of missions and other "Aboriginal institutions" to have the same powers as those given to governing authorities "in respect of State children by the State Children Act, 1907" (Aborigines Act Amendment Act 1911 [W.A.], secs. 3, 11).

In 1907 Charles Gale succeeded Prinsep as chief protector. Until 1910 he held the dual roles of chief inspector of fisheries and chief protector of Aborigines. Gale, like Prinsep, had no previous experience in Aboriginal affairs, but as a pastoralist he had had contact with Aborigines. Gale also favored segregating the Aboriginal population and separating children from their families. Gale's tenure as chief protector, however, became strained after the appointment in 1914 of Rufus Underwood as the minister responsible for Aboriginal affairs. While Underwood did not oppose removing Aboriginal children from their families, he did object to spending money for the missions to care for the young Aborigines. Underwood dismissed Gale as chief protector in early 1915, replacing him with the then-secretary of the Immigration Department, Auber Octavius Neville.

Control of Aborigines after 1915: The Neville Era

Neville, Reserves, Settlements, and Missions

The appointment of the long-serving public servant, the English-born Neville, to the position of chief protector of Aborigines, heralded a new era in Aboriginal affairs. Like his predecessors in the position, Neville had no previous experience in Aboriginal affairs; furthermore, unlike those before him, he also had no experience or even contact with Aborigines. He moved quickly to implement a new organizational structure within the Aborigines Department that included changes to issuing permits for Aboriginal labor hire, collecting statistical data, record keeping such as recording births and deaths, marriages and relief. Although Neville did not waste time in stamp-

ing his mark in his new position, he felt isolated and alone. His predecessor, still smarting from his dismissal, was not there to provide a guiding hand.[17]

Neville traveled extensively around the state and was determined to apply the provisions of the 1905 act to all Aborigines. However, between 1920 and 1926, while still serving as the chief protector of Aborigines in Western Australia, he was responsible only for the administration of the northwest (that portion of the state north of the twenty-fifth parallel). Chief Inspector of Fisheries F. Aldrick was appointed the deputy chief protector, and assigned responsibility for Aborigines south of the twenty-fifth parallel. During the period 1920–1926, Aboriginal affairs came under the control of the North-West and Fisheries Departments. In 1926 the North-West Department as well as the deputy chief protector position were abolished. Aboriginal affairs now came under the responsibility of the Aborigines Department, and Neville once again took charge of the administration of Aboriginal affairs throughout the state.

Neville's tenure as chief protector was marked by a zeal to enforce the 1905 act. Neville interfered in all aspects of Aboriginal life, including the personal lives of individuals. For Aborigines, Neville was the symbol of all-encompassing authoritarian control. In 1928, for example, prominent Aboriginal spokesman William Harris said that Aborigines were "afraid of him" and that Neville was one of the "worst enemies of Aborigines."[18] Only a year earlier Neville had advised the Colonial Secretary's Department to declare the City of Perth a prohibited area for Aborigines under section 39 of the Aborigines Act 1905 (WA). This meant they were not allowed to enter the city unless for the purpose of lawful employment. Perth remained a prohibited area until the restriction was revoked by the Native Amendment Act 1947 (WA).

Neville's views centered on a belief that full-bloods should be left alone but the half-caste child, if removed from Aboriginal surroundings, would make "as good a citizen as anybody else"; and Neville wanted to "raise them to that stage."[19] His views were succinctly reported in a newspaper article published in 1937:

> Mr Neville holds the view that within one hundred years the pure black will be extinct. But the half-caste problem was increasing every year. Therefore their idea was to keep the pure blacks segregated and absorb the half-castes into the white population.
>
> Sixty years ago, he said, there were over 60,000 full-blooded natives in Western Australia. Today there are only 20,000. In time there would be none. Perhaps it would take 100 years, perhaps longer, but the race was dying. The pure-blooded aboriginal was not a quick breeder. On the other hand the half-caste was. In Western

> Australia there were half-caste families of 20 and upwards. That showed the magnitude of the problem.
>
> In order to secure this complete segregation of the children of pure blacks, and preventing them ever getting a taste of camp life, the children were left with their mothers until they were but two years old. After that they were taken from their mother and reared in accordance with white ideas.[20]

Neville was to exert a profound influence on the formulation and administration of Aboriginal affairs policy for more than two decades. He enjoyed national prominence in the 1930s, when his absorptionist views gained increasing influence. Neville's guiding belief was that half-castes must be absorbed into the wider community. In the 1940s he wrote, "The native must be helped in spite of himself!"[21] He believed "the sore spot must be cut out for the good of the community as well as of the patient, and probably against the will of the patient."[22]

The so-called half-caste problem dominated his thinking during his protector tenure. In 1935, reflecting on the changes he had made to his department since he took charge, he wrote:

> Since 1915 the character of our work has gradually changed, the half-caste question, then in its infancy, has now assumed formidable proportions and the activities of the Department have had to be considerably extended to meet ever increasing needs. A new generation, differing from its forebears and demanding greater consideration at our hands has attained manhood. The children of this generation are growing up mainly lacking those essential provisions for their welfare which we have failed to provide to their parents.

Neville adopted the antimission stance of Rufus Underwood, the first minister he served under, and came to believe that the "native reserve system" or "native settlement scheme" was the solution to the "Aboriginal problem."[23] In 1916 he wrote of

> filling a long-felt want in the direction of providing a home to which the various waifs and strays who come under the care of the Department from time to time can be sent and receive proper care, education and training. Naturally the establishment of Government settlements of this kind will to some extent affect the work of the Missions, as some of the children hitherto sent to the Missions and subsidised at a per capita rate, will in future be sent to our own

> settlements, where they can be more economically dealt with, and where they will always find a home.[24]

This native-settlement system or scheme sought to segregate Aborigines by "guaranteeing" them Aborigines-only farming settlements by the government. In contradiction to the segregationist purposes, however, the children were isolated from their parents on the reserves, to be educated into the European way of life as farmhands and domestic servants. In 1944, reflecting on his time in Aboriginal affairs, Neville wrote again of the need to separate children from their parents:

> Every coloured child then, must be placed at a residential school at a settlement, and I use the word settlement advisedly, because institutions selected for this purpose must necessarily become what we now describe as Government Native Settlements. The child must be free from all parental control and oversight—it must enter at the earliest possible age—it must be considered to all intents and purposes an orphan. Many, of course, are orphans, and there should be no difficulty in these cases. There will be few exceptions other than amongst those of parents who are already assimilated into the community. The children of full-bloods are not of course referred to as coloureds.[25]

Neville believed that the lighter the skin color of a child, the less contact they should have with Aborigines and their environs. His own words best sum up his position, a position that was to drive separation policies and practices over two decades:

> Quadroons or nearer whites not already properly cared for under white conditions of course must go as soon as possible to institutions for white children and learn to forget their antecedents, and their parents and coloured relatives should be strictly excluded from any contact whatever with them. There is a special home for such youngsters in Western Australia, and this might well be emulated elsewhere.
>
> Many working half-caste girls having infants fathered by white men came to me to discuss the disposal of their children. When I explained to them that separation was inevitable for their children's sake, most of them saw the matter as I did, and on giving them up made and kept a promise not to molest them in any way. I found that these children in their new surroundings had no difficulty in

> comporting themselves as white children, and any picture of their mothers which they might have retained at first rapidly faded from their minds. They attended the State schools and many of them were well above the average in their work. In later life there was a possibility of a meeting between the children and their mothers, but though this was unlikely, by that time both would realise the position sufficiently well to avoid any adverse consequences from it. Some of these near white children were adopted by childless white couples, and that too is all to the good. Quite a few mothers went to service in the country having their children with them, and this plan worked well enough in the early years, difficulties arising as the children grew older, eventually leading to separation.[26]

In practice, once a child was separated, contact between parent and child was often refused, regardless of degree of Aboriginality.[27] Further, the Aborigines Department came into increasing conflict with the missions that were also attempting to "uplift" the children. Neville's plans to disband the missions in favor of native settlements and other government-run institutions and homes were thwarted, particularly in the north of the state, by insufficient resources. The department simply did not have the means to take over the role or "services" being provided by the missions. Thus, Neville and the department had no choice other than to allow the missions to take in Aboriginal children. From 1915 to 1940, the period of Neville's tenure, fifteen new Aboriginal-specific children's institutions were established; of those, six were government established and run,[28] the others controlled by religious organizations.[29]

The Moseley Royal Commission

In 1934, in response to allegations of maltreatment of Aborigines and lobbying from humanitarians, the government established the Moseley Royal Commission into Aboriginal Affairs.[30] Moseley made twenty-six recommendations on a wide variety of issues.

Moseley displayed sensitivity to the pain caused by separating children from parents that was lacking in others in officialdom who had championed the policy.[31] Nevertheless he believed removal from their families was often necessary, to allow the children to be educated and "civilized," especially so in cases of quadroons. Moseley recommended that the definition of half-caste be amended to include persons of Aboriginal origin in remote areas and that greater control be given over half-caste minors by designating the minister as legal guardian of every half-caste child under age sixteen, extendable by

magistrate order to age twenty-one.[32] These measures would facilitate placement in institutions for education and learning. Moseley also recommended the prohibition against miscegenation be made stricter.[33]

The 1936 Amendment Act

Adopting many of the Moseley report recommendations, the Western Australian government initiated and passed the Aborigines Act Amendment Act 1936 (WA), the first major revision of the Aborigines Act 1905 (WA). Much to Neville's earlier disappointment, the Aborigines Bill 1929—aimed at greater control over Aboriginal marriages and over sexual contacts between Aborigines and non-Aborigines—had failed to pass the Legislative Assembly of the Western Australian Parliament (though it was passed by the Legislative Council). The 1936 act was to be read in conjunction with the 1905 act, and its provisions remained largely intact until 1954.[34]

During the second reading of the 1936 act, the Western Australian premier gave a speech expressing the desire to benefit the state's Aborigines by implementing the Moseley report recommendations.[35] For instance, he expressed great concern over the moral risks posed to young Aboriginal girls and thus the need to increase the powers of the chief protector to cover a larger number of Aboriginal children.[36] Despite the benevolent assertions of the premier and others, some parliamentarians questioned the so-called benefits of the act for Aboriginal people. The member for Kimberly, for example, a Mr. Coverley, said that "[a]t first reading, it appeared to me to be harsh treatment that any person should have power to take charge of children irrespective of the opinions or wishes of the parents; because, after all, the aborigines have just as much affection for their offspring as have the people of any race." Nonetheless, Coverley deferred to the royal commissioner's recommendation and was willing to accept that "this proposed power will be necessary so that the Chief Protector can take charge of children and place them in an institution where they will be educated and taught to be useful."[37]

Many parliamentarians referenced a threatening menace posed to white society by the Aborigines, particularly the half-castes. The Honorable J. Nicholson declared that parliament must put a "check on or stamp out the tremendous menace confronting the State"; the Honorable W. J. Mann described the increase in the half-caste population as a menace.[38] The Honorable G. B. Woods referred to the "ever-increasing menace" that had to be curtailed:

> The girls, constituting the greatest problem of the lot, could be put into schools also. I would not be above taking them away from

> their mothers at the earliest possible stage. We have to face this problem, but so fast are these people breeding that during the last 12 months there has been an increase in the previous population of 4,000 half-castes. So members can work out for themselves what the position is likely to be in a few more years. There will then be so many half-castes and coloured people in the State that we shall not know what to do. But we owe it to the future generations of white people that something should be done to stop this ever-increasing menace. There are many ways of doing it.[39]

Woods added that it was necessary to separate the half-castes from the full bloods because "the long term distance view is to breed these people right out, but so long as the half-castes can mate with the full blacks, the process is being reversed, and in five years' time we shall have a great many more half-castes and quarter castes then we have to-day."[40]

In the parliamentary debate about the 1936 act, this question of reducing the "menace" posed by the increasing half-caste population received much attention. The concern was based partly on a view that the Aboriginal race was inferior to the European race and thus should not be allowed to increase its population. In effect, this reflects a eugenics view, evidenced by the thinking of the Honorable L. Graig:

> We might help to overcome the difficulty by getting the half-castes and the quadroons away from the full bloods. The natives are of the same blood as we are, and the colour can be bred out of them for the reason that they are not like Asiatics or the Negroes. The danger to-day lies in the native camps in the South-West where the half-castes go back and live with the full-blooded natives, and in that way get back once more to the darker blood. If we can separate the half-castes from the pure blacks we shall go a long way from the half and quarter-castes so that the blending shall be towards the white. The colour must not be allowed to drift back to the black. If we can only segregate the half-castes from the full-bloods we shall go a long way towards breeding the dark blood out of these people....We should be prepared to spend considerable sums of money in taking away the female children, giving them a good education, and training them to do useful work. If they do go out to service, and then get into trouble, that trouble will be associated with white people which, in itself, will assist to breed out the colour. The main essential is to breed out the dark colour.[41]

Some parliamentarians even suggested, expressly or by implication, forced sterilization. For example, the Honorable E. H. H. Hall, speaking of an Aboriginal woman who had given birth to five children—allegedly all by different white fathers—said, "I wish the Royal Commissioner had embodied a suggestion in his report that action should be taken against such a woman that would prevent her from ever bringing children into this world again."[42] The Honorable L. B. Bolton agreed: "it would not be too much to suggest that we take steps to sterilise these unfortunate young women." Though saying he was motivated by concerns for these women, Bolton declared himself "staggered to learn of the alarming rate at which the number of half-castes is increasing."[43]

With passage of the 1936 act the parliament expanded the range of persons falling within the powers of the Aborigines Department (now referred to as the Department of Native Affairs; sec. 3[1][a]). Deleting the 1905 definition of "half-caste" (sec. 2[d]) had the effect of including some patrilineally Aboriginal children. This expansion provoked criticism from the Honorable N. Keenan: "The parent Act does not touch quadroons at all. The proposal now is to rope in another generation. The net is being extended unduly."[44] Further, the 1905 term "Aborigine" was replaced with the term "native" in the 1936 act (sec. 2[e]). A "native" was defined as "any person of the full blood descended from the original inhabitants of Australia," regardless of age, and certain quadroons. A "quadroon" was defined as an Aboriginal descendant with "one-fourth of the original full blood" (sec. 2[f]). Accordingly, the definition of persons falling within the scope of the legislative regime was broadened to include all quadroons who were under the age of twenty-one and who were associating with or substantially living in the manner of full bloods (sec. 2[e][b][i]).

Potentially the legislative net could be cast further to include yet more Aborigines. The act provided that quadroons falling outside the "inclusive" component of the definition could, under certain circumstances, be classed as a "native" by order of a magistrate or the minister (secs. 2[e][b][i] and [ii]; sec. 2[e][b][iii]). This would ensure that the chief protector of Aborigines (retitled Commissioner of Native Affairs; sec. 3[1][a]) retained power over the growing number of quadroons seemingly beyond his powers. Further extending the extent of the chief protector's powers, the guardianship age was raised to twenty-one from sixteen (sec. 7).

The 1936 act did not adopt the Moseley report recommendation to give legal guardianship to the responsible minister. In language similar to the 1911 Amendment Act, the 1936 act made the commissioner of native affairs the "legal guardian of every native child notwithstanding that the child has a parent or other relative living" (sec. 7). This expanded definition authorized the commissioner to forcibly remove virtually any child of Aboriginal descent. The 1936 act maintained many of the preexisting guardianship duties

and imposed additional obligations as well. It provided for expanded medical examination powers, by penalty of law (sec. 12), and powers for the administration of Aboriginal estates (sec. 21). The act also strengthened powers that restricted the rights of Aborigines on matters including marriage, interracial cohabitation, entry into employment contracts, and alcohol consumption (secs. 25–28).

1937 Commonwealth and State Native Welfare Conference

Attendees of the 1936 Premiers Conference in Adelaide decided that the chief protectors and boards controlling Aborigines in the states and the Northern Territory should meet together to discuss Aboriginal affairs policy. Such a conference was held at Parliament House, Canberra, between 21 and 23 April 1937. The conference was dominated by those jurisdictions with the largest Aboriginal populations: Western Australia, Queensland, and the Northern Territory. And it provided Neville with the perfect national stage to espouse his views and policies on biological absorption and eugenics.

The conference passed a resolution supporting a policy of the complete "absorption" of the Aboriginal peoples of Australia into the European-descended population: "DESTINY OF THE RACE. — That this Conference believes that the destiny of the natives of aboriginal origin, but not of the full-blood, lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end."[45] This "dying pillow" or "dying race" concept was very influential in Western Australia in the 1920s and 1930s and is based on the idea that a discrete "race" can somehow "die out." This idea has many points of genesis, but perhaps the most important is that of eugenics. Based on the idea of a relationship between racial strength and human heredity, eugenics was seen as practical Darwinism by its founder, Francis Galton, cousin to Charles Darwin.[46] Galton first defined the idea of eugenics in 1884,[47] but the movement was at its strongest in the first four decades of the twentieth century.[48] The point where eugenics departs from other racial theories is that eugenicists believe that "weaker" races should be bred out of existence.[49]

One conference delegate described this policy as the only solution to the Aboriginal "problem."[50] Within this broad policy the Aboriginal population was broken into two subsets, which would be treated differently. Those of mixed descent would be absorbed, "regardless of their wishes in the matter," and those deemed full bloods would be left on reserves.[51] The unanimous consensus reached was that the full blood population would eventually die out.[52] One commentator states that it was universally accepted at the con-

ference that the various governments had the right to impose biological as well as economic assimilation upon the Aboriginal peoples.[53] The report of the National Inquiry into Separation of Aboriginal and Torres Strait Islander Children from Their Families noted that the absorption model, initiated by Neville, was initially biological, and that the later incarnation known as assimilation was a socio-cultural model, both forms carrying the seed of annihilation for Aboriginal peoples.[54]

The attitudes driving the policy of merging the Aboriginal people into the dominant non-Aboriginal population were placed on the national stage by the 1937 conference in Canberra. Neville articulated those attitudes in his remarks to the conference. His remarks are worth noting here in some length, as they bring together the prevailing attitudes of the first three to four decades of the twentieth century:

> The opinion held by Western Australian authorities is that the problem of the native race, including half-castes, should be dealt with on a long-range plan. We should ask ourselves what will be the position, say, 50 years hence; it is not so much the position to-day that has to be considered. Western Australia has gone further in the development of such a long-range policy than has any other State, by accepting the view that, ultimately the natives must be absorbed into the white population of Australia. That is the principal objective of legislation which was passed by the Parliament of Western Australia in the last session. I followed closely the debates which accompanied the passage of that measure, and although some divergence was, at time, displayed, most members expressed the view that sooner or later the native and white population of Australia must [be] merged. The Western Australian law to which I have referred is based on the presumption that the Aborigines of Australia sprang from the same stock as we did ourselves: that is to say, they are not Negroid, but give evidence of Caucasian origin.
>
> If the coloured people of this country are to be absorbed into the general community they must be thoroughly fit and educated at least to the extent of the three R's. If they can read, write and count, and know what wages they should get, and how to enter into an agreement with an employer, that is all that should be necessary. Once that is accomplished there is no reason in the world why these coloured people should not be absorbed into the community. To achieve this end, however, we must have charge of the children at the age of six years; it is useless to wait until they are twelve or thirteen years of age. In Western Australia we have power under

> the Act to take any child from its mother at any stage of its life, no matter whether the mother be legally married or not.
>
> ...[I]n order to prevent the return of those half castes who are nearly white to the black, the state Parliament has enacted legislation including the giving of control over the marriages of half-castes. Under this law no half-caste need to be allowed to marry a full-blooded Aboriginal if it is possible to avoid it....
>
> ...I see no objection to the ultimate absorption into our own race of the whole of the existing Aboriginal race....
>
> ...Every administration has trouble with half-caste girls. I know of 200–300 girls, however, in Western Australia who have gone into domestic service and the majority are doing very well. Our policy is to send them out into the white community, and if the girl comes back pregnant our rule is to keep her for two years. The child is then taken away from the mother and sometimes never sees her again. Thus these children grow up as whites, knowing nothing of their own environment. At the expiration of the period of two years the mother goes back into service. So that it really does not matter if she has half a dozen children.[55]

In the general discussion that followed the initial state and territory presentations, Neville commenced by reinforcing his "dying pillow" concept: "There are a great many full-blooded aborigines in Western Australia living their own natural lives. They are not, for the most part, getting enough food, and they are, in fact, being decimated by their own tribal practices. In my opinion, no matter what we do, they will die out." Neville added that because the full-bloods were dying out, they were not a problem for administrators and the community. The future problem rested with the ever-increasing "coloured" or half-castes.[56]

The coercive nature of the Aborigines Act Amendment Act 1936 (WA) is reflected in the following excerpt from Neville's conference speech.

> Reference has been made to institutionalism as applied to the aborigines. It is well known that coloured races all over the world detest institutionalism. They have a tremendous affection for their children. In Western Australia, we have only a few institutions for the reception of half-caste illegitimate children, but there are hundreds living in camps close to the country towns under revolting conditions. It is infinitely better to take a child from its mother, and put it in an institution, where it will be looked after than to allow it to be brought up subject to the influence of such camps. We allow

> the mothers to go to the institution also, though they are separated from the children. The mothers are camped some distance away, while the children live in dormitories. The parents may go out to work, and return to see that their children are well and properly looked after. We generally find that after a few months, they are quite content to leave their children there.[57]

Here Neville is speaking only of the native settlements where the parents lived on the reserves and the children had been removed to an institution on the settlement or nearby. Neville fails to mention that legitimate children were also removed and omits the missions and homes, such as Sister Kate's home, where there was little contact, if any, between parents and their separated children.

The above excerpt highlights a number of considerations concerning the Western Australian government's policies in existence at the time. It is clear that a policy existed to transfer children away from their families and cultures to institutions where they would be subjected to the "European way." Neville justifies this policy using benevolent motives. His comment, however, raises questions of consent to the separations or removals. Arguably, what Neville considered contentment on the mothers' part to having their children removed could also be described as despair and loss of hope of ever having their children returned.[58]

In response to the question of what happened to the children after they were taken from their parents, Neville said:

> We recognize that we cannot do much with the older people, except look after them and see that they are fed. As regards the younger people, from twenty years upwards, we can find employment for them if possible, but it is of the children that we must take notice. You cannot change a native after he has reached the age of puberty, but before that it is possible to mould him. When the quarter-caste home, in which there are now nearly 100 children, was started we had some trouble with the mothers. Although the children were illegitimate, the mothers were greatly attached to them, and did not wish to be parted from them. I adopted the practice of allowing the mothers to go to the institution with the children until they satisfied themselves that they were properly looked after. The mothers were then usually content to leave them there, and some eventually forgot all about them.
>
> ...When they enter the institution, the children are removed from the parents, who are allowed to see them occasionally in order

> to satisfy themselves that they are being properly looked after. At first the mothers tried to entice the children back to the camps, but that difficulty is now being overcome.[59]

Again, Neville was restricting his comments to the native settlements and illegitimate children. Legitimate children were also removed. He also, yet again, confuses the loss of hope of Aboriginal mothers with consent to the separation policies. However, there is little doubt that the legislative regime in Western Australia and government policy allowed force to be used in separating or removing children. Note, for example, the following query from a member of the New South Wales Protection Board recorded in the conference proceedings: "Mr Harkness.—Can your department take them by force up to any age? Mr Neville.—Yes, up to the age of 21."[60]

The proceedings of the 1937 conference provide a rich source of historical evidence of the views and attitudes that governed Aboriginal affairs policy during Neville's tenure as chief protector of Aborigines/commissioner of native affairs in Western Australia. These attitudes, centered on the "dying pillow" or "dying race" concept and eugenic theories, drove a legislative, administrative, and practical scheme of biological absorption that separated Aboriginal children from their parents. Approaching the 1940s this policy was still in force, as ably demonstrated in a 1939 statement from the district protector of Midland: "Would not the separation of the young from close contact with grown members of the settlement tend to minimise the influence of their elders and so help to eradicate what may, if too frequently observed, prove to weaken their characters and usefulness."[61] This biological absorption model would continue to dominate Aboriginal affairs in Western Australia into the early 1940s, after Neville had departed from his position.

The End of Neville

In 1940 Neville resigned his position as commissioner of native affairs. His replacement, Frank Bray, did not differ markedly in style, approach, or policy from Neville—though during his 1940–1948 tenure the drive toward "whitening" the half-caste population lost intensity. There are a number of explanations for this, including the draining of resources to assist the war effort and a shift in public and government opinion away from policies that appeared to have some commonality with Nazi Germany's eugenic policies.[62] Nevertheless Neville's influence and legacy remained intact during Bray's tenure; the Aboriginal children, more so the half-castes, had to be removed from the negative Aboriginal influences to be raised in the "white ways."

Indeed, in his 1940 annual report Bray praised the superintendent of the Carrolup settlement for removing "indolent natives and their children," thus "cleansing the towns and districts of the worst types of natives."[63]

Conclusion

The film *Rabbit-Proof Fence* tells the story of the journey of three young part-Aboriginal girls back to their mothers from a government institution (only two successfully made it home). In the harsh trek the girls follow the long barrier fences erected in an endeavor to prevent rabbits from migrating from the east to the west of the Australian continent. A. O. Neville built his own separation fence, a fence erected from an idea and put in place by policy and legislation. Neville's barrier fence was an attempt to keep away the "bad influences" of Aboriginal parents from their children. In some cases he succeeded in preventing contact between child and parent; in other cases he did not. And in many cases the long-term effects of these separations have been devastating; yet in some, not so. But the legacy of Neville and the historical separation of Aboriginal children from their families remains a contentious topic in contemporary Australian political and community debate.

NOTES

1. Human Rights and Equal Opportunity Commission, *Bringing them home* (AGPS Canberra 1997).

2. For example, refer to R Brunton, "Betraying the Victims: The 'Stolen Generations' Report" (1998) 10 IPA Backgrounder 1; H Wooten, "Ron Bruton & Bringing then Home" (1998) 4 *Indigenous L Bulletin* 4; P Howson, "Rescued from the Rabbit Burrow" (1999) June *Quadrant* 10; R Marsh, "'Lost', 'Stolen' or 'Rescued'?" (1999) *Quadrant* 15; B Lane, "Rights body a 'bad influence' on policy" *The Australian* (11 September 2000) 26; S Powell, "Sloppy study makes falsehoods fact" *The Australian* (11 September 2000) 26; R Manne, "In Denial: The Stolen Generations and the Right" (2001) 1 *Australian Quarterly* Essay 3; P Carlyon, "Stolen Children: On the Words that Matter" *The Bulletin* (12 June 2001) 26.

3. Above n 1, 277–78.

4. Ibid, 274.

5. P Biskup, *Not Slaves Not Citizens* (University of Queensland Press St Lucia 1973) 42, 29.

6. A Haebich, *For Their Own Good* (University of Western Australia Press Nedlands 1988) 57.

7. Ibid, 67.

8. Chief Protector of Aborigines, H Prinsep, *Annual Report of the Aborigines Department 1902* (Government Printer Perth 1902) 67.

9. Commissioner WE Roth, *Royal Commission on the Conditions of the Natives Report* (Government Printer Perth 1905) 25. Ibid, (1905) 26, 28.

10. P Brock, *Outback Ghettoes: Aborigines, Institutionalisation and Survival*, (CUP Cambridge 1993) (1993) 12.

11. Aborigines Act 1905 (WA), section 6.

12. Above n 6, 83.

13. Chief Protector of Aborigines, H Prinsep, *Annual Report of the Aborigines Department 1906* (Government Printer Perth 1906) 4; Chief Protector of Aborigines, C Gale, *Annual Report of the Aborigines Department 1910* (Government Printer Perth 1910) 6.

14. At one northwest mission, Beagle Bay, the number of children increased from 60 in 1907 to 94 in 1909 – Chief Protector of Aborigines C Gale, *Annual Report of Aborigines Department 1907* (Government Printer Perth 1907) 7–10; C Choo, *The Role of the Catholic Missionaries at Beagle Bay in the Removal of Aboriginal Children from their Families in the Kimberley Region: Submission to the Human Rights and Equal Opportunity Commission's Enquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* (C Choo Perth 1996) 13.

15. Western Australian Government, *Government Gazette* (19 February 1909) 588.

16. Above n 11, section 3.

17. P Jacobs, *Mister Neville* (Fremantle Art Centre Press Fremantle 1990) 55.

18. AD 38/1927.

19. Above n 6, 156.

20. *The Telegraph* (Brisbane Wednesday Evening 5 May 1937).

21. A. O. Neville, *Australian's Coloured Minority: Its Place in the Community* (Currawong Publishers Sydney 1947) 80. Neville wrote the manuscript in 1944 but it was not published until 1947. Although note there is some dispute as to whether this book was written in 1943 rather than 1944. Refer to above n 6, 70; A Charlton, 'Conceptualising Aboriginality: reading A O Neville's Australia's Coloured Minority' (2001) 2 *Australian Aboriginal Studies* 47, 47.

22. GC Bolton, "Black and White after 1897" in CT Stannage (ed), *A New History of Western Australia* (University of Western Australia Press Nedlands 1982) 138.

23. Chief Protector of Aborigines, O A Neville, *Annual Report of the Chief Protector of Aborigines for the year ended 30 June 1935* (Government Printer Perth 1935) 7.

24. Chief Protector of Aborigines, O A Neville, *Annual Report of the Chief Protector of Aborigines for the year ended 30 June 1916* (Government Printer Perth 1916) 5.

25. Neville, above n 21, 177–178.

26. Ibid, 179–180.

27. Aboriginal Legal Service of Western Australia, *Telling Our Story* (Aboriginal Legal Service of Western Australia Perth 1995) 2–3, 138; Aboriginal Legal Service of Western Australia, (Aboriginal Legal Service of Western Australia Perth 1996) 35–37.

28. The Carrolup Native Settlement had two incarnations: 1915–1922; 1938–1852.

29. A Haebich , *Broken Circles* (Fremantle Art Centre Press Fremantle 2000) 229–230.

30. Commissioner Moseley, *Report of the Royal Commissioner Appointed to Investigate, Report, and Advise Upon Matters in Relation to the Condition and Treatment of Aborigines* (Government Printer Perth 1935).

31. Ibid, 21–22.

32. Ibid, 72.

33. Ibid, 74–75.

34. Aborigines Act Amendment Act 1936 (WA), sec. 1; Native Welfare Act 1954 (WA), section 1(2).

35. Hansard vol 1 series 97 2RSP Assembly (20 October 1936) col 1206–1207.

36. Ibid, col 1207.

37. Ibid, cols 2376–2377.

38. Ibid, (30 September 1936) cols 878–879.

39. Ibid, cols 830–831.

40. Ibid, col 831.

41. Ibid, col 823.

42. Ibid, (13 October 1936) col 1067.

43. Ibid, col 1067.

44. Hansard vol 1 series 98 2RSP (8 December 1936) col 2399.

45. Commonwealth of Australia, *Aboriginal Welfare-Initial Conference of Commonwealth and State Aboriginal Authorities* (AGPS Canberra 1937) 3.

46. D Austin, *I Can Picture the Old Home So Clearly: The Commonwealth and "Half-caste" youth in the Northern Territory 1911–1939* (Aboriginal Studies Press Canberra, 1993) 17–19; Q Beresford and P Omaji, *Our State of Mind* (Fremantle Arts Centre Press Fremantle 1998) 33.

47. M Sanger, "Dangers of Cradle Competition," in CJ Bajema (ed), *Eugenics Then and Now* (Dowden Hutchinson and Ross, Stroudsbourg Pennsylvania 1976) 113.

48. D Austin, above n 46, 18.

49. Above n 10, 133.

50. D Austin, above n 46, 196.

51. L Lippmann, *Generations of Resistance: Aborigines Demand Justice* (2nd ed Longman Cheshire Melbourne 1992) 24.

52. Q Beresford and P Omaji, above n 46, 46.

53. D Austin, above n 46,196.

54. Above n 1.

55. Above n 45, 10–11, 15.

56. Ibid, 16.

57. Ibid, 17.

58. D *Markovich*, Genocide, a crime of which no Anglo-Saxon nation could be guilty: Though perhaps there lies a prima facie case?: Stolen Generations v Commonwealth *(Honours Thesis School of Law Murdoch University 2000) 77–78.*

59. Above n 45, 17.

60. Ibid, 17.

61. W S Myles "Midland District Report" in Commissioner of Native Affairs OA Neville *Annual Report of the Commissioner of Native Affairs for the year ended 30 June 1939* (Government Printer Perth 1939) 55.

62. Above n 29, 279.

63. Commissioner of Native Affairs F Bray, *Commissioner for Native Affairs Annual Report for the year ended 30 June 1940* (Government Printer Perth 1940) 8.

FREEDOM HOUSE IN THE PACIFIC: DEMOCRATIC ADVANCEMENT IN FOURTEEN ISLAND STATES

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The Freedom House surveys of political rights and civil liberties in the countries of the world show that the small Pacific island states perform remarkably well as democratic units. A further analysis of the surveys identifies two characteristic traits of democracy Pacific style. First, the general trend over time is one of improvement and advancement. Second, this fortunate development is promoted by betterments in political rights rather than civil liberties. This probably reflects efforts in the region to introduce concessions to traditional authority. However, the Freedom House conception of democracy does not include considerations of policy. Less than prosperous and in many cases quite dependent on aid and subsidies, the islands bear witness to the fact that frameworks that emphasize democracy as process and procedure may easily come into collision with frameworks that emphasize democracy as output and achievement.

BELIEFS ABOUT democracy abound. They may, according to one rather colorful listing (May 1978:3), be exemplified by declarations identifying democracy as or with inorganic fraternity (Proudhon), despotic rule (Bonald), the idea of community life itself (Dewey), a petit-bourgeois counterrevolutionary ideology (Marx), mediocrity (J. S. Mill, Sorel), equality of fortunes and intellects (Tocqueville, Stephen), shared power (Carlyle), the absence of a state apparatus (Marx, Bakunin, Lenin), the political system in which society achieves consciousness of itself (Durkheim), the most political and complicated of systems (Mayo), institutionalized opposition (Lipset), the good society itself in operation (Lipset), maximal opportunities for self-development (Macpherson), and the worship of jackals by jackasses (Mencken). It has in fact been argued that the term "democracy" is used to convey

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so many differing meanings that a statement that the good society is good is no more a tautology than a statement that the good society is democratic (Westholm 1976:184); a pessimistic view is that there is little hope that there can ever be a generally agreed on definition of democracy (Kimber 1989:199–200).

Still, most definitions and conceptions of democracy today consider two essential aspects: political rights and civil liberties. Defining democracy in a minimal fashion, as a system where multiple political parties compete through free elections for control of government, no longer appears adequate. An emphasis on individual rights and the rule of law has been added and is present in a number of barometers used to measure democratic performance (Foweraker and Krznaric, 2000:759–760). In any inspection of these barometers, two global trends are discernible. On the one hand, there has been during recent decades a dramatic progress in the expansion of freedom and democratic governance in the world. On the other hand, the progress is anything but even and steady. Between different regions, great differences still prevail in terms of democratic opening. The Freedom House surveys of political rights and civil liberties in the countries of the world, which will find extensive use in this essay, provide an instructive illustration of this state of affairs (Karatnycky 2003:101–102). Whereas in terms of Freedom House standards almost all countries in Western Europe (24 out of 25) are democracies in the year 2002, and the region of the Americas and the Caribbean also performs reasonably well, 23 countries out of 35 being democracies, the situation is much worse in other areas of the globe. In Central and Eastern Europe and the former Soviet Union, 12 countries are today democratic as against 15 nondemocracies, and in Sub-Saharan Africa 11 countries are democracies as against 37 nondemocracies. In the Middle East and North Africa only one democracy can be found (Israel), whereas the remaining 17 countries are all nondemocracies. Concerning, finally, the Asia-Pacific region, the score is again rather satisfactory, 18 countries being democratic as against 21 nondemocracies.

Much overlooked in the literature on democratization is the fact that the good figure for the Asia-Pacific region is to a large extent due to the excellent performance of a group of small island states that attained independence during a thirty-year span, starting in the early 1960s and ending in the early 1990s. The intriguing relationship between small size and democracy, small entities being in general more prone to democratic government than larger ones, is certainly recognized in the democracy literature (e.g., Dahl and Tufte 1973; Hadenius 1992:122–127; C. Anckar 2000; Ott 2000), but the evident manifestation of this relation in the Pacific context is seldom explicitly recognized (D. Anckar 2001, 2002a, 2002b). It is the aim of this essay to

showcase this Pacific context and to elucidate patterns as well as variations of democratic conduct. The time span of the investigation is between the years of 1972 and 1999, this period being determined partly by considerations that pertain to data supply.

Data and Countries

This essay makes systematic use of freedom ratings provided by the Freedom House organization. Based on surveys by regional experts, consultants, and human rights specialists as well as fact-finding missions and published sources, Freedom House has monitored since 1972 the progress and decline of political rights and civil liberties in all the nations of the world and in related territories. Since 1978 these efforts have been published in a yearbook called *Freedom in the World*. In essence, on the basis of multi-itemized checklists, the units are rated on seven-category scales for political rights as well as civil liberties. Political rights designate the right of all adults to vote and compete for public office, and for elected representatives to have a decisive vote on public policies. Civil liberties designate the freedoms to develop views, institutions, and personal autonomy apart from the state.

In more operational terms (see, for example, *Freedom in the World*: 593–596), a country grants its citizens political rights when it permits them to form political parties that represent a significant range of voter choice and whose leaders can openly compete for and be elected to positions of power in government. On the one hand, the political rights checklist that is used by Freedom House includes items like the existence of free and fair elections, fair electoral laws, equal campaigning opportunities, endowment of freely elected representatives with real power, the right of people to organize in competitive political groupings, significant opposition vote, and reasonable self-determination of minority groups. On the other hand, a country upholds its citizens' civil liberties when it respects and protects their religious, ethnic, economic, linguistic, and other rights, including gender and family rights, personal freedoms, and freedoms of the press, belief, and association. Accordingly, the civil liberties checklist includes items like the existence of free and independent media, open public discussion, freedom of assembly, demonstration and political organization, the rule of law, protection from political terror, free religious expression, personal social freedoms, and equality of opportunity. To give one example, in the year of 1997, the score for Papua New Guinea was a satisfying 2 for political rights and a less impressive 4 for civil liberties. While recognizing the existence of democratic elections, a free private press, balanced news coverage, and active and outspoken nongovernmental organizations, the survey of that country also called attention to elections being marred by ir-

TABLE 1. **Democracy Scores and Ratings: Individual Pacific States, 1972–1999.**

Country	Rating Years	Political Rights	Civil Liberties	Combined Score	Democracy Rating (Annual Average Score)
Belau	1994–1999	6	12	18	3.0
Cook Islands	1974–1999	51	52	103	4.0
Fiji	1972–1999	89	75	164	5.9
Kiribati	1979–1999	25	35	60	2.9
Marshall Islands	1991–1999	9	9	18	2.0
Micronesia	1991–1999	9	12	21	2.3
Nauru	1972–1999	52	63	115	4.1
Niue	1974–1994	42	42	84	4.0
Papua New Guinea	1975–1999	51	66	117	4.7
Samoa	1972–1999	90	66	156	5.6
Solomon Islands	1978–1999	33	42	75	3.4
Tonga	1972–1999	132	83	215	7.7
Tuvalu	1978–1999	26	30	56	2.5
Vanuatu	1980–1999	33	64	97	4.9

Source: Freedom in the World, Annual Volumes 1972–1999.

regularities and violence, and security forces having poor discipline and low morale. Furthermore, there was in that country a law and order crisis and social discrimination of women (*Freedom in the World*: 409).

On the basis of these ratings, for each year, each unit of study is placed by Freedom House into one of the categories of Free, Partly Free, and Not Free. On a scale of 1 to 7, where 1 represents the most free and 7 the least free for the combined ratings, generally countries whose ratings average 1 to 2.5 are considered Free, whereas countries whose ratings average 3 to 5.5 are considered Partly Free, and countries whose ratings average 5.5 to 7 are considered Not Free. The labels are simplified terms that each covers a broad third of the available raw points (*Freedom in the World*: 597–598). Although at times criticized for treating some regions in the world harshly and other regions generously in terms of classification (Lane and Ersson 1994:144; Bollen 1993:1221–1223), the Freedom House data are widely used by social scientists and political scientists (e.g., Burkhart and Lewis-Beck 1994; Helliwell 1994; Lijphart 1984,1999), and they have been found generally to possess a high degree of validity and reliability (Bollen 1993:1207–1230). They have also been found to correlate significantly with other prominent measures of the level of democracy in various countries (C. Anckar 1997:22–29). It should be emphasized that the Freedom House surveys do not score countries based on governmental intentions or constitutions but rather on real world situations caused by governmental and nongovernmental factors alike (*Freedom in the World 1997–1998*:592). The classifications, therefore, are outcomes of systematic and empirical comparisons that go beyond the observation of formal procedures and have a local empirical grounding.

The islands that are investigated in this research are, in alphabetical order; Belau (Palau), the Cook Islands, Fiji, Kiribati, the Marshall Islands, Micronesia, Nauru, Niue, Papua New Guinea, Samoa, the Solomon Islands, Tonga, Tuvalu, and Vanuatu. With two exceptions, these islands were independent states or gained independence during the time span of the research period. The exceptions are the Cook Islands and Niue. The Cook Islands became internally self-governing in free association and with common citizenship with New Zealand in 1965, and now enjoys a position that effectively allows it to operate as an independent state (Henderson 1994:99). Niue received in 1974 the same status (Derbyshire and Derbyshire 1999:843–845), and it is said to have a population of people who have "become hopelessly addicted to New Zealand and her influences" (Douglas 1987:188). The fact that these two territories are free to conduct a policy of their own and have their own democratic institutions as well as the fact that they receive independent ratings in the Freedom House materials makes it possible to include them as cases in this research.

TABLE 2. **Pacific Democracy: A Typology of States**

	Political Rights Performance			
Civil Liberties Performance	Excellent	Good	Modest	Bad
Excellent	Belau 100–100 Kiribati 100–100 Marshall Islands 100–100 Micronesia 100–100 Niue 95–100 Solomon Islands 100–91 Tuvalu 100–100	Cook Islands 77–100		
Good	Nauru 100–75			
Modest	Papua New Guinea 96–56		Fiji 57–54	Samoa 39–64
Bad	Vanuatu 100–10			Tonga 0–4

As the period starts in 1972, annual ratings are available for Fiji (independent in 1970), Nauru (1968), Samoa (1962), and Tonga (never formally colonized, see, for example, Campbell 1992:112–113). Later on during the 1970s, as more islands gain independence, annual ratings become available since 1975 for Papua New Guinea, since 1978 for the Solomon Islands and Tuvalu, and since 1979 for Kiribati. The self-governing territories of the Cook Islands and Niue both appear in the Freedom House ratings from the year 1974. The only change during the 1980s is that Vanuatu, independent in 1980, from that year joins the group of countries that are rated by Freedom House. More changes occur in the 1990s as the Marshall Islands and Micronesia both receive ratings from 1991 onward and Belau joins the group in 1994. Figures are available for Niue up to the year 1994 only. For later years, this island is classified by Freedom House as a "Free" entity, but no actual figures are reported.

Democratic Varieties

This third section focuses on the performance of individual island countries. Points of departure for analysis are given in Tables 1 and 2, which have similar objectives although they differ in structure and composition. Table 1 summarizes some aspects of data availability but also reports observations on similarities and differences between countries. The logic of the table is

perhaps best explained by means of a pair of examples. The data concerning Fiji tell us that ratings for this country are available for all twenty-eight years in the time span 1972–1999. The points received by Fiji for political rights during these years add up to 89, whereas the corresponding sum for civil liberties adds up to 75, the total therefore being 164, and the average annual score for Fiji thus being 5.9. This score, then, crosses the Freedom House border between the Free and Partly Free categories and expels Fiji from the democracy group. Tuvalu, in contrast, with ratings available for the time span 1978–1999, has a clearly more favorable record, the average annual score being 2.5, which places Tuvalu among the model democracies.

Table 2 uses the political rights and civil liberties categories as two analytical dimensions. On each dimension, the individual countries are classified in one of four categories according to performance. In the first category are countries with an excellent record, "excellent" meaning that the country has received a rating of 1 or 2 on at least 90 percent of the ratings of the country in question. In a second category are placed countries that have a "good" record, the operational measure being the rating of 1 or 2 on at least 75 percent and less than 90 percent of the rating points. The third category covers cases that have a "modest" performance, meaning that the countries have a rating of 1 or 2 on at least 50 percent and less than 75 percent of the rating points. Finally, in the fourth category are cases that have performed "badly," meaning that they have been rated as "free" on less than half of the classifications that have concerned the country in question. The results are presented in a table of sixteen cells of which several remain empty. The table crosses the dimensions of political rights performance and civil liberties performances, and also gives the exact individual scores for each country. For example, the score of 100–100 for Tuvalu means that this country has received a rating of 1 or 2 for both political rights and civil liberties on each and every rating that Freedom House has made of Tuvalu.

Inspection of the two tables reveals that the countries can be divided into three groups. The first group includes cases that have an excellent or near excellent performance and is by far the largest. In fact, no fewer than nine out of the fourteen fall into this group. There are, however, internal differences within the group, as three subgroups emerge. First, five countries score maximum points on both dimensions; these countries are Belau, Kiribati, the Marshall Islands, Micronesia, and Tuvalu. Second, the figures for Niue and the Solomon Islands are somewhat weaker but still close to perfect. Third, the Cook Islands and Nauru are still weaker, as they combine excellent ratings on one dimension with less convincing ratings on the other dimension. The deviations differ, however, in nature. Whereas the Cook Islands have a less impressive rating on political rights, the same is true of Nauru on civil

liberties. An inspection of the raw data also suggests a difference in terms of time. Whereas the Cook Islands has improved its political rights rating over the years, scoring an optimal 1 for the last seven years of classification, the rating of Nauru on civil liberties has declined from 2 to 3 from 1993 onward. In other words, democracy has been making headway in the Cook Islands but is declining in Nauru.

In a second group are two countries, namely, Papua New Guinea and Vanuatu. They share a profile that combines an appreciation of political rights and a neglect of civil liberties. They can therefore, to use a common term though illogical be called "electoral democracies." (If democracy is defined to allude to more than elections, then a system that satisfies the election criteria only is simply not a democracy; if the election criterion is sufficient, then all countries that satisfy this criterion are democracies, and the prefix "electoral" is redundant.) However, the profiles of the two countries are not identical over time. During earlier stages of PNG independence, democratic performance was satisfactory and there was some truth to the saying that the country possessed a model of democracy that many developing countries would envy (Deklin 1992:35). Only toward the end of the 1980s, in the wake of constitutional crises and emerging threats of political violence (Saffu 1998), did the country fail to secure a Free ranking in terms of civil liberties. Vanuatu, in contrast, has throughout its independence maintained a tradition of limiting freedom of expression and access to the media (Manua 1995:423). Only twice (1982, 1993) during the time span between 1980 and 1999 has the country been classified as Free in terms of civil liberties. The third group, finally, comprises three countries that clearly deviate from the general pattern and have an inferior performance compared to the other countries. Again, however, there are within-group differences. Whereas Fiji and to a lesser extent Samoa have at least modest performances, Tonga is the definite Pacific outlier, being rated over the years with figures that resemble those given recently by Freedom House to, say, Gabon, Kenya, or Ukraine.

The differences between countries and groups of countries are often case-specific and are therefore difficult to systematize. For instance, the somewhat harsh treatment given by Freedom House to Samoa is to a large extent a consequence of the franchise being restricted in that country until 1990 to holders of chiefly *matai* titles (Hadenius 1992:40), eligibility for candidature in fact still remains confined to the *matai*. Two general features are suggestive, though. One is the impact of size. True, all units, with the exception of Papua New Guinea, are small-sized and in fact microstates. Within the limits of smallness, however, here as in other studies (e.g., D. Anckar 1997), size thresholds apparently play a role. All five countries that have less than excellent or very good records are among the seven largest units in the

TABLE 3. **Average Democracy Ratings for the Pacific Island States, 1972–1999.**

	Democracy	Political Rights Component	Civil Liberties Component
1972	5.0	3.0	2.0
1973	5.5	3.3	2.3
1974	5.5	3.3	2.2
1975	5.1	3.0	2.1
1976	5.0	2.9	2.1
1977	4.9	2.7	2.1
1978	4.8	2.7	2.1
1979	4.7	2.6	2.1
1980	4.7	2.5	2.3
1981	4.7	2.5	2.3
1982	4.5	2.4	2.2
1983	4.7	2.4	2.4
1984	4.7	2.3	2.5
1985	4.7	2.3	2.5
1986	4.5	2.3	2.3
1987	5.2	2.6	2.5
1988	5.1	2.5	2.5
1989	4.5	2.3	2.2
1990	4.4	2.1	2.3
1991	4.0	1.9	2.1
1992	3.8	1.8	2.0
1993	3.8	1.8	2.0
1994	3.9	1.7	2.2
1995	3.9	1.8	2.1
1996	3.9	1.8	2.1
1997	4.0	1.8	2.2
1998	4.0	1.8	2.2
1999	3.8	1.6	2.1
1970s	5.1	2.9	2.1
1980s	4.7	2.4	2.3
1990s	4.0	1.8	2.1
1972–1999	4.6	2.4	2.2

research population, whereas all truly small units are in the group with high standards. Diminutive size, therefore — no exceptions being found — stands out as a sufficient condition for a high democratic standard, whereas larger size — two exceptions being found (Micronesia and the Solomon Islands) — is as a rule linked to a somewhat less satisfactory democratic performance.

Recent developments have strengthened this rule, as the Solomon Islands, in consequence of the severe internal upheavals in that country (see, for example, Ingram 2002:306), no longer can be regarded as an exception.

The other feature is the impact of ethnicity. Political scientists are not in agreement on the political implications of cultural diversity (e.g. Rabushka and Shepsle 1972:18–20; Lijphart 1977); the Pacific experience is, however, that the implications are in the direction of weakened prospects for democracy. This is obvious in the case of Fiji, where the weak democracy performance of that country followed from the racially defined coups in the late 1980s that bred the ill-famed 1990 constitution, defiled with discriminatory and nondemocratic provisions (Lawson 1991, 1996). The case of Fiji is, however, not an isolated one. As evident from mappings of the extent of ethnic heterogeneity in the countries of the world (Anckar, Eriksson, and Leskinen 2002), of the six Pacific islands that have less satisfying democracy performances than the others (Fiji, Nauru, Papua New Guinea, Samoa, Tonga, and Vanuatu), all with the exception of Tonga are among the most heterogeneous islands. A comparison with other countries of the globe also shows that the heterogeneity of these Pacific islands reaches a notable international level (ibid). Although diversity is not necessarily an obstacle to democracy, the Pacific pattern suggests that the relation between the two components is strained and uneasy.

Pacific Democracy: A Bird's-Eye View

Table 3 provides average ratings for the island region for each of the years from 1972 to 1999 and thereby gives an overall numerical description of the development of democracy. The method that is used is one of simple arithmetic. For each year, the ratings of the states for that year have been added, and the result has been divided by the number of states for which ratings have been available during that particular year. For instance, for the year 1993 a total of thirteen states received ratings, the sum of these ratings being 23 for political rights and 27 for civil liberties. These figures as well as the total figure of 50 (23 + 27) have then been divided by 13, these calculations giving the average values of 3.8 for total performance, 1.8 for political rights, and 2.0 for civil liberties. In a similar vein, average ratings for the three decades of the 1970s, 1980s, and 1990s as well as for the whole period of 1972–1999 are included in the table.

As already mentioned, countries whose annual ratings average 1 to 2.5 are generally considered Free by Freedom House, whereas countries with ratings that average 3 to 5.5 are Partly Free. The overall figure for the region is clearly within the Free category, and this outcome is robust. Thus, the

ratings of the region are consistently lower than the Partly Free threshold, and only at five measuring points out of twenty-eight are the ratings slightly over the 5.0 ceiling. This must be regarded as a remarkable achievement that indeed goes a long way to explaining the good overall performance of the Asia-Pacific region. There is a tendency among Pacific authors to question the feasibility of Western models for developing countries and to advocate the need for models that facilitate the incorporation of culture-specific traits in the democracy concept (e.g., Crocombe et al. 1992; Helu 1994). As is evident from Tables 1 through 3, however, no such artificial expansions of the democracy concept are called for to demonstrate the high democratic performance of the Pacific islands. They obviously manage very well on a comparative basis. True, no corresponding data sets are available for other regions or parts of the world. The observations in the introduction to this essay on the spreading of democracy serve, however, to substantiate the notion of a Pacific superiority.

As is also evident from table 3, there are two characteristic traits of democracy Pacific style. On the one hand, the general trend is one of improvement and advancement. The overall figure for the 1980s is better than the corresponding figure for the 1970s, and the overall figure for the 1990s is better still than the corresponding figure for the 1980s. Whereas the island region was balancing the thin border between Free and Partly Free during the 1970s, it has during the 1990s secured a firm position within the Free category. Second, however, this fortunate development is brought about by improvement in terms of political rights rather than civil liberties. Concerning political rights, the figures for the region average three points or more during the first years of the period and fall below two points during the last decade of the period. In contrast, the figures for civil liberties have remained remarkably stable during the whole period, the sum average for the first five years (1972–1976) in fact being exactly the same as for the last five years (1995–1999). Also, the score for the very first year (1972) is in fact slightly better than the score for the very last year (1999). In other words, whereas the observance of political rights has advanced from good to excellent, the observance of civil liberties has always been very good, without, however, quite reaching a level of excellence.

This pattern calls for two general comments. One is that the pattern probably reflects the well-known fact that the Pacific islands have long-standing indigenous cultures and traditions that permeate many facets of life, are a source of national pride, and are not easily reconciled with democratic ideals. In his introductory chapter to the important volume *Law, Politics, and Government in the Pacific Island States*, Yash Ghai emphasizes that in the making of constitutions for the newly independent countries in the region,

"the incorporation of customary values and practices and the accommodation of traditional authorities in the constitution was the most difficult and complex intellectual and technical problem in the whole exercise" (1988:39). The problem has received many solutions, which are discussed at length by Ghai (1988) and other authors (e.g., Thakur 1991; Lawson 1996; White and Lindstrom 1997). It is clear from these discussions that the accommodations of traditional authority have implied encroachments on liberties rather than rights and that the relative neglect over time of liberties therefore reflects a lingering effect from the efforts in the region to introduce concessions to traditional authority.

The second comment is about a sequential argument in the democracy literature. By the end of the year 2002, the Freedom House survey found 121 electoral democracies among 192 states; yet, according to the same survey, only 89 of these electoral democracies had fostered respect for human rights or fostered the stable rule of law (Karatnycky 2003:105). Many potential democracies therefore appear to follow a path toward democracy where free elections precede a possible expansion of constitutionalism. The adequacy of this sequence for the establishment and maintenance of democratic stability has, however, been questioned. The leading question is: In order for democratic stability to result, should basic human and citizens rights be firmly in place before free elections and political competition are achieved? Or, rather, should free politics be the very engine behind the attainment and establishment of such rights? On the basis of theoretical extrapolation, some authors like Guillermo O'Donnell and Philippe Schmitter (1986) and also Robert Dahl (1992) and Larry Diamond (1999:46) have advocated the view that democracy is best served when and if the introduction of rights precedes the introduction of competition. Given that democratic stability, as evident from Table 3, is one distinguishing characteristic of the Pacific region, the region is certainly an adequate and fitting case when pondering the disputed relationship between the political rights and civil liberties components in the emergence of democracy. However, the findings are somewhat contradictory and come in fact closer to repudiation than to confirmation.

On the one hand, as noted above, the Pacific states were marked by a somewhat higher appreciation of liberties than of rights, which is in accordance with theory. In all, the average score for civil liberties has been better than the score for political rights in thirteen out of twenty-eight years, these thirteen years comprising the first eleven years of the period. On the other hand, this general pattern notwithstanding, one has great difficulties in finding individual cases that support the sequence hypothesis. Admittedly, the Cook Islands started out stronger in liberty than in rights and became a stable democracy, as predicted by the theory. However, Belau, equally stable, has been over the

years stronger in rights than in liberties, thus proving the theory wrong. Other cases add to confusion rather than to clarity. Samoa has the same sequence as the Cook Islands but is clearly weaker in overall stability, and Vanuatu has the same sequence as Belau but is clearly weaker in overall stability. The great majority of the cases are indeed stable democracies, but they do not systematically represent one sequence to the disadvantage of the other. In fact, most states have a past that is marked by an equally strong appreciation of rights and liberties. On the whole, therefore, the sequence theory does not survive a confrontation with the realities of politics in the Pacific. Democratic stability is not a consequence of one democratic component being temporally subordinated to another. This finding is very much in line with the results from a recent study of democratic dynamics in sixty-six states (Lampi 2003:316–321). It would appear from this study that the sequence theory lacks the potential to explain differences in democratic stability between states. One possible explanation is that the theory builds upon observations that are specific in time and space and lose force in other contexts (ibid:321). The findings from this essay certainly support this explanation.

Democracy as Policy Content

Still, the excellent democracy record of the Pacific states must be put into context. This context is one of selectivity, the excellent record being a consequence of one conception of democracy rather than others being used and applied. In an attempt to bring order to chaos, Michael Bratton and Nicholas van de Walle argue in their study of democratic experiments in Africa that debates over the meaning of democracy in fact boil down to two core definitional issues (1997:12–13). One concerns whether the nature of democracy is best distinguished according to the form of its procedures or the substance of its results. The second concerns whether if a formalistic definition of democracy should embody a minimal set of essential requirements or rather provide a comprehensive characterization. The Freedom House conception of democracy requires representative elections but also recognizes that elections must be conducted within a matrix of civil liberties; the Freedom House notion therefore provides a comprehensive characterization. However, the notion does not include consideration of the substance of policy, and this omission is favorable to the islands. In fact, if the substantial content of policy were a criterion, a case could be made for calling the democratic nature of the Pacific islands into question.

"Neither Paradise nor Paradise Lost," Evelyn Colbert writes in her introduction to the Pacific island polities, the Pacific island countries face a series of problems of governance: "Their governments, like many, are challenged

by poverty, crime, corruption, youth anomie, drug abuse, population pressure, slow growth rates, resource depletion, environmental degradation, and intermittent natural catastrophes" (Colbert 1997:63). The challenges are so many and so grave that they seriously undermine the efficiency and the political productivity of the states. A small domestic market, a limited resource base, and high costs of social and economic infrastructure are constraints inherent in almost all small island states; the Pacific cases certainly face these constraints and others. As evident from applications of the Commonwealth Vulnerability Index, which has been developed to measure the exposure of states to economic, environmental, political, and social shocks, to the many vulnerabilities of the Pacific islands should be added a liability of climatic catastrophes (Easter 1999:417–418). In an authoritative statement on political life in the islands, it is said that while Kiribati and Tuvalu must be among the world's most democratic states, they are also among the Pacific's poorest (Crocombe et al. 1992:243). In moderation, the same is true of most if not all of the democratic Pacific islands. Although there are differences in wealth and faculties between the islands, on the whole, they are all less than prosperous and quite dependent on aid and subsidies. Indeed, in the Pacific sphere frameworks that emphasise democracy as process and procedure come easily into collision with frameworks that emphasise democracy as output and achievement.

Are, then, the Pacific island nations democracies and nondemocracies at one and the same time? Apparently, the rather confusing answer would be yes, given that the two aspects of democracy are both honored as relevant criteria. The potential for noncorrespondence between democracy as form and democracy as policy has not received much attention in the democracy discourse, democratic form being in most cases accompanied by democratic policy in the much-researched Western European countries. Underachievers in terms of policy, the much less researched Pacific islands, however, upset this harmony between form and content, and bring essential definitional matters in the democracy discourse to a head. In other words, by their failure in terms of policy, the Pacific islands may simplify the construction of a connected democratic theory.

In particular, democracy Pacific style challenges in two important respects the general rationality of the policy orientation: First, definitions that conceptualize democracy in terms of outcomes regard as an empirical question what formal arrangements are better suited than others to produce a democratic outcome (e.g., May 1978). Being underachievers in terms of policy, the Pacific island cases would seem to suggest that the institutions and procedures that they represent are flawed and unsuitable for the promotion of democracy. Precisely this suggestion, however, appears odd and inconsis-

tent with any sensible mode of thinking about democracy. The islands honor political rights and civil liberties, and they thereby represent a democratic form that is much valued and respected. It would seem that conceptualizations that dismiss this form are guilty of importing alien elements into the democracy discourse and that they are in danger of missing essentials in efforts to distinguish between democratic and nondemocratic entities. Although matters of definition always appear to some extent controversial and difficult, the primary purpose of defining is still drawing borders, finding out the distinctive feature of the specimen at hand (Sartori 1994:131, 135). Given this purpose, efforts at establishing defining characteristics of democracy that bypass notions of political rights and civil liberties seem ill-advised and unwarranted. Bratton and Walle put this very nicely: "The distinctive feature of democracy is not that it is better than authoritarian rule at raising or equalising living standards but that it provides political access to decision making for ordinary citizens" (1997:12).

Second, being strong in democratic conduct and weak in policy, the Pacific islands bear witness to the fact that there is no straightforward and one-to-one relation between form and policy, and that political output is influenced partly by factors and circumstances that remain outside the spheres of politics and democracy. Many democracies are praised for a high level of economic affluence; however, as indicated by the lack of affluence in the Pacific democracies, a high level of security and wealth need not follow from democratic government but simply mirrors a higher stage of economic development (Schmidt 1999:287). By making this relationship evident, the Pacific islands again contribute to an appreciation of a more uniform and integrated set of democracy definitions. Namely, if policy outcomes are consequences to a significant extent of other factors than democratic form and democratic procedure, one is surely justified in entertaining doubts about conceptualizations of democracy that build on policy alone. In much the same vein, the Pacific islands are instrumental also in indicating that similar democratic performances by similar democratic actors may still produce differing policy outcomes. This becomes evident from a comparison of the Pacific and the Caribbean small island states. Although there are some differences between these communities in terms of democratic form, Pacific communities being more oriented toward a consensus mode of democracy (D. Anckar 2001), the communities are very similar in terms of democracy level. Still, the similarity notwithstanding, the Caribbean islands are more economically developed (Fairbairn and Worrell 1996:98–102), and this is for a variety of reasons that are external to political and institutional settings and thereby to political form and procedure. For instance, the Caribbean had an earlier start than did the South Pacific in human resource development and the building of industrial

organization; the Caribbean also has a longer history of self-government and external contact. Furthermore, the South Pacific is more remote and the islands more dispersed, which increases the cost of delivery of public utilities, public services, and transport (ibid.:1998). In short, considerations on democratic conduct are less than helpful in efforts to understand productivity differences in the Caribbean and the Pacific. Instead, factors related to history and geography must be considered.

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EXPRESSIONS OF INTEREST: INFORMAL USURY IN URBAN PAPUA NEW GUINEA

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This article examines the nature and practice of small scale usury in a "grassroots" urban community in Port Moresby, Papua New Guinea. In this environment the moneylenders are people of limited financial resources, barely richer than their clients.The latter are often self-employed in informal occupations. Using examples from cases where usurers have taken defaulting debtors to urban "village courts," I show how debt is negotiated by usurers and clients, and I indicate differences between local attitudes toward usury and those that are generally held in Western societies. I discuss prevalent views in social science literature about the influence of kinship sensibilities on socioeconomic behavior in urban Papua New Guinea and attempt to situate moneylending for profit in Port Moresby in the complex local integration of the so-called gift economy and the cash economy.

USURY IS ILLEGAL in Papua New Guinea, and it is difficult to gauge exactly how long it has been practiced to any significant extent. It is prevalent at all socioeconomic levels and has become pervasive enough to be included in popular symptomatologies of an alleged moral decline brought about by increasing poverty in the country. A commentary in a national daily newspaper in 2003, for instance, classified it with prostitution, baby-selling, and the parental encouragement of children into theft as evidence of the destruction of the country's social fabric, portraying moneylenders as extorting interest rates of 50 percent from individuals who risked hospitalization or death if they defaulted on payment (Kolma 2003). In contrast to this sensationalist imagery, my own discussion will concentrate on moneylending in urban "settlement" environments among people with limited financial resources, where the moneylenders are barely richer than their clients and the latter are

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often self-employed in informal occupations earning variable incomes and living in circumstances ranging from (urban) subsistence to modest comfort.[1]

There is very little academic literature on usury in Papua New Guinea, but one short publication is worth noting (Fernando 1991). N. Fernando catalogs moneylending among informal savings and loan activities reflecting specifically indigenous alternatives to a formal financial system rather than classifying it (as a casual reader might expect) as an example of the development of petty capitalism in the country. With this distinction in mind, I investigate the nature of moneylending in urban "grassroots" communities through the use of examples (collected during a decade or so of research in the capital city of Port Moresby) from village court cases in which moneylenders have sought redress against defaulting debtors. There are significant differences between local attitudes to moneylending and those prevalent in Euro-American societies, which my examples and a review of the history of usury later in the article will indicate. Finally, I will attempt to situate moneylending for profit in Port Moresby in the complex integration of the so-called gift economy and the cash economy in Papua New Guinea.

Moneylenders in Court

I became aware of the prevalence of moneylending while monitoring "village court" cases in urban settlements in Port Moresby during the 1990s. Of the three village courts I have monitored methodically since 1994,[2] I have encountered disputes involving usurers in only one, Erima village court. Erima village court serves informal housing communities (known locally as "settlements") containing a great mixture of microethnic groups in the city's northeast suburbs. One of the other village courts, Konedobu, serves downtown informal housing communities that are overwhelmingly of eastern Gulf District origin, and the other, Pari, serves a periurban village inhabited by Motu-Koitabu, the traditional people of the land on which the city has grown. The absence of usury cases in the latter two courts, compared to their common occurrence in Erima court, is important to note. I will return to this contrast later.

The system of courts known as "village courts" was introduced by legislation at the end of the colonial era. Initially intended to serve rural communities, their official function was to settle low-level intracommunity disputes, drawing on customary law in preference to the system of law introduced during colonialism. Village court magistrates are relatively untrained in law, and legislation provides that they be selected by their local community on the criteria of their adjudicatory integrity and good knowledge of local customs

(Village Court Secretariat 1975:1). The courts are not, however, as "customary" as the original planners of the village court system intended, partly because they are a product of legislation rather than local community initiative. This means their practical operations are governed by bureaucratic regulations, which, for example, stipulate what kinds of cases they are allowed to hear, demand the keeping of written records, and provide that local or district courts can hear appeals by disputants against village court magistrates' decisions (Village Court Secretariat 1976).

Arguably, as a result of these and other noncustomary constraints, village courts have become structurally integrated with the formal legal system and find themselves at the lowest level of the hierarchy of courts. Local communities' ideas of what a "court" should be, based on their experience of district courts introduced in the late colonial period, have played a part in this shift. Planners of the village court system had intended that the courts would simply be held where and when a dispute arose, but in most areas nowadays courts are held on a regular weekly basis in "courthouses" built by local communities. However, village courts have not broken completely with informal practice. Lawyers are not allowed to attend village court hearings, and disputants are apt to use tactics and arguments commonly encountered in informal moots rather than in a formal courtroom. The legally unschooled and unconditioned magistrates, for their part, are creative in their dispute management and decision making much of the time, and do not bind themselves to legal precedents. After a sprinkling of village courts had come into operation by the late 1970s, the system proved very popular and was quickly extended into urban areas to serve migrant settlements and other "grassroots" communities. There is a great variation in operational style among the more than one thousand village courts now established all over the country, due to their blend of legal formality and informality. Each court reflects the sociality of the particular local community it serves, and the findings of researchers in different parts of Papua New Guinea reveal a complex integration of introduced law and a variety of local customary and neocustomary dispute management procedure (cf Brison 1992; Garap 2000; Goddard 2000b, 2002l; Scaglion 1979, 1990; Westermark 1986; Young 1992; Zorn 1990).

Village courts provide local communities with an immediately accessible legal institution for the reasonable settlement of disputes. While they are obliged to keep records and are in theory overseen by district court officials, their intimate relation to their local community results in a great deal of flexibility in the way the law is applied. For example, as members of the grassroots communities they serve, magistrates are often well aware of local social issues manifest in what appear superficially to be disputes between two

individuals, and they make their judgments accordingly (see Goddard 1996, 2002). This makes the courts a popular forum for local intracommunity dispute settlement and complaints about petty personal offenses. The alternative, taking small disputes to local and district courts, involves a risk of legal complications, unforeseen costs, and technicalities that threaten the degree of control local communities have over their own affairs. This is particularly true of urban settlement dwellers, who collectively serve (undeservedly) as scapegoats for "law and order" problems in towns and who live in apprehension of interference and even eviction by officialdom (Goddard 1998, 2001).

Usurers in Port Moresby are unable to take recalcitrant debtors to the kinds of courts creditors normally have recourse to, as they would risk prosecution themselves for illegal profiteering. Yet they seek some form of coercive reinforcement to claim unpaid and mounting debts. A number of factors prevent them from using physical intimidation or violence. First, in the urban settlement environment, the lender and borrower are usually already socially acquainted, and the lender is barely richer (and sometimes only briefly so) than the borrower. Thus the borrower is not approaching a rich and powerful stranger or organization with impersonal coercive powers but a known individual whose socioeconomic status and potential intimidatory resources are roughly equivalent to his or her own. Second, in the modern urban environment, the traditional Melanesian ethic of retribution manifests itself in the understanding that physical injury must be compensated by the payment of money.[3] Moneylenders recognize the disadvantage in resorting to violence against a recalcitrant debtor and the risk of having to pay perhaps more in compensation than they are actually owed in the debt. Third, the borrowers have no other property of significant monetary value for the lender to take or threaten to take in the case of default. These factors limit the coercive strategies available to moneylenders.

Consequently, they appeal to their local village court. Urban village court magistrates are cognizant of the large numbers of people involved in informal income-generating activities and are generally unconcerned about the illegality of many of their projects. Most magistrates are not wage earners and are invariably involved in the so-called informal economy themselves, one way and another, and urban village courts usually show tolerance of moneylending. They are obliged to keep records of the cases they hear for external official scrutiny, and usury cases are entered under a legally innocuous heading such as "unpaid debt" or "compensation" without mentioning the interest rate involved or the informal occupation of the creditors.[4] At the same time, magistrates are able to enforce their rulings with threats of referral to higher courts if disputants fail to comply with a court order to pay compensation, debts, or fines.

Typical cases in urban village courts involve petty theft, sorcery, insults, malicious gossip, and failure to pay debts. They are introduced by a simply worded "summons" read out by the court clerk, which includes a brief sentence or two about why the "complainant" has brought the "defendant" to court[5]. These statements are commonly unclear and require a number of interchanges between the magistrates and the complainant to tease out a sense of the complaint for procedural purposes. Often the complainant's summons describes, in the first instance, not the actual "offense" but the details of a confrontation between the complainant and the other party that moved the former to bring the case to the court. Clarifying the nature of an offence for official records can be a convoluted process in a village court. Debt accusations reveal themselves when the complainant declares at some point that the defendant owes him or her money. Sometimes this turns out to be compensation for injury or insult, or something of the kind. But sometimes it is more specifically a debt for services rendered or things given. Even then, the nature of the debt relationship often becomes clearer only as the hearing continues. Sometimes it is a simple (non-interest earning) debt, where someone has tired of waiting for a loan to be repaid and takes the matter to the village court. The following two examples recorded at Erima during my 1994 monitoring show how a village court deals with such debt cases.

The first involved a debt of 400 kina (K1 was equivalent at the time to around US$1) that the creditor claimed had not been repaid, though more than a year had passed. The creditor had brought the matter to court previously, and the court had ordered the debtor to pay, but he had not yet complied. He claimed in this latest appearance that he had given the borrowed money to another person who had subsequently died, so he could not get the money back. The village court told him he had been the borrower, so it was his responsibility to settle. It was ordered that over the next five paydays, the debtor (who had regular employment) should pay his creditor at least K60 per fortnight. The debtor complained that he could not accumulate that much in a fortnight, but the court said the debt had been outstanding for a long time and reiterated that it was the debtor's responsibility to find the money. The second case involved a woman who had borrowed K120, and over a period of five months had only paid back K50. The court gave her two weeks to pay the other K70. Two weeks later, the money still had not been paid, so the court issued a warrant for her arrest (village courts are authorized to do this if their court orders are ignored). The woman consequently went to the chairing magistrate's house in the settlement with the outstanding money, which was forwarded to the creditor, and the warrant was annulled.

These two are typical of the constant stream of debt disputes that I heard, many of which involved no claims for interest. But cases involving usury dis-

tinguished themselves at some point, when creditor's told magistrates that the amount they were demanding included "profit."

Profit

The English word "profit" has been adopted into urban Tok Pisin and is used to refer not only to the profit gained from business transactions including loans, but also to moneylending as a business. Taking their cue from observed banking and formal business transaction practice, moneylenders enter their transactions in a book (usually a cheap school exercise book), a practice generating Tok Pisin neologisms such as *bukim mani* (to record money transactions), *bukim dinau* (to record a loan), and *bukim profit*. Beyond entering the transaction itself, however, they do not keep an ongoing, calendric written account of payments received. As record keeping is a sign of *bisnis* (business, enterprise) employed among formally constituted groups, from large corporations to small church fellowships, a simple entry in a notebook can signal for Melanesians that something other than customary balanced or incremental reciprocity is involved in the interaction.[6] In grassroots communities, then, recording details is one of the basic distinguishing features between simple lending and a matter of profit.

In the *profit* interactions that eventuated in village court cases, the smallest amount lent, during my observations, was K 20 and the lowest interest rate charged was 10 percent per *fotnait* (Tok Pisin: literally "fortnight" but also "payday," reflecting the two-week pay period in formal employment). *Fotnait* are a common reference point in marking periods of time in urban grassroots communities. The loans were rarely much above K 100 and the interest rate rarely approached 40 percent, the average rate being 20 percent. The moneylenders took their debtors to court after a few *fotnait*, indicating that these were intended to be very short-term loans. It would therefore be inappropriate to translate the interest rates into annual terms (i.e., from 10–30 percent per *fotnait* to 250–750 percent per year). The relatively low amounts lent reflect the limited resources of the lenders. *Profit*, at this urban grassroots level, is one of many alternative strategies used by people who do not have waged or regular jobs to raise their income above a subsistence level. Other low-income activities include selling betel nut, flavored ice blocks, cigarettes (sold singly), small garden produce, and cooked snackfoods, and running small gambling projects like communal dartboard games and bingo.[7]

Anybody with K 20 or more to lend can turn to *profit* as a source of income in this socioeconomic context. Some, I learned, enter into only one or two transactions of this kind. Others use it as an *ad hoc* way of earning

a tiny income. It is rare for anyone in grassroots communities to attempt to build their *profit* activities into a major (though illegal) business enterprise. For those who do, a degree of caution is needed. Settlement-based "career" moneylenders impatient to increase their profits quickly by lending larger and larger amounts risk the inability of their clients to repay the initial loan, let alone the mounting interest, as we shall see in the discussion of village court cases below. The wiser moneylenders lend very small amounts and satisfy themselves with a small profit.

Negotiating Debt

The simple nature of the loans, their intended short duration, and hence the relatively short passage of time before a moneylender takes debtors to the village court can be shown with the following short examples, recorded in Erima village court. In one case a moneylender had lent the debtor K110. After some weeks, interest of K99 had accrued, and a total of K209 was now owed. As noted earlier, the *profit* aspect distinguishing a case from a simple debt dispute tended to reveal itself by degrees during the course of a hearing. It was rare for moneylenders to introduce precise details of the agreed rate of interest and the time that had passed. However, magistrates, familiar with moneylending practices in their community, had no difficulty working out interest rates from the figures given in cases where only a few weeks or months had elapsed. They were already aware that interest rates were calculated on a *fotnait*-by-*fotnait* basis and were commonly set at 10 percent, 20 percent, or 30 percent. Experience sharpened their mental arithmetic. This particular loan was recognized to have been made at an interest rate of 30 percent, with three *fotnait* having passed.[8] The debtor told the court he intended to pay but was waiting for a monthly commission payment from his employer. The magistrates made an order that he pay the existing debt in one month, effectively freezing the accumulation of interest.

In a second case, the moneylender had lent K120. After five weeks, the debtor had repaid only K50 and owed K70 plus interest of K30 (i.e., 10 percent interest per *fotnait*). The debtor told the court he was tangled up in the debt of another man who had died at his place of work. He produced a letter from his place of work confirming he was carrying someone else's debts and was due to receive recompense from his employers. He informed the court that when he received this money, he would be able to pay the moneylender. This satisfied the magistrates, who froze the interest, and the moneylender agreed to wait for the employer's payout before claiming the K100 thus owing. In a third case the moneylender had lent K20 and was now owed K28 (i.e., 10 percent interest, four *fotnait*). The debtor told the court

he was simply unable to pay at that time. The court gave him one week to pay a total of K28.

In a fourth case, a woman had lent K50, and K30 interest had now accrued over three months (i.e. 10 percent interest per *fotnait*). The debtor had paid only K40 back on the loan. As in the previous case, the debtor pleaded a current lack of funds, and was given one week to pay K40. In a fifth case, a woman had lent K20 at 20 percent interest per *fotnait*, and was now owed a total of K32. She believed that the debtor could have paid the debt off without difficulty as he was working, and she had already given him two *fotnait*'s grace (the inference is that the original arrangement had been that this loan was to be paid back within a month). The debtor for his part apologized to the court and gave a guarantee that he would pay the woman K32 on the coming payday.

As the variations in the above cases imply, there is no institutionalized procedure for the conduct of the loan relationship, since beyond the recording of the original loan in a book, the interaction between creditor and debtor is informal. Correspondingly, village court decisions are not determined by the calculation of how much is actually owed but display some accommodation of the informality of the debt relation. For example, a man who had borrowed K40 and was now being taken to court by the moneylender over an accumulated interest of K20 claimed that he had already paid part of the money in the form of beer. The magistrates considered this a contention worth discussing but decided that a beer-drinking session paid for by the debtor could not be counted as repayment. As money was lent, money had to be repaid. This invited the inference that the court would order the payment of K60. However the magistrates ordered the payment of only K40, a decision effectively canceling the owed interest of K20 (which may or may not have been the equivalent of what the man spent on beer). In another case, a woman had lent K10 to a man and was now demanding K50 *profit*. The man said he had been away from the city for a period after getting the loan, so he had not been able to pay it back. Meanwhile, he said, the *profit* had become so great that he could not afford to pay. Unusually, the magistrates had difficulty working out what the agreed interest rate had been and asked the woman directly. She said it was K6 per *fotnait*. The debtor claimed in contrast that the rate was K2 (the woman's claim is equivalent to 60 percent, which is unusually high — the man's 20 percent is a more common rate). The chairing magistrate admonished both parties, saying the rate should have been made clear from the beginning. The court finally ordered the man to pay a total of K24.

While most moneylenders take unpaid debts to the village court within a few *fotnait*, there are occasionally cases involving debts of longer duration.

The inconsistencies in the presentation of these by disputants indicate that loans outstanding for more than a few months generate confusion for both debtor and creditor. For the majority of settlement dwellers, living day-to-day, the longest practical measure of the passage of time is a *fotnait*, as it represents the cycle of urban wages (a legacy of Australian colonialism) around which their economic activities are planned. As noted above, despite *profit* loans being recorded in a book, no written calendric record of the accumulation of interest is kept. For a few *fotnait*, a moneylender can rely on his or her memory to keep track of the accumulating interest on a loan. In the longer term, however, inaccuracies in calculations are inevitable. Notably in the cases I saw, if the time alleged to have elapsed since a loan was more than four or five months (usually counted in *fotnait*), it was likely to be claimed to have been a matter of years. Moreover, the amount of interest claimed given the alleged time passed failed to accord with calculations made on the basis of the rates given above.

For example, a woman told the court she had lent a man (to whom she was affinally related) K530 a "year" previously. She was claiming the original amount back plus interest of K600, giving a total of K1,130. The debtor told the court there was a misunderstanding over the interest. He would pay, he said, but was experiencing some financial difficulties. He did not think he should be paying that much interest. The magistrates cut the amount of interest payable to K30, and gave the debtor three weeks to pay a total of K560. I commented earlier that magistrates frequently knew the social background to the cases they heard. They told me after this case that the man had rashly informed the woman when asking for the loan in the first place that if she gave him K500 he would give her K1,000 back, which may have accounted for the woman's claim. No attempt to calculate a rate of interest was made by the magistrates, who later told me that too much time had passed for the court to consider a *profit*.

In another case, a woman claimed *profit* of K150, on an original loan that she told the court she made to a man (affinally related) "three years" previously. He was, she said, arrogantly refusing to admit he owed her anything. The debtor for his part told the court he had not actually asked for the money (i.e., it was not solicited and therefore could not be considered "book" money); she had simply given it to him when they met at a bus stop, and he did not see why he should repay. The woman responded to his testimony by rhetorically asking the court why she would have given him unrequested money. It had been a loan, she insisted — he had asked her for K20. The court decided the man was to pay K50 within two weeks. This appeared to be a compromise between a simple repayment of K20 and the woman's demanded *profit*. The woman seemed satisfied with this, but the man ex-

pressed his unhappiness with the decision, still claiming that the original K20 had not been a solicited loan (this argument plays on the fact that he was affinally related to the woman, and thus the loan could be interpreted as a kind of "gift"— an important consideration revisited later in this essay).

A final example is revealing not only of the mechanics of moneylending and the relatively tolerant attitude of the village court toward it, but also of the problem of grassroots *profit*, which I mentioned earlier: the moneylender who lends more than a few kina risks not being able to collect the interest on the loan. As the cases cited above indicate, the loans are intended to be short-term only (hence the fortnightly rather than yearly interest arrangement) and, if not repaid in a very few weeks are likely to be beyond the capabilities of the borrower. Successful moneylenders take small profits in a period of a fortnight or two. The dangers of larger loans are shown in the following case, which began as a claim about an unpaid debt of K308. Questioning by the magistrates elicited details from the moneylender indicating that the original loan had been K120. Some of this had been repaid, but K80 was still owed, and in addition *profit* of K228 had accumulated (20 percent per *fotnait* over more than four months), so the moneylender was currently owed K308. The moneylender said he had now lost patience since the debtor had been given plenty of opportunity to pay the money.

The debtor, for his part, challenged the assertion he had paid only K40. He had paid K304 so far, he said, and he produced for the magistrates a handwritten list of monthly payments he claimed to have made. The moneylender accused him of falsifying the list, precipitating a shouting match between the two men. The debtor threw his *bilum* (stringbag) to the ground in a fury and brandished his fists at the usurer. An eruption of physical violence (not uncommon in Erima village court) seemed imminent, prompting "peace officers" — executive assistants to the magistrates — to step between them, and the magistrates calmly fined each man K10 for "disturbing the court." This ended the confrontation, and having heard both sides of the debate, the magistrates conferred briefly before giving a decision. The claim for *profit* was ignored completely. The debtor was ordered to pay the K80 owing on the original loan and given two weeks to pay. It was clear the magistrates (who were no fools) did not believe the debtor's claim that he had already paid K304, and he accepted their decision complacently. The chairing magistrate then made a formal request of the creditor that he stop his moneylending activities and find another *bisnis* (i.e., income-generating activity), because there had been several court cases now in which he had charged people with not paying up, and his moneylending always led to complications with repayments and *profit*.

The active discouragement of usury was not common in the village court, but this moneylender was lending relatively large amounts, which was poor

strategy because it created too large a debt too quickly. The risk attached to *profit* as an enterprise is shown in the extreme here. In this case, the village court had recognized that the repayments were beyond the capabilities of the debtor and had simply cancelled the interest. This type of action by magistrates partly explains the lack of explicit statements of interest rates in court noted above. In going to the village court, the moneylender is effectively cutting his or her losses, and the interest rate loses its relevance, since the court's decision involves a practical assessment of how much the debtor is capable of paying. When more than a few kina is involved, the best a creditor can expect is a recovery of the original loan and perhaps a little extra if the court can be persuaded to penalize the debtor slightly for tardiness.

We have seen in these examples the relatively small amounts involved in usury in grassroots communities, the intended short-term nature of the loans, the relative informality of the loan relationship (beyond the entry of the initial loan in a book), and the tolerance shown toward usury by village courts. Certainly usury in grassroots communities does not fit the sinister image given in the above-cited newspaper article cataloging the iniquities brought about by poverty in Papua New Guinea. Before attempting to contextualize usury in local socioeconomic processes, I will reinforce some comparative aspects of the usury I have outlined with a brief review of relevant aspects of Western economic history.

Usury in the History of Western Economy

In discussions of economic history in Western societies, usury is sometimes traced back to lending practices in ancient agriculture-based societies (e.g., Finley 1985; Hyde 1983). Mandel, with reference to Hesiod's reportage that needy peasants of ancient Greece repaid borrowed wheat with something added, finds "the origin of usurer's capital in loans in kind" (Mandel 1977:100). Embedded in the definition of usury in antiquity was a moral judgment that has survived to the present, though its focus has shifted over time. Aristotle drew on the imagery of reproduction (both "interest" and "offspring" are glossed by the Greek *tokos*) and growth in the natural world in his representation of moneylending as unnatural, commenting that disapproval of charging interest "is fully justified, for interest is a yield arising out of money itself, not a product of that for which money was provided" (Aristotle [c. 350 B.C.] 1969: 46). Cicero, in the first century B.C., displayed an ambiguous attitude toward the profession of moneylending, which was "as indispensable in his world [and for him personally] as shopkeepers, craftsmen, perfumers and doctors" (Finley 1985:54). Usury was not uncommon among the nobility of his time, and Cicero himself borrowed from profes-

sional moneylenders "cheerfully and heavily" (Cowell 1963:53). Yet at the same time he commented that moneylending, along with the collection of harbor taxes, was condemnable as it incurred ill-will (Finley 1985:53).

With the advent of Christianity, the focus of censorious attitudes completed a shift from the unnatural fecundity of money (qua Aristotle) and the less-than-savory necessity of usury (qua Cicero) to the usurers themselves, who were increasingly viewed as economic parasites. This attitude reached its extreme in fulminations like those of the young Martin Luther, who regarded moneylenders as starvers of their fellow men, worse than thieves and murderers,[9] and declared, "Therefore is there, on this earth, no greater enemy of man (after the devil) than a gripe-money, and usurer, for he wants to be God over all men" (cited in Marx 1988:740n). The condemnation of usurers lessened somewhat with the ensuing separation of church and state and the emergence of a secular, systematized approach to economics under which matters of usury were increasingly legislatively subsumed (Tawney 1990:205–227; Hyde 1983:133–134, Gregory 1997:227). Yet a moral judgment remained integral to terms like "moneylender."[10] In modern times, while Aristotelian imagery is no longer applied in discussions of economics, the process of unmediated surplus extraction itself has continued to be seen as immoral, as evidenced even in economic phraseology like that of Mandel, who comments that, from its first appearance in antiquity, the usurer's capital has retreated, in the light of the development of a money economy dominated by trade, to "the dark corners of society, where it survives for centuries at the expense of the small man" (1977:102). And Braudel, discussing the economy of twelfth- to fourteenth-century Venice—where valuable city sites were sometimes acquired by usurers via possession of the pledges of defaulting borrowers—commented that "usury was perhaps a necessary evil everywhere before the coming of modern banking" (1984:129). In modern usage of the word "usury," extortion is always implied, whereas in Roman times the term from which it derives, *usura* (use, interest: thus *usurarius*, "usurer"), was morally neutral.

Marx called the usurer "that old-fashioned but ever-renewed specimen of the capitalist" (1988:740n). Marx in fact saw usurers and merchants as two types of "capitalists" predating the development of capitalism as a mode of production (ibid.: 914). This categorization brings to the foreground the specific economic feature of usury that (from a Marxian perspective) has ensured its practical survival through a number of epochs. Usury exploited the productivity of individuals independently of normal relations of production (such as those between master and slave, or landlord and peasant, in which a surplus was systemically extracted from the subordinate class in a relationship of interdependency). Insofar as whatever was borrowed (whether wheat or

money) had to be returned with more added, the interest manifested unpaid productivity on the part of the borrower. In other words, usury transformed money into capital by extorting unpaid labor (surplus labor) from the producer in a traditional (i.e., precapitalist) mode of production (ibid.:1023).

Since usury in precapitalist times was independent of particular social relations of production, it was able to survive transitions from one mode of production to the next, while other forms of surplus extraction withered away with the relations of production to which they belonged. In the case of the capitalist mode of production, where he saw human labor—now capable of being bought and sold—as having been reduced to a commodity among all others, Marx offered the formula M-C-M^1 (M = money, C = commodity) to represent the process of buying in order to sell dearer, a form that he considered was "at its purest in genuine merchants' capital" (1988:266). Against this, usurer's capital was represented by the formula M-M^1. The disappearance of the mediating commodity in this exchange process gives the transaction a particularly attenuated character within capitalism, which Marx pointed out with neo-Aristotelian phraseology: "money...is exchanged for more money, a form incompatible with the nature of money and therefore inexplicable from the standpoint of the exchange of commodities" (ibid.:267). The continued pejorative social attitude toward moneylenders as people, regardless of whether their rates are in fact higher than those of other lending agencies, is probably sustained in part by this characteristic. Consumer loans from banks have a similar form, but it is less apparent to the moral gaze by virtue of the impersonal nature and systematic quality of the transactions.

In this brief account of usury in the history of Western economy, two aspects are important in comparison to the advent of usury in Papua New Guinea: the existence of usury long before the advent of capitalism and the development of a moral condemnation of usurers. Despite the condemnatory tone of the newspaper article cited at the beginning of this essay, my own findings do not reveal any stigmatization of usury at the community level in Papua New Guinea. Nor do Melanesians appear to subscribe to an Aristotelian judgment of the fecundity of money of the kind, for example, that Taussig (1980) ascribes to South American peasants. In Papua New Guinea, usury is not an ancient practice predating modern banking and finally retreating to Mandel's "dark corners" of society. On the contrary, it emerged not only after the arrival of capitalism but after the introduction of consumer loans by banks internationally and locally in the late twentieth century. Further, it is an urban development, appropriating a rationality of banks' lending practice not only in the formal workplace but, as we have seen, into informal exchange relationships beyond it. Academic literature has customarily rendered the latter relationships as representing a traditional sociality circum-

scribed by the precapitalist rationality of kinship. We need, then, to examine the advent of usury in this local historical context.

Kinship and Urban Living

It has become more or less axiomatic in academic discussions of urban living in Papua New Guinea that migrants to towns bring the rationale of kin-ordered society with them, including the sense of obligation and reciprocity that obtains among people who regard themselves as kin-related. In urban situations, this rationale often embraces networks beyond the immediate clan or affinal relations experienced by an individual in a rural community. Comparatively lacking familial or clan relatives in town, migrants are obliged to seek socioeconomic support from more distantly related migrants from their home region. This can even include people with whom uneasy or occasionally hostile relations may have been experienced traditionally. The expanded support network is reinforced by the attitudes of other townspeople, who define strangers according to linguistic or even regional criteria. Under these criteria people who would not otherwise consider themselves especially related now find themselves thrown into coalition regardless of their own preferences, as they compete with other established groups for housing and jobs. The most common way of referring to this support network among Papua New Guineans in towns is "the *wantok* system." *Wantok* is a Tok Pisin term, transliterated into English as "one talk" (implying shared language), sometimes thought to have originated from solidary groupings of indentured plantation workers in early colonial times (Monsell-Davis 1993:48). According to the popular stereotype, an individual can call on people he or she classifies as *wantok* for socioeconomic support without fear of rejection, or conversely a person with resources in town is obliged to share them with *wantok*.

Popular generalizations about the *wantok* system oversimplify its nature and facility since, for example, obligations in fact vary between different types of urban "kin," and reciprocal understandings are not as clear in town as they are among small-scale rural communities (see, for example, Chao 1985; Monsell-Davis 1993; Rew 1974; Strathern 1975). Nevertheless, *wantok*ism has been important to the economic survival of Papua New Guineans in towns since at least the end of the Second World War, when significant urban migration began. The *wantok* system is supplemented by various types of informal associations that have been observed by social scientists since at least the 1960s (eg Rew 1974) including what are commonly called rotating credit associations (e.g., Ardener 1964). The latter are referred to in Tok Pisin as *kampani* or *sande*,[11] and involve small groups of kin or quasi-kin who pool a proportion of their fortnightly earnings to be used by each member

in turn. As the migrant workers of the late colonial period were employed in low-paying jobs and were enmeshed in reciprocal relationships with both kin and workmates, the recipient of the pool each fortnight used the money largely to pay off debts rather than on self-indulgence (Rew 1974:121–122; Strathern 1975:329–330; Skeldon 1980:252).

While "rotating credit system" is an accurate enough term for *kampani* and *sande* groups, observers have pointed out that they are important socially inasmuch as they reinforce existing ties between *wantok* (Strathern 1975:329) and establish quasi-*wantok* ties among regionally unrelated people (Rew 1974:121–122, Skeldon 1980:252–253), particularly among coworkers. This was certainly true in the late colonial period, when *sande* and *kampani* groups developed among workers who found themselves thrown together in situations structured by non-Melanesian workplace logics and administratively controlled by Europeans. In the early 1970s, a group of highlanders of my acquaintance working as domestic servants and gardeners cooperated in a *kampani* that was as concerned with discussing and negotiating the problems of working for unpredictable Europeans as it was with distributing credit. The *sande* system has continued to the present day to be a means of social coalescence and not only among workers in low-status employment. For example, in the late 1990s a small group of staff at the University of Papua New Guinea began to *sande* and included a European coworker in their arrangements. The European tried to demur on the ground that he earned more than they (Europeans are on a different pay scale and get extra benefits) and therefore was not really entitled to the support of their credit system (personal communication).[12] His coworkers insisted, however, and it was clear that he was being included in a quasi-*wantok* group for other than purely financial reasons.

As Skeldon pointed out in one of the first studies of Papua New Guinean regional associations, the distinction between "traditional" groups, in which membership is largely ascribed, and *sande* groups, where a large degree of choice is exercised in recruitment, is blurred (1980:248). Sharing and mutual support are central characteristics of *sande* groups, and beyond an initial agreement on roughly how much people should contribute, there is no explicit policing of the size of each person's fortnightly contribution, recognizing that people might give more or less each fortnight depending on personal fortunes. Nevertheless, as is characteristic of the gift economy of kin-ordered societies in Papua New Guinea, members have some sense of what each person should give, and animosity can develop if a member is suspected of deliberately giving less than he or she is able.

Kinship sensibilities and the gift economy are linked themes used in analyzing rural and urban responses to the cash economy in Papua New Guinea. Indeed the complex articulation of gift exchange and commodity exchange

has been a topical focus of anthropologists in recent decades. In comparative discussions, it has been common to represent gifts as remaining unalienated from their producers in the process of exchange and therefore particularly congruent with kin-ordered sociality. Commodities, in contrast, are represented as becoming alienated from their producers in the process of exchange and therefore particularly congruent with the sociality of capitalist societies (Gregory 1982:12, 41–42). The contrast is easier to discern when talking about ideal types and more difficult to clarify at the historical and social conjunctures of capitalist and noncapitalist modes of production, but few anthropologists have been moved to suggest it does not exist in Melanesia. In fact assertions—driven by the impact of "globalization" discourse—that gifts are just a type of commodity (e.g., Appadurai 1988:11–13) have met significant resistance, implicitly and explicitly, from anthropologists working in Melanesian societies (e.g., Carrier 1992; 1998; Weiner 1992; Goddard 2000a; Godelier 1999; Strathern 1990).

The latter prefer to problematize the relationship between gifts and commodities and to examine the way Melanesians have appropriated commodity exchange into their own sociality. The articulation of the gift and commodity economies in Melanesia was examined at length in Gregory's (1982) critique of neoclassical economic development theory. His discussion explicitly addressed the relationship between kinship and capitalist economy, and argued that the gift economy had actually "effloresced" in the face of colonialism (1982:166). Gregory detailed how commodities are transformed into gifts in various ways, all of them underscored by the resilience of attitudes grounded in kin-ordered sociality, which is itself reinforced by the fact that land in Papua New Guinea continues to be owned mostly by descent groups (ibid.:162–165). The latter point is an important constituent in arguments that Melanesians, by virtue of their membership in extended kin groups with access to land and its resources, have not been individualized—and thus alienated from each other—by capitalist production to the degree Westerners have. This argument fits handily with the previous observations about the prevalence of *wantok*ism in towns.

In Port Moresby and other urban centers in Papua New Guinea, however, the unqualified assumption that all "migrant" communities are dominated by *wantok* sensibilities can no longer be made. Where researchers such as Hitchcock and Oram (1967), Rew (1974), Ryan (1970), and Strathern (1975) in the late colonial period found relatively homologous associations between regional groups and particular settlements, sections of low-covenant estates, or company compounds, more recent research in conditions of continuing migration and population growth indicates a complex variety in the population of so-called settlements. For example, there is a notable contrast be-

tween Erima and another settlement with which I am familiar, the downtown self-help housing area known as Ranuguri. Ranuguri, established at the end of the Second World War, is dominated by people of Eastern Gulf District origin. First-generation migrants arranged themselves on the available land in groups corresponding to village clusters in their home place. The settlement thus fits the "regional" model of settlements—which is still found in some more recently established settlements where space permits it (see, for example, Barber 2003).

Hidden behind old colonial administration buildings at Konedobu (near the downtown area) and with steep hills at the rear, Ranuguri was a spatially restricted environment (Forbes and Jackson 1975), encouraging the development of a tight-knit community as successive urban-born generations improved their habitat with the help of town authorities (see Norwood 1984:99–101). This relative exclusivity persisted through more than four decades until major earthworks in the mid-1990s connected with a new major road in the vicinity exposed a flank of the settlement to public view. It also created additional space into which people of other regional origins moved. Time will tell whether the Eastern Gulf people will find themselves enclaved in a larger, sprawling, self-help housing area. Until recently, then, Ranuguri has conformed to the image of settlement communities developed in the academic literature of the colonial period and is pervaded by the ideation of extended kin group relations and obligations. This is reflected in the disputes brought to its local village court at Konedobu, generated almost exclusively by complaints of insults, malicious gossip, and occasional sorcery threats (Goddard 1998, 2000b:244–246), which arise from incidental lapses, or accusations of lapses, in the obligations and decorum customary among people related, closely or distantly, by kinship.

Erima settlement, in comparison, is a postcolonial development, a fast-growing habitat on the edge of town into which people of many regional backgrounds have filtered. The development of regional enclaves within Erima has remained minimal compared to Ranuguri, as settlers' entrepreneurial subdivision of leased plots of land is common, and urban marriages among migrants of diverse regionality creates a heterogeneity that would have been unthinkable in a Port Moresby settlement half a century ago. Erima and other settlements in its vicinity are marked by a volatility not found in Ranuguri, as mixed populations compete for housing and jobs, and are forced to share restricted space. Violent confrontations, exacerbated by alcohol consumption, are common, and there is chronic friction among diverse and mutually suspicious microethnic groups. A comparative lack of kinship sensibilities is evident as migrants are cut off from the bulk of their extended kin groups. Single adult migrants are likely to enter into hastily arranged

marriages with people from microethnic groups other than their own. Lacking the customary resources and sanctions on which marriage partners would draw in a habitat typified by extensive kin networks (not only in rural areas but in urban settlements like Ranuguri), these marriages can be comparatively fragile. Discord can develop quickly, manifesting itself in accusations of neglect, adultery, and personal violence between the marriage partners and confrontations and accusations between affines or quasi-affines as the putative alliance turns into hostile estrangement.

When a new marriage breaks down, gifts and small promissory payments that have been substituted for properly negotiated brideprices become the subject of accusations of debts unpaid. Often, cash that served as a nominal brideprice is demanded back by the husband, or material things taken under the aegis of affinal rights become the focus of accusations of theft. As I have written elsewhere, examination of the evidential content of cases brought to the Erima village court revealed that a common thread in the majority of them was marital problems or marital breakdown (Goddard 2000b:249–251). Indeed, what initially seemed to be unrelated cases were revealed on further research to involve sets of individuals whose diverse disputes were actually linked by a problematic or failed marriage. This type of dispute combined with the diversity of regional groups, creates a marked contrast with the close-knit, kinship-driven sociality of Ranuguri. Not surprisingly, Erima village court has a very large caseload, covering a wide range of disputes and complaints, including insults, malicious gossip, and sorcery acusations, but also personal and property violence, debts and financial defaults, adultery, and petty theft. Compared with the atmosphere of Konedobu village court (serving Ranuguri), I noted overall a relative estrangement of disputants from each other in Erima court, perhaps signifying the lack of an underlying sense of kinship or its accompanying need for the integrity of social relationships to be maintained in the long term (see also, Chao 1985:194–195).

The existence of usury and of village court cases connected to usury in this social climate is significant when compared to the absence of usury cases in two other courts I have monitored in the National Capital District; Konedobu village court, and Pari village court. Pari is a village inhabited by Motu-Koitabu, the traditional people of the area on which Port Moresby is built. It is close-knit and insular, its inhabitants maintain strong "clan" and "subclan" ties, and it contains few people with origins in other regions, apart from an enclave of Gulf people who originally negotiated entry to the village many decades ago through traditional trading ties and are now intermarried with Motu-Koitabu inhabitants. Usury is not practiced there. I saw no evidence of usury in Ranuguri, and inquiries drew the response that there was none in the settlement, although some people who worked in offices in

town reported that usury was practiced at their workplace. The "borrowing" of money in Pari is subsumed under extended kinship relations and in Ranuguri is conducted through *wantok* relationships. In Erima and nearby settlements, however, recourse to small-scale usurers is stimulated by the lack of extensive local kinship networks or *wantok* relationships. Even marriages, often hastily arranged and mostly lacking the support and encouragement of couples' kin groups, do not create the complex affinal relationships of obligation and reciprocation that would ensue in traditional circumstances. It should be noted, for example, that in two of the usury cases cited above, the parties involved were actually relatively close affines,[12] whereas it would be very unusual for someone to borrow under a *profit* arrangement from an affine by customary marriage where full brideprice (along with ritual pre- and postmarital payments of various kinds) had been paid.

Conclusions

When people in grassroots communities in Port Moresby are entering into usurius transactions with people to whom they may even be affinally related, we must reexamine the assumptions we have made about the prevalence of *wantok*ism. With respect to conventional forms of lending and borrowing in urban grassroots communities such as Erima, usury is a significant development because it is not driven by the same rationale as the *wantok* system or "rotating credit associations." In fact, it appears to be used by borrowers when these supportive and reciprocal institutions either are not available or are so limited that their resources are quickly exhausted. It seems, therefore, that we can no longer apply the generalization that Papua New Guinea's urban grassroots support systems are based on the rationale of kin-ordered societies. They now include a practice that is informed by local experience of the introduced bank-loan system, which is itself a product of a capitalist economy in that commodity relationships between people are structured by a rationale which construes participants as unrelated individuals rather than as related according to principles of kinship.

At the same time, we cannot place usury comfortably in the category of petty capitalism because usurers themselves are not usually "professional" moneylenders, nor do they systematically transform their gains into capital. Rather, they are people engaged in flexible informal money-earning activities as described above. Most of them turn to usury only occasionally and briefly, among other enterprises in which they selectively engage as opportunity (or imagined opportunity) presents itself. These sorts of activities are popularly called the "informal economy" by economists and academics, implying a dualism of formal and informal sectors within a capitalist economy. Critics

of this dualism (on the ground that it does not exist in practice[13]) prefer the term "petty commodity production" and accentuate the interaction of differing types of social relations in commodity production (Moser 1978; Littlefield and Gates 1991). The term "petty commodity production" is applied particularly when commodities are produced using noncapitalist relations of production such as family, kin group, or other networks (Binford and Cook 1991:70; Barber 1993:5). Income-earning activities outside of wage labor in PNG towns are largely of this type, involving household-based units creatively shifting among a variety of activities to earn a small living.[14] In recent years, usury has become part of this flexible response to a lack of wage-earning opportunities in town. Along with many other informal income-generating activities, it is in fact innovative in that it appropriates elements of the introduced economy creatively to serve indigenous ends. Like the shoe repairers and polishers who suddenly appeared on Port Moresby's footpaths a decade ago, usurers cannily respond to a perceived need by offering a localized and informal alternative to a service that would otherwise necessitate engagement with an impersonal agency some distance from home. In the case of financial services, usury is also serving a demand for loans that are so small that it would be difficult to persuade formal financial services to make.

The sinister portrayal of moneylenders in the newspaper article cited at the beginning of this essay borrows its stereotypes from the West, collapsing together poverty and moral decline, and parading some of the usual suspects, including prostitution, child exploitation (both concepts in need of qualification at the local level) and usury. But we have seen that there is in fact no stigma attached to usury or usurers in the communities I have researched, and usury in Papua New Guinea does not have the precapitalist history that fuels its reputation as a parasitic practice in the West. Cataloging usury, as Fernando (1991) does, among informal savings and loans activities reflecting indigenous alternatives to a formal financial system is reasonably accurate, then. But as we have seen here, usury represents a different sentiment from that which is implied in the *wantok* system, *kampani* and *sande* groups, and their like, which also operate at the conjuncture of the gift and capitalist economies, where the distinction between the sentiment of kinship relations and capitalist relations can be equivocal. Perhaps this equivocation was at the root of the dispute cited earlier in which the creditor argued that the money involved was *profit*, and her affinal debtor argued that it was not. The inference is invited here that where the *wantok* system and its adjuncts appropriate an aspect of the capitalist economy (wages) into the gift economy, *profit* necessarily positions even classificatory kin as unrelated individuals. This relatively innocuous informal occupation, then, may be portentous. Contextualized not in a moral decline connected to poverty but, instead, analytically

in the complex articulation of gift and capitalist economies in Papua New Guinea, it suggests that we can no longer take as axiomatic the impermeability of kin-ordered sociality in contemporary grassroots communities.

NOTES

The fieldwork informing this article was carried out in part when I was employed by the University of Papua New Guinea and in part after I had left that employment. With respect to the latter fieldwork, I am grateful to the National Research Institute of Papua New Guinea for facilitating my research visa and to the Department of Anthropology at the University of Papua New Guinea for granting me affiliation status. I thank the PNG village court secretary, Mr. Peni Keris, for authorizing my continuing access to village courts over several years, and I thank the magistrates particularly of Erima village court for their tolerance of my presence and endless questions. I benefited from comments on an early draft of this essay by Keith Barber and Michael Monsell-Davis, and from the suggestions of anonymous reviewers for *Pacific Studies*.

1. Contrary to popular stereotypes, urban "settlement" dwellers in Papua New Guinea are not uniformly penurious or criminally inclined. Informal housing areas in PNG towns are historically a response to inadequate town planning and a lack of available formal housing. A wide socioeconomic spectrum is represented among their inhabitants (see Barber 2003; Connell and Lea 1993; Goddard 2001; Jackson 1976; Kaitilla 1994; King 1992; and Levine and Levine 1979).

2. I began research on urban village courts in 1991, while living in Port Moresby and lecturing at the University of Papua New Guinea. I began a program of intensive monitoring in 1994, attending all court sittings for five months in that year. Since moving to Australia in 1995, I have made brief visits every year or two and one long visit in 1999 during which I was able to repeat the five month intensive monitoring exercise.

3. This generalization is true at least for the purposes of the present discussion. In such a situation, the physical result of violence would not go beyond physical injury requiring medical attention.

4. The manipulation of official categories when recording cases is one reason why official statistics of the kinds of cases heard in village courts are not to be trusted. While monitoring cases, I commonly noted significant differences between the substance of disputes (on which my own categorization of them was based) and the headings under which they were recorded by court clerks (see Goddard 1996, 1998).

5. Terms such as "summons," "complainant," and "defendant" have been pidginized in Papua New Guinea and are commony used in village courts.

6. I refer here to conventional anthropological distinctions applied to gifting in Melanesia. I concur with the summary of the forms of gifting provided by C. A. Gregory (1982:53–55).

7. For a handy catalog and discussion of informal occupations in Port Moresby, see Barber 1993.

8. I lacked the magistrates' acuity in instantly estimating interest rates and elapsed time from the amounts claimed in tortuous responses to their interrogations of claimants. At an early stage in my research, I had to ask them for this information after cases were dealt with since they never made it explicit during the course of the case. After they realized that I wanted these details, they adopted the practice of telling me in asides during the hearings.

9. Luther's views became more ambivalent later in life, negotiating the relationship between civil law (approving usury) and moral law (See Tawney 1990:84–103, c. f. Hyde 1983:120–130).

10. The extensive discussion of the condemnation of usury in the religious climate of sixteenth century Europe in Tawney's classic text *Religion and the Rise of Capitalism* (Tawney [1926] 1990) remains a touchstone (albeit sometimes unacknowledged) for most accounts of the subject. In relation to doctrinal attitudes to economic activity, it should be noted that there have been challenges to Weber's argument that Christian attitudes to thrift, interest, and profit immediately related to the rise of capitalism were Protestant rather than Catholic (see, for example, Samuelsson 1993).

11. *Kompani* from the English "company," and *sande* from "Sunday." The latter is thought by some to refer to a payday (eg Strathern 1975:329n), though Thursday was the common payday in Port Moresby in late colonial times. I am inclined to see *sande* as connoting the leisure and relief from work associated with Sunday during colonial rule.

12. Close enough, in both cases, to be considered *tambu* (i.e., one party would classify the other as a sibling of his or her own sibling's spouse and therefore be obliged not to address the other by personal name).

13. That is to say, there is no clear distinction in a capitalist economy between a group of people whose economic life is contextualized exclusively in waged and salaried work, and another, socially discrete, group whose work is neither waged nor salaried. Individuals move between, or even work simultaneously in, the two putative "sectors."

14. With respect to this household-based unit, Barber has proposed a more specific analytic procedure for use in urban PNG research based on the concept of "household reproduction" (1993:24–33).

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CULTURAL CONSTRAINTS AND CORROSIVE COLONIZATION: WESTERN COMMERCE IN AOTEAROA/ NEW ZEALAND AND THE EXTINCTION OF THE HUIA (*Heteralocha acutirostris*)

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Early Maori occupation of New Zealand was marked by profligate use of avian resources and the resultant extinction of numerous species including the archipelago's famed moas. As in other Polynesian cultures, however, Maoris came to adopt conservation strategies. I suggest that the Maori conservation technique of *tapu* or *rahui*—chiefly prohibitions governing the harvest of vulnerable biological resources—offers crucial insights for modern managers. The former efficacy of rahui is examined through a detailed case study of an extinct New Zealand bird—the huia. Formerly protected by the cultural and religious potency of tapu, the huia met a tragic demise as culturally enforced constraints upon its use were abandoned in order to satisfy European demand for its mounted effigies and tail feathers. The plight of the huia provides a compelling lesson concerning the destructive consequences of cultural erosion and commerce in rare species.

Introduction

THE FOUNDERS of New Zealand's indigenous Maori population emigrated from central Eastern Polynesia approximately 1000 years BP, eventually settling from North Island's North Cape southward to Stewart Island, a distance of 1600 km (Sutton 1994). Dispersion of villages across a diverse ecological palette, agricultural intensification with generation of significant food surpluses, and resultant social stratification common among other Polynesian cultures led to conditions appropriate for the development of trade in objects of cultural and religious rather than survival value (Kirch 1984). Much time and effort were expended by Maoris to secure desirable resources including greenstone, obsidian, shells, and feathers, which traveled through

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trade routes far beyond their places of origin (Shortland 1856; Grey 1994). In 1892, a small wooden box containing seventy huia tail feathers was discovered under a rock ledge in the south central region of New Zealand's South Island. Huia feathers were valued possessions of Maori chiefs, who wore them as symbols of rank and prestige (Best 1942; Phillipps 1963; Riley 2001) (Fig. 1). The feathers, believed to have been cached some seventy years previously, constituted a remarkable find since huia distribution was confined to a limited area of North Island. Phillipps (1963) suggested the feathers were likely traded to South Island Maoris for valuable greenstone articles.

The saga of the huia, the cultural desire for its feathers, and the protection of the species from overexploitation are similar to the histories of many other scarce resources among indigenous peoples. However, the transference of Maori cultural views of the importance of huia feathers as symbols of aristocracy to a European monarch and the resultant monetization of the huia feather trade among the fashion houses of London as well as European colonists in New Zealand are unusual. Moreover, this unique cultural exchange had disastrous consequences for the birds themselves—and serves as a lesson in the destructive effects of colonial erosion of indigenous conservation strategies.

Huia Natural History

The huia was one of three species of wattle birds, members of the endemic New Zealand family Callaeidae. Although the species was endangered by about 1900, small isolated populations and individual pairs of huias apparently endured as late as the 1930s. Small populations of the other two wattle bird species, the kokako (*Callaeas cinerea*) and the saddleback (*Philesturnus carunculatus*), are still found in New Zealand's forests. Saddlebacks, however, persist only on several small predator-free islands.

Wattle birds are believed to have descended from a crow-like ancestor that colonized New Zealand long ago, but their precise ancestry remains controversial. Some systematists assign wattle birds to the starling family (Sturnidae). Others group them with birds of paradise (Paradiseidae), bower birds (Ptilonorhynchidae), butcher birds (Cractidae), or magpie larks (Gallinidae) (Fuller 2001).

Wattle birds are identified by fleshy lobes at the base of the bill. Huia wattles were orange and measured 2 cm in diameter. The body length of the huia was forty-five to forty-eight centimeters. The huia's plumage was nearly black but possessed a striking blue-green iridescence. The tail was distinguished by a white terminal band. The bill was cream colored.

Huias had the most restricted distribution of New Zealand's wattle birds. Their nineteenth-century range was confined to several mountain

ranges and adjacent lowland forests in the southern half of the North Island, but this represents a reduced range following the Polynesian colonization of New Zealand. The huia fossil record indicates the species was formerly widespread from Wellington to North Cape (Flannery 1995; Trevor Worthy pers. comm.). Huia fossil remains are fewer than those of its congener, the kokako, suggesting huias had a more restricted ecological distribution.

Huias were famed for their unique bill characteristics. Male huia bills were stout, straight, and approximately 6 cm in length. Female bills were delicately curved and pliant and measured over ten centimeters (Phillipps 1963). This remarkable sexual dimorphism led Gould (1837), the first ornithologist to describe the huia, to classify males and females as different species. The divergent bill types possessed by male and female huias facilitated a partition in foraging strategies. Huias consumed a variety of insects, worms, and berries, but their summer diet consisted largely of huhu beetle larvae (*Prionoplus reticularis*). Potts (1885:475) monitored a breeding pair of huias and made this observation regarding their foraging techniques and habitat:

> Their activity was remarkable, especially the speed with which they traversed the wood, hopping or rather bounding with a slight opening motion of the wing, flying only very short distances. Owing to the moist character of the locality, the huge trees were clothed in mosses and ferns, and fragments of this parasitic vegetation were constantly dropping down from the branches where the huias were so zealously working for their young.

New Zealand's celebrated nineteenth-century ornithologist and statesman Sir Walter Lowry Buller managed to acquire a live pair of huias. Placing his captives in an aviary, Buller (1882:31) provided them a rotted log infested with huhu. "They at once attacked it," he said,

> carefully probing the softer parts with their bills, and then vigorously assailing them, scooping out the decayed wood till the larva or pupa was visible.... The very different development of the mandibles in the two sexes enabled them to perform separate offices. The male always attacked the more decayed portions of the wood, chiseling out his prey after the manner of some woodpeckers, while the female probed with her long pliant bill the other cells, where the hardness of the surrounding parts resisted the chisel of her mate. Sometimes I observed the male remove the decayed portion

FIGURE 1. *Te Kawa and His Nephew*. Watercolor painting by G. F. Angas. Te Kawa (sitting) was the principal chief of the Ngati Whatua tribe. The hair of his nephew, Tamahiki, is decorated with the tail feathers of the huia. The Ngati Whatua inhabited the Orakai Bay region near present-day Auckland—well north of the huia's historical range.

> without being able to reach the grub, when the female would at once come to his aid, and accomplish with her long slender bill what he had failed to do.... I noticed, however, that the female always appropriated to her own use the morsels thus obtained.

Disregarding Buller's remark to the contrary, nineteenth-century science writer John Lubbock took literary license with Buller's description of huia foraging habits by asserting that females, after withdrawing larvae from bored-out passages, shared them with their mates. Buller was quick to correct this poetic error: "It seems a pity to destroy the pretty sentiment of the case as put by Sir John Lubbock," he said, "but science is inexorable, and the truth must be upheld" (Galbreath 1989:84). Although females withheld food items from their mates, male-to-female food transfers were described by several observers: "He hops along with a fine spider and very politely offers it to his better half, who seems to always appreciate his fine attention. And so they keep close together.... the female, with her slender bill, often getting a fine, fat insect, which, however, she does not give to her mate" (Caldwell 1911, cited in Riley 2001:103–104).

The advantage to the huia of possessing strikingly different bill types may explain why huias were almost always found foraging in pairs, keeping strictly to the shade of the forest. Observers noted that paired individuals always remained within audible distance of one another (Phillipps 1963). Buller (1882:31) noted a strong attachment between his own huias: "It was most interesting to watch these graceful birds, hopping from branch to branch, occasionally spreading the tail into a broad fan, displaying themselves in a variety of natural attitudes, and then meeting to caress each other with their ivory bills, uttering at the same time a low affectionate twitter."

Buller (1882:31) intended to export his huias to London's Zoological Society for display, but before the birds could be transferred the male was inadvertently killed, whereupon the female, "manifesting the utmost distress, pined for her mate and died ten days afterwards." Buller anthropomorphized the death of his remaining huia, but his belief is supported by Maori portrayals of surviving huias when pair bonds were severed: "I was always told by my old people that a pair of huia lived on most affectionate terms. The female dug the ground for the worms, but it was the male bird that picked the worms up to feed her, as she was unable to do it on account of the formation of her bill. If the male died first, the female died soon after of grief" (Makereti, n.d., cited in Riley 2001:104). Regardless of whether female huias succumbed to despair upon the death of their mates, the fact that such a phenomenon existed in Maori perception may partially explain their profound admiration for the birds.

The Huia in Maori Lore and Trade

Cultural Uses

Sacred and highly revered by the Maoris, the huia was admired for its stunning beauty, unique foraging habits, and pair fidelity. Maori esteem for the huia was manifest in myriad ways. Female huia heads with their gracefully curved, tapered bills were worn as pendants around the neck or dangled conspicuously from the ears of high-ranking individuals (Oliver 1930). A headdress or plume of twelve huia tail feathers, still joined at the base by the bird's own skin, was known as a *marereko* and was worn by chiefs at various ceremonies and when going into battle (Riley 2001).

Fuller (2001) observed that huias acquired a curious association with death. Indeed, Maori chiefs were especially inclined to don the huia's white-tipped tail feathers during funeral rites or *tangis*. A tangi scene painted by George Angas in 1844 depicts a deceased Maori chief in repose with a halo of huia feathers about his head, signifying the fallen leader's eminence (Fig. 2; Angas 1972). In all instances, the wearing of huia feathers conveyed distinction and was traditionally restricted to elites (Best 1942; Phillipps 1963; Riley 2001).

So valuable were huia tail feathers that Maori chiefs housed them in ornately carved wooden boxes called *waka huia* (Fig. 3). *Waka* is the Maori word for hollowed-out canoe, and waka huias were indeed fashioned in the manner of Maori watercraft (Buck 1952). An elaborately carved waka huia was presented to Captain James Cook during his first voyage to New Zealand; an illustration of this waka huia appears in Hawkesworth's (1773) account of the Endeavor voyage. Like the feathers they contained, waka huias were highly taboo or *tapu*. Balick and Cox (1996) suggested that a person could defile a waka huia by speaking disrespectfully of it or even looking upon it. In Maori cosmology, such individuals became subject to severe supernatural consequences unless properly purified.

Huia Folklore

A cultural intrigue with the huia is manifest in Maori legends and folklore. Maoris asserted the huia was obtained by their ancestor, Tawhaki (demigod of thunder, lightning, and health) from the heavens to provide feathers for his wife Maikukumakaka (Riley 2001). On earth, the huia became the leader of the multitudes of Hakuturi, sacred birds of the forest appointed to persuade Rata to follow forest protocol by seeking permission from Tane (god of the forest) before felling a tree from which to hollow out a canoe (Riley 2001).

A mythical explanation for the female huia's curved bill was described by Phillipps (1963), who learned of the following folktale from a Maori informant.

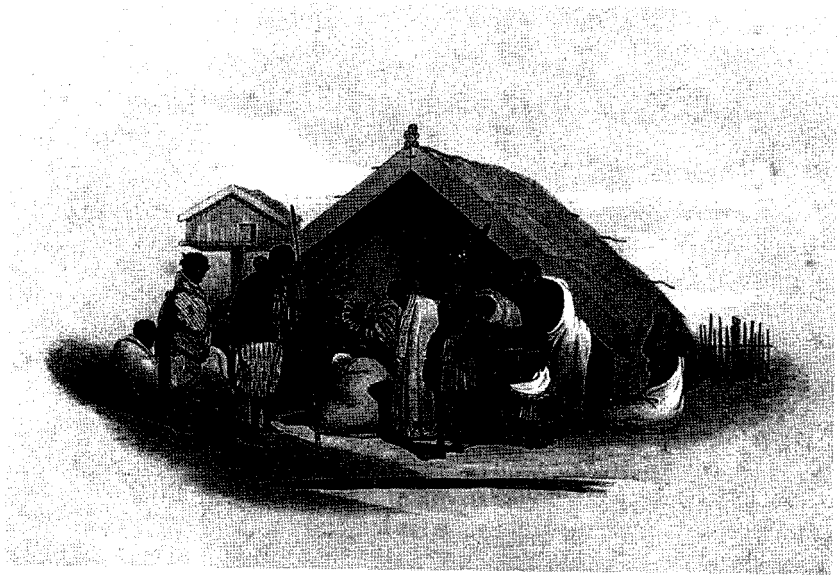

FIGURE 2. ***Weeping over a Deceased Chief.*** **Watercolor painting by G. F. Angas. The corpse is laid out beneath the veranda of the dwelling, wrapped in the finest mats. A halo of huia tail feathers about the head of the fallen leader signifies his eminence. A high-ranking individual in the foreground (also wearing huia feathers) utters incantations over the deceased chief.**

Shortly after the Maori migrations to New Zealand, a high-ranking chief was surprised to encounter an unfamiliar bird in one of his snares. The chief was enamored of the bird, which turned out to be a female huia. He plucked two feathers from the bird's tail and placed them in his hair as a decoration. Before releasing the huia, the chief bestowed upon it a magic spell and *mana* with the command that the huia was to appear before him whenever he asked. On one occasion, the huia dutifully appeared before the chief during the nesting season. The chief was displeased because the huia's tail feathers were in poor condition. The chief angrily inquired of the bird why its feathers were disheveled. The huia told him that it was through sitting on its nest. The chief replied: "I will provide you with a means whereby you may keep your feathers in good order when next I call on you." He took hold of the huia and bent its beak until it assumed an elegant curving shape. He then instructed the bird to use its bill to lift its tail clear of its nest each time it prepared to settle onto its eggs.

Huias were sometimes kept as pets and trained to converse (Rout 1926;

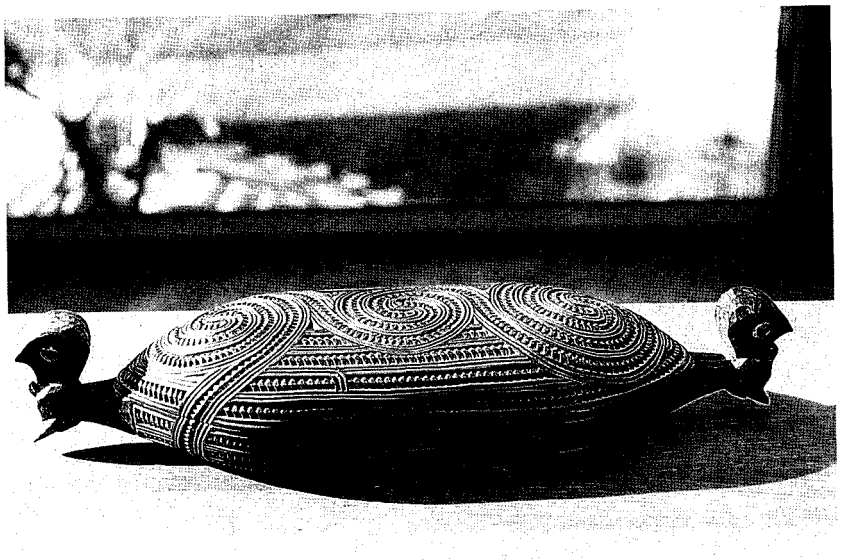

FIGURE 3. **An ornately carved waka huia. Such boxes housed the sacred tail feathers of the huia. The carved spirals depict the unfolding fiddle head of a tree fern, a Maori symbol of life and rebirth after death.**

Best 1942; Riley 2001). "Let the ears listen to the whispering of the pet of Tautu," implores a Maori song about a pet huia that once wandered the Tararua range. Tautu's huia was known throughout the district for its defamatory language and was consequently celebrated in song (Riley 2001). Rout (1926) noted that trained huias were indeed given considerable liberty, adding that they regularly returned to their cages, where they were periodically stripped of their valuable tail feathers.

Huia Snaring

The huia possessed little natural fear of people and was even curious of human activity. On trapping expeditions Maori fowlers tapped trees with sticks to arouse the huia's inquisitive nature (Riley 2001). Hunters, who often made no effort to conceal themselves, then mimicked the huia's call and lured the birds to within very close range, where they were readily snared. Huia snares were made of a flax fiber attached to the tips of poles called *tari* (Best 1942). Sometimes a huhu grub was tied to the snare as an additional enticement,

but Best (1942:223), who managed to capture a huia by hand without any artifice, reiterated that "the taking of the huia was by no means a difficult performance, for it had either a bold, simple, or trustful nature."

Huia Feather Trade

Due to New Zealand's temperate climate, Polynesians colonizing Aotearoa failed to establish most of their traditional tropical food crops such as coconut (*Cocos nucifera*) and breadfruit (*Artocarpus altilis*). Consequently, fowling became highly important and even assumed dietary primacy in some regions. Nearly all literature accounts of the huia describe the tapu nature of its flesh, but huia meat was almost certainly consumed for an indeterminate period in Maori prehistory. Moreover, as Polynesians began burning lowland forests, huia habitat diminished. Due perhaps to its dwindling range, the huia became tapu, and its feathers became the prerogative of chiefs. Eventually, an indigenous trade in huia tail feathers materialized.

The huia's limited distribution enhanced its value among the Maori (Best 1942). Yate (1970) stated that huia feathers were sometimes sent by Maoris in the Wellington area to tribes in the Bay of Islands 500 km north. Similarly, Best (1942) noted that feather plumes were passed from tribe to tribe by means of barter throughout the North Island and South Island. South Island Maori tribes exchanged greenstone for huia feathers, while tribes far to the north of the huia's range traded shark teeth for huia plumes (Orbell 1985).

Commercial trade in a species of high cultural saliency and of such a limited range and population as the huia is likely to terminate in extinction (Monson et al. 2003). Indeed, unless the extent of trade is highly restricted and a management strategy exists to ensure that no unauthorized commerce occurs, extinction is imminent. Such strategies for the conservation of wild-gathered species exist in nearly all traditional indigenous cultures (Colding and Folke 2000).

In Polynesia, unwritten rules or taboos historically prohibited activities deemed deleterious to society. Numerous taboos were designed to protect wild-gathered resources from overexploitation. Such prohibitions included the temporary closing of octopus gathering areas; forbidding the harvest of certain fish species during spawning season; size limits on fish harvested; restrictions on taking seabirds and their eggs; bans on entering turtle nesting areas; and permanent prohibitions against the taking of fruit doves and flying foxes in sacred forests (Johannes 1978; Brooke and Tschapka 2002). In New Zealand, taboos that forbade (either temporarily or permanently) the harvesting of wild-gathered species in order to ensure their perpetuation were called *rahui*. Some researchers dismiss the legitimacy of rahui, citing the Maori plunder of moas and other flightless birds as evidence that a conservation ethic

was absent among native New Zealanders (Anderson 1997). Others contend that such extinction events are precisely what led Polynesian societies to develop resource conservation strategies like rahui (Orbell 1985; Belich 1996). Still others, including Elsdon Best, are reluctant to implicate the Maori as the primary factor in the demise of the moas. It was Best's opinion that "though the stragglers of the moa family may have been killed off by the Maori, it is incredible that the extinction of the moas as a whole can be laid at their door" (Myers 1923:70). Best's faith in Maori conservation strategies may appear naive in light of modern revelations concerning the extinction of the moas, but his views are supported by geographer Patrick Nunn, who attributes the extinction of the moas to natural, catastrophic changes in New Zealand's forest structure approximately 1300 BP (Nunn 1993). Like Best, Nunn concedes that the Maoris played an ancillary role in the demise of the dinornithiformes, but it is presumptuous, he maintains, to place the entire blame on humans.

Rahui in Maori Forest Lore

Ecological conditions in Maori tribal areas were continually evaluated by individuals assigned as *kiatiaki*. Kiatiaki were stewards of all living things on behalf of past, present, and future generations (Gillespie 1998). For the Maori, the fruits of the land and sea were intended for human use, but when a particular forest or marine resource became vulnerable to overexploitation, its use was strictly prohibited (Best 1942; Best 1982; Riley 2001). Forest birds, for example, were protected by a rahui during the breeding season. "In olden times," wrote Raymond Firth (1929:138),

> birds were strictly preserved. When they were nesting, or when the young were newly fledged and unable to fly, no person was allowed to take them unless under circumstances of extreme need. A tapu was set upon the forest, and no one would dare break it.

The conservation value of rahui is also described in Meyers' (1923:69–70) account of Maori fowling ethics: "Birds formed a very considerable portion of the food of the ancient Maori," he noted,

> but his exploitation of these, as of all other forest products, was carried on under the most scientific and rigid supervision of the tohunga, or priestly expert. The most numerous and complicated rules were punctiliously observed as religious rites to prevent in any way the disturbance of the bird population, leading possibly to its exodus into the hands of another tribe; while on any signs of fright,

> diminution, or poor condition the tohunga might place under tapu either the whole of a certain area or all or certain of the bird species in that area.... All these restrictions were enforced purely by spiritual authority, acting on a living faith in immediate punishment.

Usually the protection of wild-gathered resources for a particular locality was manifest by a physical marker such as a stake either festooned with fern fronds or capped with a lock of human hair (Best 1942; Best 1982). In many instances, a chiefly declaration of the rahui was also issued. "Such a pronouncement as this," wrote Best (1942:163), "would very soon be known far and wide."

Penance for an inadvertent breech of rahui required that the offender offer a gift to the individual who had imposed the restriction, but intentional infractions could provoke warfare, particularly if conducted on burial or other sacred grounds (Riley 2001). Best (1942:165) described the potential consequences for such a desecration:

> when Mahia was slain at Te Papuni, the lands thereat were made-tapu at once, he being a prominent man of the district. Some of the people of the district violated the condition of tapu by procuring and consuming certain food-supplies of the land.... This enraged the widow of Mahia, who raised a party of her relatives at Maungapohatu, and descended upon Te Papuni like a wolf on the fold; when the raiders marched homeward they left the offenders past all need of future food-supplies.

Even more ominous in the Maori mind than the threat of physical punishment for a breach of rahui was the fear of retribution by the dread powers of witchcraft (Best 1982). When a high-chief or priest (*tohunga*) declared a rahui on a particular resource, it was strictly observed by the populace due to their "living faith in immediate punishment" (Meyers 1923:71). Domett (1883:150) similarly recognized the spiritual powers wielded by the tohunga: "Departed spirits were their dumb police, and ghosts enforced their lightest laws."

Riley (2001) noted that for the Maori, huia tail feathers were of celestial origin and were highly tapu. In some areas, only tohunga fowlers were permitted to capture huias. Best (in Meyers 1923:70) stated unequivocally that under the ancient regime of rahui, the Maori would never have exterminated a single species. "Man and birds," he argued, "had reached a state of equilibrium." Indeed, although the huia was tapu due to its close association with Maori elites, tapu also served an important conservation strategy against indigenous hunters who might otherwise have sought wealth and elevated social status

by trading huia feathers for other valuable items. By the 1840s, however, the cultural saliency of tapu and its power to conserve nature were steadily being eroded by the introduction to Aotearoa of a foreign cosmology.

Huia Commercialization and the Demise of Tapu

Nineteenth-century Europeans were ardent collectors of exotic wildlife mounts and study skins. Consequently, when word arrived from New Zealand of a bird possessing sexually dimorphic bills, orange wattles, and white-tipped tail feathers prized by Polynesian chiefs and shamans, the huia was instantly in demand. Although many specimens were harvested for display in colonial drawing rooms, dealers found foreign markets for mounted huias and study skins among museums, universities, and private collectors. During the latter half of the nineteenth century, several thousand specimens were shipped to Europe and the United States (Phillipps 1963).

To increase their success at harvesting huias, hunters hired Maori guides who, ironically, were willing accomplices in the assault on the huia. Dealers who trafficked in huia skins lured Maoris into harvesting the birds for miniscule cash rewards. In the 1880s, Buller (1888) recorded that a team of eleven Maoris, scouring the forests between Manawatu Gorge and Akitio, harvested 646 huia skins in a single month's time. Such a devastating raid could not have occurred without the widespread demise of the Maori taboo system. As Meyers (1923:70) noted: "Needless to say, tapu is now a thing of the past, and the present-day Maori shoots pigeons and kakas in great numbers with no more compunction than his pakeha [European] brethren." Krech (1999) investigated a similar phenomenon among eighteenth-century Native Americans, who ignored traditional hunting taboos and engaged in the European trade in deer and beaver pelts. He largely dismisses the conventional wisdom that American Indians were corrupted by Europeans into forsaking traditional conservation strategies. Instead, he opts for a view where Indians merely "created choices for themselves, defined new roles, [and] found paths in the new order in myriad and contradictory ways" (Krech 1999:152). Unlike the violation of eastern Native American hunting taboos described by Krech, however, historical Maori infractions of rahui could be lethal. Consequently, there was great incentive to adhere to traditional harvesting protocol unless the former system of physical punishment and faith in supernatural retaliation was no longer operational. Financial reward alone would have offered insufficient motive to desecrate traditional taboos in Aotearoa.

Early Christian missionary work in New Zealand coupled with the rapid and widespread immigration of colonists to the country in the mid-1800s introduced new customs and worldviews wholly alien to the Maori mind. In-

digenous beliefs and practices rapidly disintegrated (Cowan 1910). "Indeed, there was a disconsolate feeling among the older Maori at that time," notes Murdoch Riley (2001:37),

> that both their race and the native birds of the country were declining radically in numbers for the reason that belief in the old gods, spirits, and the laws of tapu had been forsaken.

Speaking of this loss of traditional Maori beliefs, a Maori informant of Best (in Riley 2001:38) somberly stated:

> We have no mana now.... Our clothing and our bodies are now washed with warm water, and there is no more tapu. We have abandoned our own gods and their laws.

Because the strictest laws of taboo had been abandoned, huia feathers were no longer the sole possession of elites. Soon, Maoris with any claim to rank desired at least one huia feather (Phillipps 1963). Despite the rapidly waning power of tapu, the demise of the huia was not lost upon the minds of Maori leaders. In the 1880s, several influential chiefs in Manawatu and Wairarapa tabooed the Tararua Range in an attempt to reassert the huia's former protection as a sacred species (Phillipps 1963), but such proclamations had lost their religious potency.

The erosion of cultural taboos coupled with the introduction of a new and powerful economic system may have been perceived by some Maoris, particularly those of lower social classes, as an opportunity to improve their status with both peers and colonists. Given that the preservation of native biological resources could not have appeared important in the new socioeconomic order, selling items of former value (such as huias) for things of modern worth (such as cash) was probably a rational, adaptive response to changing patterns of power.

While indigenous conservation strategies were rapidly deteriorating under Western religious and political pressures, New Zealand's colonial government was slow to implement Western-style conservation practices. In 1890, however, an event occurred that placed the huia's plight squarely on New Zealand's colonial consciousness. Lady Onslow, wife of New Zealand's governor-general, the Earl of Onslow, gave birth to a son in Wellington. It was the first time a governor's wife had borne a child in New Zealand. Newspapers drew attention to the fact that the child's birth coincided with New Zealand's fiftieth jubilee year since the signing of the Treaty of Waitangi and expressed the hope that a Maori name might be bestowed upon the child (Galbreath

1989). Governor Onslow, who was sympathetic to the plight of the Maori people, was enamored of the idea and sought advice from respected leaders regarding a name. Walter Buller, a close friend to the governor, suggested "Huia." The name was enthusiastically embraced and a week later, the child was baptized Victor Alexander Herbert Huia Onslow. As Galbreath (1989:179) noted: "The first three names were hardly noticed; in New Zealand he would always be Huia Onslow, and so he was known all his life." Newspapers reported that the culminating event of the ritual occurred when an elegant huia feather was affixed to the child's headband, a symbolic act that established the child as a chief in Aotearoa.

Several days after the infant's baptism, the Onslow and Buller families traveled to Otaki for a prearranged ceremony with the Ngati Huia, an important and aristocratic subtribe of the Ngati Raukawa (Phillipps 1963). Governor Onslow had evidently received prior permission to give his son the clan's name, and he now desired the child to be formally presented before the Ngati Huia elders for adoption into the tribe (Galbreath 1989). Upon arriving at Otaki, the governor's party was welcomed to the Ngati Huia marae. Buller, who spoke fluent Maori, translated for the group as the tribe's orator commenced speaking:

> Other governors have said kind things and done kind things, but it has been reserved for you, O Governor, to pay this great compliment to the Maori people—that of giving to your son a Maori name.... It has long been said, let the Pakeha and the Maori be one people.... We invoke the spirits of our ancestors to witness this day that in your son Huia the friendship of the two races becomes cemented.

Turning and pointing toward the distant mountains, the orator resumed his speech:

> There yonder is the snow-clad Ruahine range, the home of our favorite bird! We ask you, O Governor, to restrain the Pakehas from shooting it, that when your boy grows up he may see the beautiful bird which bears his name (Phillipps 1963:64; Galbreath 1989:180).

At the conclusion of the speech, Onslow replied by reciting a quote he'd seen engraved on one of his son's christening gifts: *E hoa ma, puritia mai taku huia*—friends, hold onto my huia! The phrase derived from an old Maori song and was most fitting as it was based on the figurative meaning of "huia," a word connoting something valuable. For the Maori, "the huia was like the pearl of great price," and Governor Onslow expended considerable

energy to ensure that the publicity surrounding his son's Maori name was linked to the bird's conservation (Galbreath 1989:180).

Buller wrote an account of the tribal ceremony in Otaki for the *New Zealand Times*. The story also appeared in British newspapers, where it was enthusiastically received by readers "as a tale of Empire: the fair child of a noble English house taking his place at the head of a dusky tribe, amid curious native customs" (Galbreath 1989:180). Newspapers pointed out that if strict measures were not swiftly taken to ensure the huia's protection, it would suffer the same fate as the moa.

Governmental protection for the huia did come, and the huia's inclusion on the Wild Birds Protection Act in 1892 was the direct result of an eloquent letter written by Governor Onslow to Prime Minister John Balance. Thereafter, on all hunting proclamations, a statement appeared that expressly prohibited any molestation of the huia. Reflecting on the former efficacy of Maori conservation strategies, Meyers (1923) pointed out that "the protection laws of our own time will bear not the faintest comparison with the game laws of the old-time Maori." Indeed, the law had little effect. In 1896, two dealers in the commercial traffic of New Zealand birds, Henry Travers and A. J. Jacobs, were convicted of killing seven huias. Each man was required to pay a £5 fine—hardly a deterrent since a single huia skin was worth more than that (Galbreath 1989).

Commercial harvesting was the major factor in the huia's extinction (Meyers 1923), but deforestation also reduced huia numbers. Buller (1905:157), for example, lived to see an extensive podocarp/hardwood forest near Wellington (where he had formerly collected numerous huias) converted to a district completely covered in "green pastures and smiling farms." The destruction of the bush, wrote Buller (1905:157), angered Maori leaders, who were greatly distressed over the huia's plight: "You have prohibited the killing of the huia under a heavy penalty," they told the colonial government, "and yet you allow the forests, whence it gets its subsistence, to be destroyed!"

In the early 1890s, the New Zealand government sponsored the first of a number of expeditions into North Island's southern ranges for the purpose of securing several huia pairs for liberation on offshore islands where they would be free from human persecution and habitat destruction. Specifically, Little Barrier Island north of Auckland and Resolution Island in Fiordland were identified as potential sanctuaries. Governor Onslow was the principal champion of this acclimatization project, but ornithologists such as Buller were pessimistic that huia relocation efforts would succeed (despite publicly supporting the governor's plan). Little Barrier Island, for example, was considered too warm and dry for the huia. Moreover, it was infested with feral cats (Galbreath 1989; Riley 2001). Despite these concerns, a reward of £4

per pair of live huias was promised to several individuals experienced in trapping the birds (Phillipps 1963).

Concurrent with efforts to prevent the huia's extinction, an event occurred that ultimately sealed the huia's fate. During his 1901 tour of New Zealand, the Duke of Cornwall and York, the future king, visited Rotorua where the local Maoris presented a grand welcoming ceremony (Phillipps 1963). During the affair a native guide ceremoniously removed the single huia feather from her hair and placed it in the hatband of the Duke as a gesture of respect and in acknowledgement of his royal status. Pictures of the simple act ran in London newspapers, and a British mania for the Maori symbol of rank and prestige commenced. The price for single huia tail feather began at £0.25, but soon increased fourfold to £1.00 (Phillipps 1963). Some years later, the price topped out at £5.00 for a feather in good condition. A huia with a full complement of twelve tail feathers became a highly valuable commodity. North of Wellington, hunters took to the mountains hoping to bag even a single bird. Other individuals pilfered feathers from mounted huias and museum study skins hoping to cash in. From his examination of huia specimens in New Zealand's Dominion Museum, Phillipps (1963) found that only six of fifty-three birds possessed all twelve tail feathers. Some museum skins possessed no tail feathers at all.

In the same year that the Duke visited Rotorua, Henry Travers offered to provide live huias for release on Little Barrier Island at £20 a pair (Galbreath 1989). This was five times the amount the New Zealand Government was willing to pay collectors for a pair of huias, and the offer was ignored. With the huia worth more dead than alive there was little incentive to turn in live birds. Unfortunately, law enforcement officials did little to discourage the thriving feather trade.

The last huia sighting documented by a trained ornithologist occurred in 1907. However, virtually all literature on the species suggests isolated pairs persisted for a considerable time afterward. A photograph of a preserved pair of huias, purportedly collected near York Bay, Wellington in 1912, appears in Fuller's (2001) account of the huia. A summary of alleged huia sightings after 1907, many of seemingly indisputable veracity, is detailed by Phillipps (1963).

Discussion

Rarity-Value Curves: A Model

The Polynesian taboo system of species management, as exemplified by the former protection of the huia in New Zealand, provides a predictive model for wildlife managers attempting to determine organisms likely to become

endangered by species commercialization. Species vulnerable to overharvesting are apt to possess high cultural value, while resilient species can be predicted to have comparatively low cultural value.[1] Several characteristics of each category are listed in Table 1.

The survival prognosis for species under monetized trade can also be represented by a series of curves on a graph where rarity is measured against cost or value. If N is the population size, k the population size at carrying capacity, V the monetary value attributed to a single individual at any point in time, and V_{max} the maximum value attained, N/k *versus* V/V_{max} can be plotted with both axes ranging between zero and one (Fig. 4). The diagonal line (where $N/k + V/V\text{max} = 1$) can be taken to represent a species for which increasing rarity results in a simple linear increase in value to the harvester/consumer. If the equation yields a number greater than one, that species will have a convex rarity-value curve and will most likely endure the impacts of commercial traffic. Species with convex curves were tabooed only periodically (if at all) by indigenous cultures. The extent of harvesting and trade in these species can be contained because consumers shift to alternative resources when rarity stimulates large price increases in the product. Examples of species likely to possess convex rarity-value curves include medicinal plants used to treat minor ailments for which alternative pharmaceuticals are available.

A concave trajectory occurs for species when the rarity-value equation yields a number less than one. Increasing rarity fails to arrest demand for these species because there are no comparable alternative resources. These species often possess low reproductive rates, have small geographic ranges, and occur in naturally low densities. Additionally, specimens (or their parts) of species that have concave rarity value curves are likely to impart prestige to their owner due to their cultural or monetary value. Orchids, whose singular beauty and extreme rarity ensure high prices, are an example. Species with concave rarity-value trajectories were either permanently tabooed by indigenous cultures or their use was restricted to a certain small segment of society—usually elites.

The Case of the Huia

In traditional Maori culture, the huia exemplified every characteristic typical of species of "high value," as listed in Table 1. Although it is impossible to

[1] By "low cultural value" I do not suggest low cultural usefulness. Rather, low cultural value in this sense implies limited monetary, trade, or religious value. In Polynesia, for example, resources such as coconuts and common fish species are important food items, but such readily obtainable resources lack significant trade value. Nor does the possession of such common resources impart prestige to the owner. Some rare food resources, however, such as flying foxes in Guam, do possess considerable cultural value.

TABLE 1. **Characteristics of Species Possessing High Value versus Low Value to an Indigenous Society***

Indices of Value	
High Value	Low Value
Rare	Ubiquitous
Hard to obtain	Easy to obtain
Restricted to elites	Available to everyone
Command respect	Do not command respect
Respect terminology	Common terminology
Associated with clan of distinction	No particular clan association

estimate precise population and carrying capacity figures for the huia at any point in time, the history of the species' rapidly appreciating value as well as its ultimate extinction permit the construction of a concave rarity-value curve. In 1901, the price of a huia tail feather was £0.25. A wild-harvested bird with a complete set of twelve tail feathers would therefore be worth £3.00. Huia feather values peaked in 1916 at £5.00, or £60.00 for a fully feathered specimen. In this instance, the V/V_{max} portion of the rarity-value formula becomes:

$$3/60 = .05$$

Any value for N/k less than 0.95 will produce a point that establishes a concave population rarity-value curve for the huia. In other words, regardless of whether the carrying capacity for the huia remained as high as 1,000 or had been reduced to as low as 100, unless the remaining habitat was at least 95 percent saturated with huias, the species had a concave curve. Hypothetically, if continuing deforestation had reduced the huia carrying capacity to a mere 300 birds by 1901, and one allows for a remaining population of 200 huias, one is left with the following N/k value for the rarity-value formula:

$$200/300 = .67$$

The complete rarity-value equation, then, yields the following sum:

$$200/300 + 3/60 = .72$$

Despite the great probability of this value being artificially high, it still establishes the huia as possessing a concave rarity-value curve (Fig. 5).

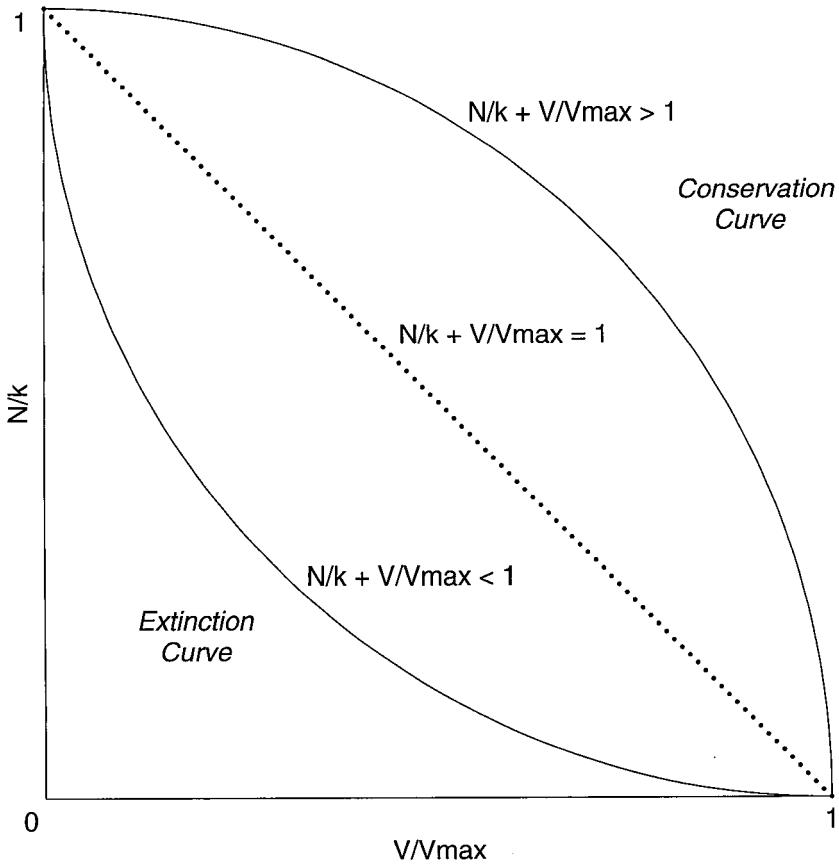

FIGURE 4. **Relationship between rarity and value for wild-gathered and commercialized species. Species with convex curves are likely to endure commercial harvesting by indigenous societies while species with concave curves are prone to extinction.**

Rarity-value trajectories can be constructed for any commercialized species provided that figures for carrying capacity, population, and maximum values are known or can be ascertained with reasonable accuracy. A rarity-value curve, for example, can be constructed for African elephants based on data derived from international trafficking in ivory (Barbier et al. 1990). Detailed harvesting records were also recorded by the Hudson's Bay Company during the eighteenth-century beaver pelt trade in eastern Canada (Carlos and Lewis 1995). Likewise, the government of Guam recorded population

and price histories associated with that island's recent trade in Pacific Island flying foxes (Wiles and Payne 1986).

The usefulness of the taboo-based conservation model is that it permits managers to predict wildlife population trajectories subsequent to species commercialization. The model can therefore help conservation efforts be proactive and proscriptive in guiding efforts to protect wild-gathered populations while ensuring sustainable harvests for indigenous gatherers. In the absence of population and price data for a commercialized species, the characteristics of "high value" species in Table 1 should be consulted.

Resource managers should be extremely wary of any action that might lead to the commercialization of a culturally salient or high value species. High value species were permanently tabooed by indigenous societies, who possessed profound knowledge of each organism's vulnerability to overexploitation. Even species that were only temporarily tabooed should not be commercialized unless harvesting techniques can be restricted to traditional methods. Indeed, rarity-value curves can flip from convex to concave by the adoption of modern harvesting technologies such as firearms and sonar fish-finding equipment (Monson and Cox, in review; McGuire 1997).

Conclusion

Elements of indigenous conservation strategies are increasingly incorporated into modern resource management models because traditional patterns of aboriginal resource use worked toward long-term horizons (Gillespie 1998). Such wise use practices, however, were not characteristic of original colonizers settling virgin lands, as the record of extinctions coinciding with Polynesian dispersal events attests (Steadman 1997). The loss of wild-gathered food resources through overexploitation and the resultant diminution in human carrying capacity, however, motivated many traditional cultures to develop conservation techniques. Indigenous societies, including the Maori, adopted sustainable practices because such measures helped ensure survival (Redclift 1987). The rahui system of wild-gathered resource conservation in New Zealand effectively served Maori society by curtailing the persistent and unsustainable harvesting practices that exterminated the archipelago's famed moas. Indeed, if a conservation ethic had never been adopted by the Maoris, their favorite bird of the bush, the huia, would have disappeared long before curious Europeans desired mounted specimens and emulated their future king by wearing the bird's prestigious feathers. Such taboos have proven highly effective in resource management, and while such strictures are quite recent in the developed world, they have been practiced for centuries by traditional societies (Johannes 1978). A modern analogue to the indigenous taboo system

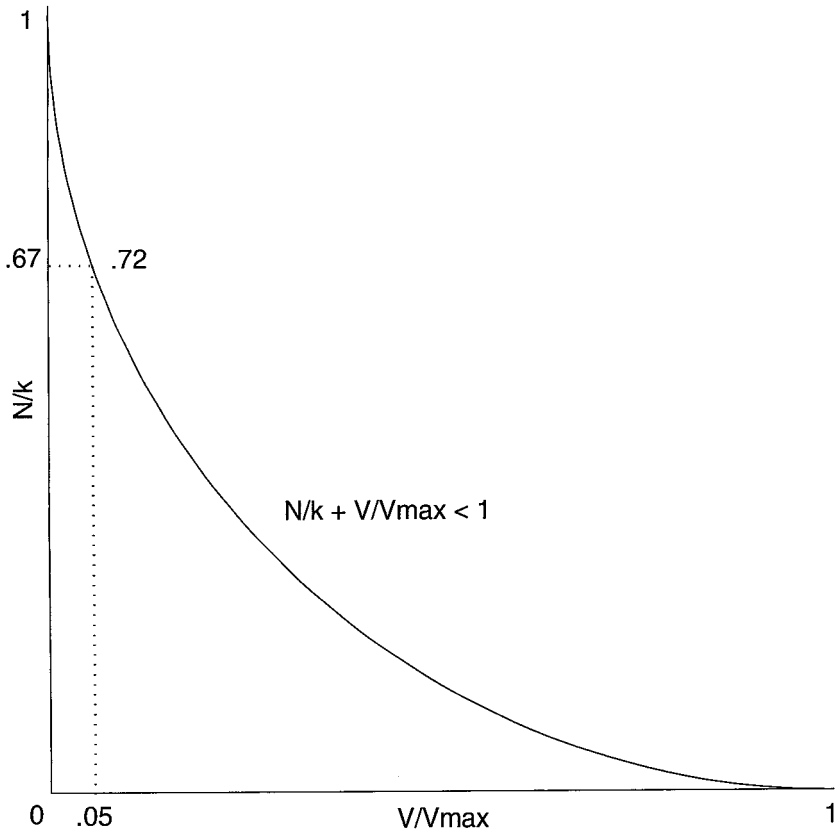

FIGURE 5. **Hypothetical concave rarity-value trajectory for the huia (based on population and value figures given in the text).**

of regulating trade in biological resources is the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Walter Buller, privileged to witness and study New Zealand's stunning avifauna in the mid-1800s, resigned himself to the inevitability of its destruction. In his later years, he emigrated to England, and although he intended to return to New Zealand, he fell seriously ill. Feeble and unable to carry on in his former robust manner, Buller dictated the final pages of the *Supplement* to his monumental work, *A History of the Birds of New Zealand*. "The old order changeth," he reflected. Buller was ruminating on the fact that the native fauna, flora, and people of New Zealand were being supplanted by European invaders. He recalled the words of his elderly Maori friend, Ihaka,

who likewise lamented the demise of Aotearoa's native birds and the invasion of exotic species: "Now they are all gone—as completely as the moa! Soon also will my race vanish from the land, and the white man, with his sheep and his cattle and his birds, will occupy the country" (Buller 1905:11). In the end, the Maori people, and even some of New Zealand's indigenous avifauna, proved more resilient than Ihaka predicted. The huia, however, was doomed. Reflecting back to his antipodal roots in New Zealand and his adventurous life among the archipelago's unique biota, Buller wrote a characteristically colorful and poignant memorial to the huia:

> I do not know of any more picturesque sight in the New Zealand woods—now, alas! the opportunities are becoming few and far between—than that of a small party of these handsome birds, playfully disporting themselves among the branches, in the intervals between their customary feeding times. Take for our purpose a dense piece of native vegetation ... and furnish it, in imagination, with two pairs ... they are hopping actively from branch to branch, and at short intervals balance themselves and spread to their full extent their broad white-tipped tails, as if in sheer delight; then the sexes meet for a moment to caress each other with their beautiful ivory bills, while they utter a low, whimpering love-note; they bound off in company, flying and leaping in succession, to some favorite feeding-place, far away in the silent depths of the forest.

Buller had long foretold the huia's inevitable demise. The traditional cultural constraints that successfully preserved it for hundreds of years had been broken down and replaced by reckless exploitation. "*Ka ngaro i te ngaro, a te moa*" run the words of a Maori lament—"Lost as the moa is lost" (Anderson 1989). Indeed, as Galbreath (1989:11) noted, the huia "passed into a myth, a symbol of the nobility of an old New Zealand living on only in the mind."

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