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DISPUTE SETTLEMENT IN NEW GUINEA.

A COMPARATIVE STUDY.

Laurence Richard Goldman.

Thesis submitted in part fulfillment for the degree
of Master of Arts of the University of Durham. England.
January. 1974.

E R R A T A

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18 footnote 1. defenition. read definition
26 Line 7 from bottom M. Read read K. Read
34 line 7 J. Koch read K. Koch
36 line 4 from bottom J. Koch's read K. Koch's
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37 " 12 Kabbery 1957 read Kaberry 1957
37 footnote 2 Kabbery read Kaberry
47 line 5 from bottom (Higbin 1970) read (Hogbin 1970)
54 line 7 from bottom conf.. read confrontation
67 line 10 from bottom (Hogbin 1943) read (Hogbin 1945:340)
70 footnote 1 Bateson 1937:98 read Bateson 1967:98
72 line 29 wrogdoer read wrongdoer
82 line 9 from bottom societies read societities
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89 line 8 (Read 1948: 203) read (Read 1950:203)
91 line 10 from bottom (Koch 1969) read (Koch 1968)
91 line 9 from bottom (Read 1948) read (Read 1950:211)
92 line 7 (Hogbin 1928: 243) read (Hogbin 1938:243)
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(Hogbin 1938: 226-234).
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(1971:160)
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A B S T R A C T

This study is an attempt to describe, define, and interpret some of the dominant patterns of dispute settlement among a number of New Guinea societies. In the main, only those disputes which take place within the political and territorial unit, referred to herein as a 'parish', have been considered. Questions pertaining to the legal aspects of the settlement processes are discussed throughout the thesis, in order to gain a better understanding of the way power and authority, and self-help mechanisms, operate in the indigenous systems of these communities. To this end not only the writings and ideas of other anthropologists, but those from the sociology of law and social conflict studies have been freely drawn upon. There have as yet been no systematic comparative studies on dispute settlement in New Guinea and this thesis therefore endeavours to elicit the broad patterns of similarity, rather than enumerate the many differences, which characterize these diverse social systems so as to both provide a basis for, and suggest possible areas in which, future research might be undertaken.

E R R A T A:

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65 are numerically omitted.

C O N T E N T S

INTRODUCTION	I
Chapter 1 POLITICAL AND LEGAL INSTITUTIONS	9
Chapter 2 SETTLEMENT PROCEDURES	66
Decisions and Principles	66
Oaths and Ordeals	74
Third-Party Intervention	79
Chapter 3 SELF-HELP	88
Altercation	88
Extension of Conflict	104
Ritually Prescribed Conflict	111
Self-Injury	118
Avoidance: Withdrawal: Suicide	124
Women, Sorcery, and Adultery	145
CONCLUSION	152
Appendix I. Diagrams	157
Appendix 2. Cases	191
Bibliography	221
Map of New Guinea	

I N T R O D U C T I O N

"From the point of view of systematic research, law has been one of the most neglected aspects of New Guinea cultures" (A.L.Epstein 1972).

Despite the lacunae of information regarding the legal aspects of social control mechanisms in New Guinea societies, examination of the many ethnographies seems to suggest that the case for the lack of peaceful means for the settlement of disputes among these communities, has perhaps been overstated. To a large extent the approach which would have us concentrate on processes of self-help and self-regulation (Lawrence 1959) is less the product of systematic analysis, than an unqualified acceptance of such ethnographic observation that the "Iatmul are fundamentally a people without law" (Bateson 1936:97).^I Given the paucity of literature on law in the indigenous systems of New Guinea, any analysis in terms of the use of the concept of 'law areas', as developed by such eminent Dutch scholars as van Vollenhoven and Ter Haar in their studies of Adat law, would be a somewhat premature venture.

In general the search for valid comparisons has lagged behind the intense fervour for virgin ethnographic fields, and as yet there exist few frameworks with which one might attempt to impose some order, for the purposes of comparative analysis, into the diverse political and social systems found in New Guinea. It is clear that any study which attempts

I. Similar observations have been made for the Dugum Dani (Heider 1970:102), Keraki (Williams 1936:248) Orokaiva (Williams 1928:224), Mafulu (Williamson 1912:144), Mowehafen (Todd 1935:443) and Kuma (Reay 1959a:24).

to compare a number of societal cases, must of necessity define the structural levels within which the analysis is conducted. The limitation of the autonomous political unit is always to some extent an arbitrary matter. For the purposes of this study that political and territorial unit commonly referred to in the literature as a 'parish' is the unit within which my examination of disputes and their settlements take place. While it is not necessarily the widest unit in which there exists a moral obligation to settle disputes peacefully, and is not necessarily the unit within which war never occurs, these factors are generally held to distinguish this unit. The schematic representation of the social structures of the societies under discussion is given in Appendix I, and it is not meant to show every level of segmentation, but merely the ones necessary for our study. Where other levels are important they are given in the body of the text. I have found it necessary to keep distinct residential, territorial, and descent units, and following the example of Ploeg (1955) and Glasse (1968) have termed the territorial divisions of a parish section, and sub-sections. This is followed through for all the societies and is a way of showing similarities in the level of disputes with respect to the parish unit. The use of the terms clan, lineage, sub-clan and clan section largely follows the original ethnographic accounts. The confederacy denotes a political unit which includes two or more parishes and which functions, among other things, to carry out warfare on other confederacies or parishes.

Statistical analysis is not used here because of the inadequacy of the data, which in most cases reflect the

bias of the ethnographer. In most instances the ethnographers have failed to indicate the precise source of their material- i.e. whether reported or witnessed cases -a criticism particularly applicable to Berndt's (1962) study. The fact that the cases most often reflect some cultural distortion, points to the importance of making explicit the methodological implications of using memory cases. Koen (1967) thus noted that there is a tendency for those disputes which were settled peacefully between the parties, or which ended in a verbal dispute, to fall into oblivion. Other ethnographers have similarly reported on the tendencies to "play down conflict" (Berndt 1962:298, Read 1950:201), distort the facts to make the informer or his group appear to the advantage (Hogbin 1938:250), suppress the recollection of violent disputes between friendly units, (Ploeg 1966:112), and to attribute violence to women by male informants (Ploeg 1966:175). The use of case material in my study then, is of necessity illustrative of my points rather than explanatory, since fieldworkers have tended to ignore the intricate pattern of relationships between parties to a dispute seeing the relations only in the context of single event issues.

This study attempts to define and interpret not only the patterns of similarities in the adjudication procedures, but the more general reactions to offences of both men and women. The basic approach is to isolate the situations in which people make choices between courses of action, and to attempt to elucidate the principles governing such choices.

* * *

POLITICAL AND LEGAL
INSTITUTIONS

Despite the considerable amount of literature which has been devoted to elucidating the political systems of New Guinea, there has as yet been no attempt to provide a framework for the purposes of comparative analysis. Koch (1967:302) has suggested that a classification of "systems of conflict control" in terms of those societies which have courts, or court like situations, and those which lack such institutions, would prove a fruitful tool of analysis, while M.G. Smith (1956) has suggested that the critical differences between political systems concerns the degree of differentiation of political and administrative functions in terms of the units and forms specialized to discharge them. To a large extent any classification or grouping of societies will reflect an arbitrary selection, in accord to the interest of the analyst, and for the purposes of this study I have found it expedient and illuminating to make an initial grouping of the societies in terms of the presence (and combination) of the different leadership types,¹ and to elicit sub-groups within these on the basis of the presence or absence of the different forms of settlement institutions that are found in these diverse communities.²

A Headmen:

Institutions absent: Keraki, Orokaiva, Kutubu, Mafulu.

Council: Waropen, Mailu, Koita, Kiwai.

Assembly: Mowehafen, Wogeo

B Headmen and Big-men

Assembly: Gahuku Gama, Ngarawapum, Gururumba, Siane, Kuma.

C Big-Men

1. A headman is an ascribed status, while Big-man status is an achieved position.
2. The Mowehafen and Wogeo are discussed with the Lakalai, Kapauku, and Tolai, while the Highland societies in group C, where there exists an assembly, are discussed as a separate sub-group.

C Big-men

Altercations: Arapesh, Iatmul, Jale, Abalam

Institutions absent: N.Baliem Dani, S.Baliem Dani, Wanggulam, Kamano, Jate, Usurufa, S.Fore

Assembly: Melpa, Chimbu, Maring, Mae Enga, Huli, Lakalai, Tolai, Marind, Kapauku, Tolai.

It has not been my purpose to provide an extensive and exhaustive analysis of the political organization of these societies but to attempt to provide an account of the much neglected legal aspects of these communities. While to a certain extent my groupings do considerable violence to the obvious cultural areas, and indeed groupings which might be erected on the basis of an analysis of parish structure, ⁽ⁱ⁾ it is also clear that to a large extent similarities of residence units and culturally shared institutions among the societies, are evident in the major sets given. My analysis proceeds to specify the functions of leadership in the societies, the sanctions they operate, and their role or lack of it in settling disputes. Special attention is given to the issue of authority-power as they might apply to these leaders. The types of judicial institution present is defined and described, and such important aspects as the type of disputes with which the 'court' concerns itself, the procedure, jurisdiction, membership, etc. are also discussed. The principles involved and the type of decisions made are left for separate discussion in Chapter III.

i e.g. the Siane and Kuma are clan-parish units, but the presence of headmen is important in the analysis of their legal structure.

"Especially, there are no courts of law in which persons with the equivalent status of judges or magistrates give binding decisions and mete out fixed punishments. Hence, an examination of leadership or authority vested in individuals in these societies reveals comparatively little about the processes of social control" (P. Lawrence 1969:24).

The above passage exemplifies, in its erroneous observations, the deleterious consequences which can result from hasty generalization coupled with an undue emphasis on

Table 3.4

Society	Level	Type	Term	Judicature
<u>Waropen</u>	Clan	Headman	Seratinggu/ Serabawa	Council
	Lineage	Big man/men	Manobawa	
<u>Mailu</u>	Clan	Big man ¹	Dubu Gubina	Council
	Sub-clan	Headman	Gubina	
<u>Koita</u>	Parish ²	Headman	Rohi Baugi/ Rohi Ketaike	Council
	Clan	Headman & Sub-Headman	Iduhu Rohi	
<u>Kiwai</u>	Parish	3		Council
	Clan	Big man/men		

1. Saville suggests there were formerly headman known as 'vere' (1926:34)
2. Seligman (1910:41) talked of these as 'section' heads, whose authority may thus extend over several villages or just one.
3. Landtman (1927:169) also noted the existence of 'great chiefs of former.

processes of 'self-help and self-regulation' in the analysis of New Guinea legal systems. The two issues that are in need of clarification here are thus, (a) the nature and function of those means which exist to settle disputes, and (b) the extent to which authority and power are attributes of these institutions.

With respect to the former problem, several ethnographers have reported a form of 'court' which they variously termed "council of elders" (Held 1957:57), or "ruling council" (Landtman 1927:173), and which will hereafter be simply referred to as a COUNCIL. This may be defined for the purposes of our discussion as a 'meeting restricted to the respective representatives of the social unit for which it functions, whose purpose is to discuss and decide political and jural issues of public significance'. The incidence of such councils has been specified in Table 3.4, from which it can be seen to function at the clan or parish levels,¹ though there exist important differences in the 'formality' with which they take place.

In Kiwai, the norms governing personal competence restrict participation to only the representatives of the component clans of the parish, and since their position is dependant on such personal attributes as prestige and power, the membership of the council is fluctuating. The matters of public significance must in each case be empirically determined,

1. Landtman (1927:169), however, has noted that such a council might occur on an inter-parish level as what he termed a 'great palaver'.

and among the Kiwai include such offences as sorcery, theft, compensation for homicide, divorces, and disputes concerning ownership of gardens. There is little precise information concerning actual procedure, though we are informed that both disputants and witnesses are heard, women included, and that decisions are made and communicated to the parties after deliberation. In juxtaposition to the statement made by P. Lawrence cited earlier we may note Landtman's observation that "the council of the influential men also acted as a court of justice which investigates and decides jural controversies of public significance, and others which have been brought before it" (1927:170). While the council convenes in sight of the people, it is not audible, and for cases of sorcery, perhaps indicating the degree of seriousness which is attached to such accusations, the meetings are held "in secret". Some indication of the formal nature of such occasions is suggested by the necessity for persons to bow their heads as they pass by, contempt being punished by the use of sorcery against the offender. As regards the use of principles or precedents by the council, nothing definite can be said, though Landtman's (1927:169) remark that "it is rare for opinions to be in conflict in such an assembly" perhaps suggests this was the case.

Among the Koita, Mailu, and Waropen, the council is similarly constituted by the heads of the component units affected, influence in the discussions depending on force of character. The council was usually held at the residence of the 'Rohi Ketaike' or 'Serabawa' and though once again

information concerning procedure is virtually non-existent, it seems that they were very much less formal than was the case in Kiwai. In Waropen, such matters as debt, sorcery, or cases of assault would concern the council, though only where the plaintiff was unable to attain satisfaction himself; while among the Koita such issues as inter-clan land disputes which required settlement constituted the substantive element of the councils' decision-making function. The scope of offences dealt with by the Mailu council is not specified, and we are simply informed that "the heads of the sub-clans, together with the headman of the clan form the council (unofficial) which discusses and determines all important clan affairs" (Saville 1926:35).¹

With respect to the second question enumerated earlier, we may similarly note here that P. Lawrence in his article 'The State versus Stateless Societies' while admitting that leaders may have 'authority' - defined as de jure command over the actions of others - remarks that "genuine authority does not spill over into the judicial field. The leaders and the elders in each community do not give legally binding decisions" (1969:24-25). Specifically with regard to the settlement of disputes, Lawrence goes on to argue that while leaders may in fact intervene in quarrels, because the solutions they offer must be acceptable to the parties they exercise only "influence or de facto power" (1969:25). Lawrence has thus unknowingly changed the basis of his

1. Malinowski (1915), however, does not mention the existence of such a council.

definition of authority from the attributes inherent in an individual's capacity to make decisions, to criteria which relate to questions of 'compliance' with a decision. Clearly, it is necessary to distinguish here between a 'decision' and its 'acceptance or enforcement, for as T. Eckhoff rightly pointed out "a decision may be a judgement even if the parties do not comply with it" (1966:163). We may more profitably continue discussion of the nature of authority after we have examined the role of leaders in the settlement of disputes within those societies listed in table 3.4.

In this respect, the presence of a judicial function in the role of leaders is very much dependent "on the modes by which power and authority are vested" (A.L. Epstein 1969:249). Thus it is clear that the clan headman in Waropen society did exercise authority to intervene in disputes and punish serious infractions of adat law, though his lack of 'power' to enforce his suggestions is evident from a case of adultery reported by Held (1957:125), where a headman's solution was successfully resisted. In Koita society, a clan headman might similarly make decisions when disputes concerning land or women were brought to him, though once again he was "powerless to effect a reconciliation (Seligmann 1910:54), and brawling might follow where his decision was not followed. In both these cases the headman often, though not always acted with other elders in important matters, including disputes. There is no evidence confirming that the Mailu sub-clan headman intervened in quarrels, and Malinowski merely tells us that in comparison to the Clan head's role, his was more "well defined" (1915:519).

Among the Mailu and Kiwai, big men did not play a part in the settlement of disputes outside their participation in a council, "the legal function did not enter into the duties and privileges of the clan chief" (Malinowski 1915:579), an observation applicable also to Big men in Waropen and Koita. These leaders were largely active on ceremonial occasions, a function symbolized among the Koita by the clan headman owning the front right post of the club house while his sub-headman was owner of the left front post; the Big men usually owned the back posts.

When considering the way in which such individuals attain positions of leadership, the necessity to distinguish between the political ideologies and the political realities is paramount, for these systems are characterized by great flexibility. Thus among the Koita and Waropen respectively, the position of clan headman descends in direct line to the next oldest male in succession, though if that person is considered to young then it may descend to a sister's son (raimu) in Koita, or to a paternal uncle until the successor reaches the required age in Waropen. However, the system of hereditary leadership was never all embracing, and as Seligman noted for the Koita, "in this there was no absolute rule, and succession to the office of Iduhu Rohi might be discussed by the old men of the division for a long time"¹ (1910:53).¹ G.J.Held similarly noted in Waropen that "in actual practice the personal qualities and the age of the person concerned"

1. See also Firth 1952:88.

(1957:67) were factors which might modify the hereditary principle, noting also that such exceptions in the system were masked over by the belief that a geneological relation "must still have been established in some way or another" (1957:73).¹

Big men achieved their position either because of 'structural' facts - e.g. being the headman of the most important sub-clan in Mailu - or because of a number of 'personal' attributes as knowledge of magic and customs, age, and fighting ability in Waropen (Held 1957:66,75), wealth, generosity, oratorical ability, or being a respected warrior in Kiwai society.

Following this examination of the way in which leaders attain their position and the extent to which they participate in the settlement of disputes, we may return to the discussion of authority and power as aspects of their role. In this respect my analysis has been guided by the observation that the judicial activity of the councils and leaders is regulated by a set of rules or norms, variously termed by other writers as "secondary norms of adjudication" (T.Eckhoff 1966:161, Hart 1969:II), "norms of higher authority" (von Wright 1963:192), or "norms of competence" (Ross 1968:130), which state the conditions necessary for the exercise of judicial functions. These rules may prescribe:

1. This flexibility is to some extent present in matters of jurisdiction, where Held (1957:76) recorded a case of another clan headman conferring with elders on a dispute which occurred outside his own descent group.

- (a) what person (or persons) are qualified to act in settling disputes - personal competence
- (b) what procedure must be followed in making decisions - procedural competence
- (c) over what types of offences and situations they may adjudicate - substantive competence

The question of compliance^I does not enter into the definition of authority, though indeed the fact that a leader has judicial authority is in some cases sufficient reason for the parties to a dispute to consider themselves bound to adhere to his decisions. In this context, G.J.Held (1957:80) noted that the serabawa's authority in Waropen society, derived from the fact that he was the direct descendant of the ancestors who were regarded as responsible for establishing the 'moral order'. With respect to the power that these leaders disposed of, we have already remarked that they could not effectively enforce their decisions against the will of the disputants, though 'power' may have many bases apart from physical or military strength. Thus Landtman (1927:324) in regard to the Kiwai, noted that the power of sorcery greatly added to a Big man's prestige, and Malinowski (1915: 580) similarly reported that the Dubu Gubina's ability to use sorcery in Mailu may have meant that he was appealed to in the "administration of justice".

I. This criticism is relevant also to Pospisil's (1964:258-259) definition of authority which makes the degree of compliance i.e. the fact that it is followed "by the majority" the principal criterion.

Among those societies listed in Table 3.6, leaders do not exercise any judicial functions whatsoever, despite similarities in the modes by which power and authority are vested to the societies given in Table 3.5. In both Kutubu and Keraki there is often difficulty in ascertaining exactly who is the headman, people sometimes naming more than one (Williams 1941:260, 1936:236), though ideally the headship should pass from an elder brother to a younger one, and then back to the former's

Table 3.6

Society	Headmen	Big Men	Level
<u>Keraki</u>	Warasari/Mamus	Warasari	Clan or Sub-clan
<u>Kutubu</u>	Gi-aba/Kabe-ga	Erasabu	Village
<u>Orokaiva</u>	¹ Embo-javoari Embo-penjavo ² Embo-kiti	Embo-be/Embo-peni Embo-pajirari Embo-paitukiairi Embo-siakabada	Clan ³
<u>Mafulu</u>	Amidi Em'u babe	Ake Baibe Ake Baibe	Clan Village

1. F.E. Williams (1928:125, 1925:407) states that hereditary leaders are found only in the large localized clans.
2. M. Reay (1953:115) terms this person a "village headman".
3. Leaders of "small clan confederacies and even tribes" (Williams 1925:407) were said to exist, though as M. Rimoldi (1966:36) remarked, the precise nature of these units is indeterminable.

son.¹ There is no formal right of abdication² only a gradual process of accession to authority, in which capacity the leader functions as a focal point for his respective group, initiating such activities as building, sago-making, or raiding. In both these cases, the headmen do not exercise direct control, and as Williams (1936:248) noted, "the authority of the headman is very limited and is never exercised judicially".

Among the Mafulu and Orokaiva, headmen similarly provided a reference point for the members of their group, by which they could distinguish themselves from others within the parish (Williams 1930:103); they acted also as a prime mover in such collective undertakings as feasts, fencing projects, and ceremonies in which the Amidi was aided by his sub-headmen. With regard to their judicial functions, R.W. Williamson (1912:114) noted of the Mafulu that "neither the chiefs nor any other persons had any official duties of settling personal disputes or trying, or punishing, wrongdoers", an observation applicable also to the Orokaiva.³ In all four societies there existed "men of importance" (Williams 1930:104) who similarly had no official duties, but were shown deference because of such personal qualities as their courage in battle, eloquence,

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1. In Kutubu the village headman is the male descendant in direct patrilineal line of the 'first established' clan of the village.
 2. The Mafulu (Williamson 1912:95) are an exception here.
 3. see M.Reay (1953:115), R.W. Williamson (1912:92), F.E. Williams (1930:215, 325), and M. Rimoldi (1966:30) who similarly noted that there "was no status with authority to effect the settlement of disputes between different subgroups or their individual members".

forcefulness, "substance and liberality" (Williams 1936:238), and seniority, which as a rule required respect. We may also note that among the Mafulu, the Ake Baibe constituted a large proportion of the total number of the adult male population of the village.¹

The hereditary system was however quite flexible, and one finds constant references (Williams 1930:104, 1925:407, 1928:125) to the fact that leadership by the eldest male in Orokaiva and Keraki (1936:243) was subject to the heir possessing the requisite competence and personality, and R. Williamson noted in respect to the Mafulu that "cases have... occurred in which a man has in one way or another forced himself into the position of chief, though not qualified by descent, and has thus become a chief from whom subsequent chieftainship has been traced" (1912:95). Influence in any matter thus depended to a large extent on force of character, unless there was a great disparity in the size or importance of the component units of the parish.

In the absence of any central authority or administrative system, the political structure of those societies specified in Table 3.2, at the level of the parish, consisted of a balanced opposition of segmentary group leaders. Any attempt by a leader to become "autocratic" (Salisbury 1962:28) or "truly despotic" (Newman 1965:60), or by a representative in Siane society to assume a more permanent status, would be strongly resisted. Generally, leadership in groups of wider

1. see also K.G. Heider (1970:89) on the Dani, and M. Reay (1959:116) on the Kuma who remarked that three-fifths of adult males between the ages of 35 and 55 were leaders of some sort.

span was based on leadership in less inclusive units, and was a role with multiple functions.

Table 3.9

Society	Level	Type	Terms	Institution
<u>Siane</u>	Parish	Big Men&Rep.	We Namfa	Assembly
	Sub-clan	Big Men&Rep.	We Namfa	
	Lineage	Headman	Yarafo	
<u>Gahuku-Gama</u>	Parish			Assembly
	Clan	Big Men&Rep.	Agulizagive	
	Sub-clan	Big Man/Men	"	
	Lineage	Headman		
<u>Gururumba</u>	Parish			Assembly
	Clan	Big Men	EvEnE nambo	
	Village	Big Men	"	
	Ward	Big Man/Men		
	Lineage	Headman	UBono	
<u>Ngarawapum</u>	*Linked Vgs.			Assembly
	Village	Big Man/Men	Garam Tzira	
	Clan	Big Men	"	
	Sub-clan	Big Man/Men	"	
<u>Kuma</u>	Parish	Big Men&Rep.	Yi Ng-gi	Assembly
	Sub-clan	Headman&Big Men.	Kang'b Ro	
	Lineage	Headman&Big Men.	Danan Kumna	

*Vgs. = villages.

Rep. = A leader who acts as a representative for his group on specific occasions, but which is not a power position.

Headmen were usually the most senior members in direct line of descent or, as among the Gururumba, the senior male in the oldest group of siblings still active in public affairs, and were succeeded by their son or younger sibling (as in Gururumba society). This generalization must nevertheless be qualified with the observation that hereditary leaders had always to be of the requisite age and capabilities, and thus were often succeeded by patrilineal kin of various degrees, or by persons who could not trace any geneological connection. Headmen acted as spokesman and representative for their group in such activities as disputes, prestations, and marriages, hence their "fitness for public oratory" (Reay 1959:119) was an important qualification for leadership.

Among the Gururumba, Siane, and Kuma, leadership at higher levels was based on being a lineage headman, though Salisbury (1964:53) informs us that in fact "there was no necessary connection between the two statuses". In this context, the leader of a higher level unit may either have been head of the largest or most influential lineage, or simply the person who had been able to "sell himself" (Salisbury 1962:29) through his oratorical abilities or greater renown. Thus, big men achieved their position on the basis of a constellation of admired traits such as their courage as a warrior, physical strength, physique, oratory, assertiveness, wealth, skill in debates (as among the Gururumba, Gahuku-Gama, and Siane), and their ability both to make successful exchanges and substantial contributions to festivals, and possession of the requisite ritual, magical and customary knowledge (in the

Siane, Ngarawapum, and Gahuku-Gama societies).¹ Among the Kuma there also existed the role of what M. Reay termed a 'secondary leader',² who encouraged others to heed the decisions of his leader, supported the latter in assemblies, and pursued lines of investigation which the authority suggested. In groups with geneologies he was usually in line of succession but may have been too young or too poor at the time, and thus acted as a caretaker leader while his own second was learning to establish himself. However, even where no geneological connection is demonstrated, "the fiction grows that they have some vague claim to hereditary succession" (Reay 1959:116), an assumption which, as we noted earlier, was often made by the Waropen in the same circumstances. In addition to these big men there are others who lead factions which cut across descent groups, and often provide the nucleus for a new lineage in which the leader would establish his position on an hereditary principle. Their ability to do this depended on their success in attracting outsiders, (especially husbands of clan sisters) both to increase the sphere of their influence, and to bolster the strength of their group.

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1. Among the Siane because a lineage head already possessed the requisite knowledge of ritual forms and speeches, there was a tendency for them to become sub-clan leaders. Similarly, since their sons had access to their wealth and knowledge, there was an equal tendency for them to succeed to leadership positions. This latter observation is also applicable to the Gahuku-Gama people, who held the belief that the character of the father is to some extent transmitted to his sons (Read 1959:427), though this was in no way sufficient to qualify him as a leader.
 2. There is some confusion as to whether he aided a lineage head (see Reay 1959:115), or was second to a sub-clan leader (see Reay 1964:244).

Most important to our concern with their participation in disputes, is the observation that none of the leaders could enforce the acceptance of their decisions or suggestions, they "could not require, only persuade and encourage" (Read 1965:72). Nevertheless, they were not devoid of all influence, and their power derived largely from the kind of activities with which they achieved and maintained their positions. In all cases there was certainly a moral obligation to respect one's seniors, and among the Ngarawapum and Gahuku-Gama the big men were never in fact the younger warriors, but the men who had in the past achieved renown, and who had now essentially retired from active competition for prestige. In the Kuma, Gururumba, and Gahuku-Gama societies leaders were able to bind others to them by contributing to their needs (Read 1965:71) in the sense of aiding others in their exchange relationships, and were skilfully creating obligations by arranging marriages of other clan members. Leaders used their greater resources to make others economically dependent, a point noted by M.Reay (1959:49) and P.Newman in his remark that "people are tied to them by debt, by dependence on them as a source of resources and as a source of contacts" (1965:60). Their ability to attract outsiders to the group and thus establish a 'strong' unit was an equally important factor which made for compliance with their directives; opposition to an adjudicator's decision in an assembly might result in a "possible withdrawal of support and the loss of satisfactions" (Read 1959:430).¹

1. The fear of public opinion, the possible use of sorcery by an opponent, or the threat of ostracism, were other inducements to adhere to a leaders decision.

Disputes are aired in the context of what the respective ethnographers have variously termed public discussions (Salisbury 1962:30), meetings (Reay 1969:50-51), gatherings (Newman 1965:43, Read 1959:430), or formal councils (Read 1950:219), and which will hereafter be referred to as an Assembly:- a gathering of specified persons for the purposes of discussion and settlement of certain disputes that occur within given social groups. These usually take place at some public place as a village clearing (Salisbury 1962:16) or, depending on the social range of the offence, a ceremonial ground, or at the junction of the roads which link two parish segments (Reay 1959:56). With regard to the duration of the debate, no precise information is given in the ethnographies, though Read has remarked that they were "lengthy and desultory" (1959:432), and M. Reay has commented that disputes might preoccupy people for several hours on a number of days (1959:127).

Among the Siane, Kuma, and Gururumba, those disputes which occur between (i.e. above the lineage level) any of the component segments of a parish, or indeed between parishes, may be aired in an assembly, while in Gahuku-Gama society only inter-Sub-clan or inter-clan quarrels are publicly discussed. As regards the Ngarawapum, K. Read noted that the operation of an assembly depended on "the social range of an offence and the seriousness of a dispute" (1950:219-220), but apart from giving an example of a dispute between linked villages, he fails to make clear exactly what units may become involved. There is a similar lacunae of information concerning the kind of disputes which are aired, ethnographers simply using the

terms "dispute" (Newman 1965:43), or "alleged misdemeanours" (Reay 1959:52), though damage done by pigs (Kuma, Gahuku-Gama), theft (Siane, Kuma), adultery and witchcraft (Reay 1964:246) are the contraventions specifically mentioned. Once again only "public" matters are discussed at the assemblies, a domestic quarrel only becoming a public affair or dispute¹ in Kuma society, when old grievances are recalled and others become involved (Reay 1959:127).

Assemblies may be convened either (1) formally by a leader if he is specifically approached by a complainant, or if he wishes to discuss some dispute involving an habitual offender as among the Kuma (Reay 1959:117, 126) and Gahuku-Gama (Reay 1959:430) peoples; or (2) they may develop spontaneously from an abuse situation to which others are drawn and the leaders summoned, as is the case with the Kuma, Gahuku-Gama, and Siane; or (3) they may be the result of an arrangement made by the respective leaders of the units concerned, as is the practice among the Ngarawapum and Gururumba. The debate is usually opened by the leader or spokesman with "oblique orations" (Reay 1965:160), and is followed by the contributions of other participants; it is noticeable that younger men tend to voice their opinions first while the leaders and elders remain in the background waiting judiciously for an appropriate moment to interject.² With regard to the pattern of discussion

1. see Gulliver 1969:14 who defines a dispute as a disagreement which has been raised from a dyadic argument to the "public arena."

2. This has been specifically noted for the Gahuku-Gama (Reay 1959:432) and Gururumba (Newman 1965:43).

there seem two distinct phrases: (a) there is a statement of the grievance by one or more parties and a reply which may take the form of a denial, counter-accusation, or cross-examination of the principal disputants by some person (or persons), and (b) there is a general discussion in which anyone, who is eligible to participate, may give his opinion or advice. To a great extent these assemblies are used by big men to demonstrate, achieve, or increase their prestige, a fact which helps to explain not only their numerical preponderance at the assemblies (Read 1959:431) but why they tend to be the most vociferous of the participants, "making longer and somewhat more involved speeches than other men" (Newman 1965:43). These orations are delivered with much swagger and aggressiveness, both of gesture and demeanour, the content of the speech being full of laudatory references to the 'strength' of the group, and the speaker's own achievements.

Identification of the adjudicators is dependent on the social range of the offence, and where there is no official leader for the parish segment which includes the two groups to which the disputants belong, then the assembly is jointly presided over by the respective leaders of these groups. The patterns of alignment in disputes will be discussed later, and we may at this point note several important facets of the personnel who participate in these assemblies. As a generalization, any adult¹ who is a member of the segments involved

1. In Kuma society this is usually anyone over twenty years of age, while among the Gahuku-Gama this is a person free of debts which have resulted from marriage and initiations (Read 1959:431).

is entitled to be present, the audience or "public" (Reay 1959:44) affected being that minimal segment which encompasses the subdivisions to which the principal disputants belong. This public is active in expressing opinions, giving evidence, counselling compromise (Read 1965:227), influencing leaders decisions (Reay 1959:52), and "reiterating maxims referring to standards of conduct, ideas of justice, and the proper settlement of disputes in general" (Reay 1959:128). Minors are usually represented by their fathers as in the Kuma (Reay 1959:75), and Gahuku-Gama (1965:159) societies, while among the Siane (Salisbury 1965:53), Gururumba (Newman 1965:47), and Kuma (Reay 1964:244) lineage members are represented by the lineage headman; among the Kuma and Siane sub-clan representatives also act in disputes for the members of their respective units.

There occur among the societies under discussion important differences in the extent to which wives and non-agnates are 'incorporated' into a parish, differences which affect their rights to participate in the public assemblies. Thus, among the Siane (Salisbury 1962:37), Gahuku-Gama (Read 1954:870), and Gururumba (Newman 1965:36) wives are not considered members of the clan to which their husbands belong and cannot therefore participate in the public discussions; they are "enjoined to remain silent or speak only on points of information" (Newman 1965:37). While this may in part be attributed to the fact that women in any case had "no voice in public affairs" (Read 1965:153), it is important to note that among the Gururumba women who remained with their natal clan, as when the husband

resides uxorilocally, did participate in the assemblies both as a disputant, and as a spectator who could "influence decisions" (Newman 1965:37). Among the Kuma (Reay 1959:22,38, 44) and Ngarawapum (Read 1950:36) wives are to some extent incorporated into the clan of their husbands¹ and as part of this public she can actively voice her grievances, draw the disputants' attention to the deleterious consequences of prolonged quarreling, or "urge a settlement in the interests of the clan" (Reay 1959:45).

With respect to the right of non-agnates to participate in assemblies, one may suggest that where they were incorporated into a clan, and no discrimination is made between them and agnatic clan members, as was the case among the Siane (Salisbury 1964:170) and Gahuku-Gama, then they did take an active role in the debates. However, where non-agnates were discriminated against as in Kuma (Reay 1959:50,126) and Gururumba (Newman 1965:37) societies, then it seems they attended assemblies only to give specific evidence, or as interested spectators; in the event of his being a party to a dispute, a non-agnate would be represented by his "sponsor" (Reay 1959:51). In this respect, the position of a non-agnate in Kuma society is similar to his status among the Mae-Enga (Meggitt 1965:36), where, should he in fact attempt to voice an opinion in an assembly, he is liable to be rebuked with the reminder that he is not a member of the clan, and thus the dispute is not his concern.

1. In Kuma society the wife, however, does not become a "fully effective" member as she cannot act, e.g. in transferring goods, on behalf of the clan.

In both the Kuma and Gururumba, the son of a non-agnate is regarded as a member of the clan, and does participate in public discussions.

While these assemblies are not formally conducted by any specific persons, certainly amongst the Kuma, Gururumba, and Ganuku-Gama, authorities do intervene to call the meeting to order, or direct the course of debate when (a) "a contribution to the discussion is patently irrelevant" (Reay 1959:128), or (b) the debate becomes bitter and there is a likelihood of physical violence (Read 1959:432), or (c) "the issue seems to be reaching an impasse" (Newman 1965:43). When one or all of these situations obtain, a leader (or leaders) may intervene to emphasize a point, clarify the issue (in an attempt also to elicit the grounds for the complaint), summarize the events, or resort to a lengthy discourse (Read 1959:432, Newman 1965:43). It is impossible to gauge from the ethnographies to what extent precedents were cited in the course of the debate, though both M. Reay (1959:127) and P. Newman (1965:43) have noted their occurrence in the Kuma and Gururumba societies respectively. In these contexts it seems precedents were only referred to if they could be used to one's advantage, either in support of a case, or to effectively end a dispute.

Perhaps the most important aspect of the leaders' management of the assemblies was their ability to draw the debates to a close by means of three procedures:- (1) Announcing a decision: thus leaders among the Kuma, Gahuku-Gama, and Ngarawapum attempted to encourage consensus in the discussions, adjust or reconcile conflicting views and interests

(Reay 1959:56, Read 1965:227), and urge the disputants to settle the dispute. In this respect M. Reay noted that an adjudicator rarely "attempts to impose a judgement that is not in accord with public opinion as expressed by the participants in the dispute and their interested supporters" (1959:126); any decision announced must ideally express "an informally derived" (Newman 1965:43) consensus.¹ Among the Gahuku-Gama a leader always counsels with other elders, though in fact the decision is usually referred to as his alone. For the Kuma,² Ngarawapum, and Gahuku-Gama societies, it is possible to say that a decision included some pronouncement concerning guilt or blame in the matter, and also specified the appropriate punishment, or the nature and amount of compensation to be paid. (2) In Kuma society an adjudicator may also attempt to close the debate by persuading the disputants to retire and consider the matter before carrying out their threats, or by "transforming the tense situation into a joke" (Reay 1959:126). (3) A leader, certainly among the Kuma (Reay 1959:117), Gururumba (Newman 1965:43) and Gahuku-Gama (1959:432), may announce a decision by forcefully and abruptly making a statement at a crucial point in the debate, following which he immediately left the assembly.³

However, there were no organized sanctions or "compulsive

1. see also Read 1959:431.

2. There is no case material for the Siane or Gururumba, thus rendering any tentative statement pure speculation.

3. A tactic which we shall see was also used by the big men in Jale society.

machinery" (Read 1950:221) which the adjudicators could use to enforce the acceptance of their decisions, and consequently the debate very often did not settle the dispute in the sense of a final resolution. Though they could not compel the disputants to act on their directives, there did operate various pressures,¹ such as public opinion, which in addition to the sanctions which leaders already disposed of, constrained persons to accept and follow the decisions which were announced.

Among those societies listed in Table 3.7I we once again encounter the fact that leadership in a group depended both on

Table 3.7I

Society	Level	Type	Terms	Institution
<u>Abelam</u>	Parish			Altercation
	Section	Big Man & Elders	Kumbu Ndu	
	Clan	Big Man & Elders	Nemandu	
	Sub-clan	Big Man & Elders	"	
<u>Jale</u>	Parish			Altercation
	Section	Big Man & Elders	Ap Souon	
	Lineage	Big Man & Elders	"	
<u>Arapesh</u>	Parish	Big Man/Men		Altercation
	Clan	Big Man & Elders		
<u>Iatmul</u>	Parish			Mens House Debate.
	Clan	Big Man/Men		
	Initiatory Grade	Big Man Rep.	Nambu Wail	

1. These are discussed in Chapter three.

certain structural features inherent in that unit, and on the personal attributes of an aspirant to the position. In Jale society section leadership was always in the hands of an individual who belonged to the most numerous "sib-fragment" (Koch 1969), while among the Abelam, the section big man was always a member of the "founding clan" (Kaberry 1957:14) of the section. In this context both K Koch (1969) and P. Kaberry (1957:28) have enumerated several factors which help promote an aspirant's chances of becoming a leader, as well as constituting, among the Abelam, reasons why an individual might affiliate himself with his MB's or WF's clan:- (a) that persons seniority to others in the group. (b) the number of juniors in the group whom he can support and make dependent, and (c) among the Jale, the spatial proximity of affines which affects the success of exchange relationships.

Those attributes considered necessary for leadership were generosity, oratory, skill in debates (Abelam and Arapesh), prowess in warfare (not among the Arapesh), the production and distribution of wealth, ability as a painter and carver in Abelam society, and the possession of magical (Abelam, Iatmul) and shamanic (Iatmul only) knowledge. In addition to these, the ability to assume a theatrical manner and simulate anger¹ or defiance was important not only when presenting oneself to a public in debates and altercations, but in the special 'buanyin' relationship of the Arapesh in which

1. However, the really violent person rarely became a leader (Mead 1947:208), and where a leader became too autocratic (Kaberry 1957:30) people would ally themselves with another leader or group.

ceremonial hostility was the required mode of behaviour. The Arapesh constitute somewhat of an exception here, in that the people hold the assumption that no one wants to become a leader (Mead 1935:27) and assume the various onerous duties which a leader has to carry out, and, therefore, they have to be selected and trained¹ for the position by the elders when they are quite young. The selection is made on the basis of an individual possessing the requisite intelligence, willingness to assume responsibility, success in the production of yams and growth of pigs, and later on his skill in the exercise of judgement and ability to quote precedents in disputes. To this end, the individual so selected is often assigned an exchange partner (i.e. buanyin) in which relationship he learns the skills necessary to the role of leader. To the extent that the buanyin relationship in Arapesh society is "loosely hereditary" (Mead 1937:28), and that in Iatmul society there is a belief that the shaman's spirit descends to a son, there is a tendency for sons of a big man in these two societies to also become leaders.

Big men are active in initiating and directing such activities as yam exchanges and ceremonies (Abelam), building and clearing projects, and initiation ceremonies; they thus serve as a focus for the group which, among the Abelam, finds expression in the titular ownership by the section big man of the house Tamberan and slit gongs.² This capacity to represent

1. see also P. Kaberry 1957:22.

2. The clan big man in Abelam society assumes titular ownership of his group's yams in exchanges.

their respective groups is evident in a number of other activities such as disputes, in which they act as spokesman for their lineage or section (among the Jale and Iatmul), or in the leader's exchange relationship in Arapesh society where all the clan members cluster around this one buanyin relation. The prestige of the group is thus very much related to the prestige of its' leader, and thus often where there is in fact no big man of the group (Mead 1947:208, Kaberry 1957:18), this may result in dissolution of the unit.

Leaders exercise their entrepreneurial skills by creating debt relations among their kinsmen (not necessarily those within the same section) and section mates, by providing the pigs and yams needed for marriages, initiation, compensation payments, yam exchanges, and puberty rites. Thus, in addition to the respect due to the seniority, wisdom, and integrity of both the leaders and elders, the economic dependence on them for assistance, and the importance of their role in the vital activities of the community, serve as important sanctions for compliance with their directives or suggestions in disputes.

With the exception of the Abelam, where elders "have a joint responsibility for the maintenance of peace" (Kaberry 1957:18),¹ J. Koch's remark that "big men are neither obliged nor ever asked to settle or mediate disputes" (1969:58), is applicable to the remaining societies under discussion. However, this is not to say that they do not intervene in quarrels

1. Elders often intervened in a fight, or just before it developed, by wresting the combatants' spears from them; and placing "the yellow yauwal leaf, the symbol of peace, in the centre of the piazza" (Kaberry 1957:17).

for they quite clearly do, either to (a) suggest possible courses of action (Mead 1935:128), (b) warn an offender (Mead 1935:69), (c) emphasize norms of kinship and the deleterious consequences of fighting (Mead 1935:128, Kabbery 1957:17), or (d) elicit the facts of the case and urge a settlement (Kabbery 1957:1). With respect to the Iatmul, G.Bateson (1958:98) similarly noted that big-men may intervene in a dispute where they have some personal interest in the case, and recommend that the offender pay compensation; however, this in no sense constituted a decision of the dispute by an authority. Leaders did not dispose of any organized sanctions^I and could not "command force to secure compliance with his orders" (Kabbery 1957:18).

For the societies under discussion the media for airing disputes were altercations² (which are discussed separately in Chapter III) and, among the Iatmul and Jale,³ the mens house debate. As regards this latter medium G.Bateson noted "that any matter of general interest may be disputed formally" (1958:125) though disputes arising from sorcery accusations, homicides, ownership, and rape are among those specifically mentioned in the ethnography. The participants speak in turn using bunches of coconut or Dracaena leaves to strike the sacred debating stool both at the commencement, during, and to conclude their

I. i. e. other than those already mentioned.

2. Thus P. Kabbery notes "The village lacks a jural institution in that none of its members act as a judge or constitute a court for the hearing of cases" (1942:360).

3. As a preliminary debate to an ensuing altercation between two or more sections.

speeches (Bateson 1938:125-126). The importance attached to the style of oratory is partly due to the fact that these debates served as a platform for political competition in which men attempted to gain, or increase, their prestige. Nevertheless, the lack of any judicial authority who could attempt to settle these disputes contributed to the inconclusive endings which characterized many of the debates (Bateson 1938:155).

* * *

While undoubtedly leadership positions in the societies given in table 3.8 are achieved statuses, there was a strong tendency for sons of big men to succeed their fathers. Among the S.Baliem Dani (Bromley 1960: 240, 1962:4), N. Baliem Dani (Heider 1962:16, 1970:93), and S.Fore (Glasse 1969:319), inheritance of wealth and access to exchange relations made it easier for a son to become a leader, while among the Wanggulam (Ploeg 1969:81), Kamano, Jate, Usurufa, N.Fore (Berndt 1962: 175) and S.Baliem Dani (Bromley 1962:6), there existed the belief that sons of successful warriors would similarly be successful.¹ Perhaps the most important qualification for leadership in these societies was one's ability as a warrior, a quality often taken as evidence of supernatural favour. Verbal skill in presenting decisive arguments, the production and distribution of wealth, and generosity were also important in attaining leadership, though it was the skillful tactician

Table 3.8

Society	Level	Type	Term
<u>S.Baliem Dani</u>	Parish	Big man/men	
	Section	Big man/men	Gain
	Lineage	Big man & elders	
<u>N.Baliem Dani</u>	Parish	Big man/men	
	Section	Big man/men	Ab gogtek
	Sub-clan	Big man	
<u>Wanggulam</u>	Parish	Big man/men	Ap Ngwok
	Section	Big men	"
	Lineage	Big man	"
<u>South Fore</u>	Parish	Big man/men	Tabei Wai
	Section	Big men & Rep.	"
	Lineage	Big man	"
<u>Kamano:Jate:</u>	Parish	Big man/men	Kabatie (J)
<u>Usurufa:</u>	Section	Big man/men	Kavahai'tie (K)
<u>N.Fore</u>	Lineage	Big man	Kezigawai (U) Kiarezeni (F)

1. Among the N. and S. Baliem Dani leaders were identified with the sun (Bromley 1962:3 Heider 1970:90)

rather than the excessively violent individual who achieved and maintained prominence,¹ and one notes that in both the Wanggulam (Ploeg 1969:76) and S.Fore (Glasse 1969:319) societies the silent individuals ("whose mouths were fast" - Namagi Yagala) were most often the big men. The notable absence of any oratorical skill in the list of attributes given by the respective ethnographers (see Ploeg 1969:76, Glasse 1969:319, Heider 1970:92) can be attributed to the lack of any form of judiciary or altercation among the societies under discussion.

Leaders tended to make larger contributions to exchanges at funerals, initiations and were active in initiating feasts at marriages, deaths, peace ceremonies and the pig feasts themselves. Among the two Dani communities leaders often had attached to their domestic unit affines, cognates, and unrelated persons known as 'adidik' (S.S.Dani) who in return for help in the leader's gardens, received support in their disputes and marriage payments. However, apart from these dependents, leaders in these societies did not have any permanent body of supporters, a fact to a large extent attributable to the high residential mobility of the respective populations which, as Ploeg (1969:94) noted, "hampered lasting associations" (see also Glasse 1969:322, Berndt 1969:357, Heider 1970:71).

Big men did not exercise any judicial authority though it seems they often intervened where a dispute threatened the peace of the group, or where they were personally interested in the outcome. Thus a S.B.Dani leader could bring fighting

1. Indeed, a violent leader considered too dominant would quickly experience a loss of supporters (see Bromley 1962:247, 254).

to a stop,¹ or demand compensation to be paid (Bromley 1960: 247-248), though generally a leader's power was limited to oral persuasion or attempts to "deter by threats" (Ploeg 1965:265). There were no traditional institutions to settle intra-parish disputes",² the prevalence of violence and reliance on self-help procedures deriving to some extent from the competitive nature of the system of leadership making big men self-interested parties. The only effective sanction that big men could wield was their own physical force, though this was often little more than that possessed by others in the society (see Ploeg 1969:91).³ However, with regard to the two Dani communities, leaders may have exercised considerably more power than was the case for the other societies, because of their control of sacred objects and believed supernatural affiliations. Thus both Bromley (1960:241) and P. Matthiessen (1963:32) noted that big men had the "privileged right" of killing those who committed such offences as theft against them.

With regard to the societies given in Table 3.9, a headman was usually the first born son of the previous leader, though among the Wogeo people it seems that a headman could choose his successor from the sons of any of his wives; in all cases the successor had to possess the requisite capabilities and

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1. As among the Abelam, he declares the fighting taboo (Wesa).
 2. Heider's own admission of his failure to observe any decision making processes (1970:103) precludes his mention of a 'moot' from consideration.
 3. Economic sanctions were not of great importance among these societies.

personality. Where leadership was an achieved status, this was based on wealth, ritual knowledge, age, industry, and generosity.² Generally, leadership of larger groups was founded on leadership of a more inclusive unit, the position of parish big man in Kapauku society, of village leadership in Marind society, going to the leader of the most populous of the sub-groups. The formal statement of the system is often deceptive and one generally found in the villages of the Wogeo and Marind that one or more leaders - *primus inter pares* (see J. van Baal 1966:67). A number of factors operated to increase an individual's chance of becoming a leader:- the inheritance of boars tusks from maternal and paternal kin (Wogeo society),¹ (ii) the inheritance of a special feather belt from a previous³ Valipoi (Lakalai society), (iii) an individual's seniority and the number of junior kin was important if one wished to become a "trustee" in Lakalai society, an indispensable aid to leadership.

Leaders were active in initiating and directing work projects, such as building and planting, initiations, and most important of all the ceremonies through which they attained and maintained their prestige (i.e. the Walage and Warabwa (Wogeo), Dukduk and Tubuan (Tolai), Ausan (Mowehafen), Juwo (Kapauku), memorial and menstruation ceremonies among the Lakalai. In

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1. The inheritance of such articles was not, however, tantamount to instatement.
 2. Thus both Pospisil (1963:49) and Hogbin (1967:17) have noted that an ungenerous leader may lose his position.
 3. Only members of a landowning clan were eligible for this position.

respect to their participation in disputes, it seems they could intervene in almost any type of quarrel, though their authority in land disputes was undoubtedly derived from their status as land trustee for their descent groups (see Chowning 1966:481, Epstein 1969:127, J. van Baal 1966:66, Hogbin 1967:21).

With regard to the problem of jurisdictional competence, the practice was generally (and as far as is determinable from the ethnographies) that the leader of the most immediate group to which both disputants belonged was the proper person to adjudicate. However, it is interesting that in fact there are several instances in the ethnographies where a leader has adjudicated outside his legitimate sphere of authority. Thus in Mowehafen society leaders have authority to stop combats during the ceremonial fighting which takes place at an Ausan feast, the participants often belonging to a different parish to the mediator. Both Pospisil (1964:case 107) and Hogbin (1938:241-242) have recorded cases in which a leader, who was related to both the disputants, decided the issue despite the fact that he did not belong to their parish; and it is undoubtedly necessary for future researchers to document these type of cases more carefully and to make explicit the circumstances under which the decisions are accepted. Where there are several leaders who might intervene in a dispute, there is a clear order of procedure: among the Lakalai the duty to settle a dispute is incumbent first on a Savarasi, though if he fails to end the matter it might be taken next to a Suara and then possibly to the Valipoi depending on the level of the dispute and its seriousness. Among the Kapauku

people, village leadership is really a de facto status, for in fact all the leaders of the lineage have authority in all the villages of that lineage to which they belong, and thus a big man will intervene in a dispute which occurs in some other village than his resident one where that leader is absent (see Pospisil 1964:cases 58,25). (iii) Where there is more than one headman in a Kapauku village then it appears that jurisdiction belongs to that leader who came to the dispute first.

Pospisil also noted another jurisdictional rule, which seems to have caused some controversy among several writers, which states that where an authority becomes involved in a fight, he forfeits his right to adjudicate in the case. With regard to this specific rule, G. Cochrane (1972:51) questioned the value of propounding a principle which is "contradicted" by cases 36, 49, 54, 105 in Pospisil's ethnography. Cochrane's statement seems on the one hand to fail to understand that the rule is no more than the Kapauku's conception of what ideally (Pospisil 1964:144) should happen, and on the other hand to be the product of a complete misunderstanding of the cases which he erroneously terms contradictory. While it is certainly true that Pospisil has failed to document his cases so as to rule out all ambiguity, it is clear that in Case 36 the headman intervenes as a husband i.e. as the only person with the right to punish his wife (see Pospisil 1964:167), and with a penalty which has been previously imposed by "all the headmen" (Pospisil 1964:170, see also case 23). There is some grounds for suggesting that Pospisil has been careless in

omitting an important qualification, such that the rule should read 'cannot adjudicate in a case if he participates in a fight before he has given a decision.' This would explain his statement in Case 54 that "the authority's decision had been reversed as a result of losing the fight" (Pospisil 1964:181) and his statement in Case 105 "since the authority could not enforce his decision (Pospisil 1964:212), which clearly implies that the fighting followed an initial decision, and was part of the correction process.¹

The institutionalized mode of adjudication characteristic of the societies specified in Table 3.9, does not substantially differ from that described for the communities given in Table 3.6 though the assemblies or moots² are here more in the nature of de facto gatherings rather than de jure media for the settlement of disputes. The lack of explicit information concerning procedure is in part attributable to the fact that it was not the object of systematic observation, and thus the information is defective (see J. van Baal 1966:677, 680, and Epstein 1971:159)³, and in part due to the failings of ethnographers who have made studies of the judicial process to give sufficient attention to the actual decision making itself.⁴

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1. Perhaps a fuller account of case 49 would also support my argument.
 2. Known as 'varkurai' among the Tolai and defined by Epstein as an assembly of neighbours and kin who decide disputes (1969:185)
 3. This is particularly applicable to J. Todd's study of the Mowehafen in which he merely states "that headmen and men of rank take part in disputes" (1936:419)
 4. "Not much can be said with certainty concerning the settlement of disputes among the Tolai in pre-contact times (Epstein 1969:138).

Table 3.9

Society	Level	Type	Term	Institution
<u>Wogeo</u>	Clan	Headman	Kokwal	Assembly
	Sub-clan	Sub-headman	Ngaro	
<u>Lakalai</u>	Village	Big man & Big men	Valipoi	Assembly
	*Sector	Big man/men	Suara/Tahalo Uru	
	Ward	Big man & Big men	Savarasi	
<u>Marind</u>	Village	Big men	Samb Anim/Pakas	Assembly
	Sub-clan	Big man/men	anim	
	Lineage	Big man	"	
<u>Mowehafen</u>	Parish	Headman		Assembly
<u>Kapauku</u>	Parish	Big man	Maagodo Tonowi/	Assembly
	Sub-clan	Big man	Tonowi	
	Lineage	Big man/men	"	
<u>Tolai</u>	Parish	Big man/men	Ngara	Assembly
	Lineage	Big man	Lualua	

*i.e. "that part of a phyle-wide kinship group which is centred in any one parish" (Hogbin 1952:244)

It seems that most disputes began with some form of altercation or argumentation (known as mana koto among the Kapauku (Pospisil 1964:255, see also J. van Baal 1969:692), to which other people were attracted either as observers or supporters of the disputants; all accusations, threats, denials, and justifications were usually loudly voiced. Among the Lakalai and Tolai in inter-section disputes the parties did not confront each other directly, but presented their case through the terms of settlement medium of representatives (Chowning & Goodenough 1969:467), or impartial go-betweens (Danks 1888:312). Where the parties were not willing to negotiate, or where tempers became inflamed, the argumentation

developed into a fight (Pospisil cases 55, 57, 59, and Chowning & Goodenough 1969:467). Intervention by third parties was likely (a) where the parties concerned could not settle the dispute themselves, (b) where fighting occurs, or is likely (J. Van Baal 1966:692, Chowning & Goodenough 1969:467, Pospisil 1964:255). Thus Hogbin noted of the Wogeo that "the headman of the descent group is available for the settlement of disputes, but he intervenes only when the general harmony of the village is endangered" (1967:33). Leaders were either fetched to the dispute (Chowning & Goodenough 1969:459), or appeared on the scene following an altercation (Pospisil 1964:213:255), but they in no sense attempted to dominate the proceedings, limiting their activity to (i) "maintain decorum and conditions for orderly debate" (Epstein 1971:167), allowing the disputants to state their case without interruption (see Cases Appendix A) (2) intervene to keep the debate on the relevant lines, or to admonish the parties involved to control themselves, or (3) question the disputants to determine points of information, collate, and examine the evidence, an activity known as boko petai among the Kapauku (see Pospisil 1964:255, Epstein 1969:185, Hogbin 1938:261).

Clearly, the intervention of leaders was not restricted solely to helping the disputants compose their differences (Hogbin 1970:326) or persuading "one or other of the parties to yield gracefully" (Epstein 1971:167), for decisions were made in the sense of establishing the terms of a settlement, and allocating responsibility, and specifying the requisite punishment. The essential difference here between the

judgement of a western court of law, and a decision made in a moot, is that the latter is more often made "in the form of an opinion or suggestion, and the followers are persuaded into an acceptance of it" (Pospisil 1963:48) rather than being an order backed by physical compulsion of a state. Among the Kapauku the decision making phase was known as boko duwai, in which several leaders may have taken part (see cases 13, 34, 80 in Pospisil 1964) constituting a council (Pospisil 1964:224) especially in disputes between sub-clans or parishes.

Once again P. Lawrence's statement that "genuine authority does not spill over into the judicial field" (1969:24) is belied by these ethnographies. The exercise of judicial functions is not simply an aspect of power or exercise of an "ability" (Chowning and Goodenough 1969:432), it is a clearly defined function of authority. The maintenance of order through the settlement of disputes is conceived by the respective peoples as a duty, or obligation of leadership, a fact attested to by all the ethnographers (Pospisil 1963:39, 45, Epstein 1969:127,¹ Chowning 1969:465, 466, J. van Baal 1966:66, 679, Hogbin 1935:3). Leaders disposed of various sanction which they might use to enforce compliance with their directives. Considerable respect was due to them in the first place because of their age, knowledge, and achievements, in addition to which they were of value to their group as the initiators and directors

1. i.e. the responsibility of a lualua to KURE, variously translated as rule, manage, decide, or arbitrate.

of the feasts and ceremonies outlined earlier, all of which provided strong incentives to comply with a leader's decision. With regard to this point, I. Hogbin noted that the power of a headman in Wogeo society to settle disputes increased with the number of ceremonies he sponsored, as he was later able to remind disputants of what he had done for them in the past, "have I not given you many Warabwa, have I not initiated all your sons" (1970:326).

The most important sanctions which leaders commanded in these societies derived from the economic activities in which they were active, especially the extension of credit. Among the Tolai big men served as bankers for a number of people (Danks 1888:307), their power to refuse loans thus serving as an important weapon, and their assumption of responsibility for the bride wealth of various matrilineal kin was a "chief means of asserting control over the younger members of the group" (Epstein 1969:233). The creation of debt relations by acting as a financier to individuals in their marriages, initiations, etc., was also the basis of the power of a Kapauku (see Pospisil 1963:26), Lakalai (Chowning and Goodenough 1969: 455-456), and Mowehafen leader. One important facet of their economic activities, was the fact that their dependents often cut across both residential and descent groups, often constituting factions in a hamlet or village, thus permitting the exercise of power and authority across the segmentary units of the society.¹ Among the Lakalai people, both Savarasi and Suara enjoyed the support of other wristband wearers. Two

1. A Kapauku leader could attract boys (Ani jokaani) from various clans or parishes to take up temporary residence with him, and these undoubtedly constituted an important category of adherent (see 1964:81-82).

other important sources of power were (a) Supernatural - which was thought to reside in the individuals who wore the wristbands in Lakalai society, such that it was taboo to quarrel in their presence. Among the Kapauku and Marind-anim it seems that leaders might also have had certain magical or shamanic powers which afforded them an additional means of control. (b) Sorcery - While big men among the Kapauku (Pospisil 1963:82) and Lakalai (Chowning and Goodenough 1969:455) may have been thought to possess the ability to use sorcery, it was by no means regarded as a legitimate means of control. This contrasts sharply with the situation among the Wogeo and Mowehafen where sorcery was regarded as a privileged right of headmen to use against any person who committed adultery with their wives (see Hogbin 1935:324, Todd 1936:437). Nevertheless, there was no sure means of enforcing a judgement against a strong recalcitrant (Epstein 1969:186), and armed resistance was possible where there was not a great disparity in the amount of power which the various disputants could muster in support of their case. Though the information is somewhat thin, it seems from a remark made by Todd (1936:401) that an inability to reach finality in disputes is perhaps also due to the process of mediation itself, a point to which we shall return in chapter II.

Big-men in the societies given in Table 4, with the exception of the Maring, were usually individuals who had achieved renown and prestige through their wealth, oratory, verbal skills, and involvement in decision making activities. Success in their

Table 4.

SOCIETY	LEVEL	TYPE	TERMS	INSTITUTION
<u>Huli</u>	Parish	Big men	Aguli Timbuni homogo	Assembly
	Section	Big men		
<u>Chimbu</u>	Parish	Big men	Yomba Pondo	Assembly
	Sub-clan	Big man/men	"	
	Lineage	Big man/men	"	
<u>Mae Enga</u>	Parish	Big man/men	Kamunggo Erete/ Kamunggo Andaiki	Assembly
	Sub-clan	Big man/men	Kamunggo Kore/me Kamunggo	
	Lineage	Big man		
<u>Maring</u>	1 Parish	Big men	Yu Maiwai	Assembly
	Sub-clan	Big men		
	2 Parish	Big man/men	Aram ku Yu (Fight Medecine man)	
	Sub-clan	Big man/men	Raua ku yu (Ancestral spirit man)	
			Mbamp kund Yu (Fight Magic man)	
<u>Melipa</u>	Parish	Big men	Wua Nuim	Assembly
	Sub-clan	Big man/men	"	
	Lineage	Big man	"	

1. As reported by Rappaport 1968.

2. As reported by Lowman-Vayda 1968.

exchange activities as the Moka (Melipa) and Te (Mae Enga) were also critical for the achievement of Big man status, and among the Mae,

Melpa, and Chimbu there existed a gradation of statuses from 'rubbish' men through to major and minor big-men. In all of the three latter societies Big-men tended to create debt relations both among members of their clan and people outside, and it is this extensive network of exchange partnerships outside his own group which freed the Big man from "a segmentary enclavement". One important aspect of leadership among the Chimbu, Mae, and Melpa which had important repercussions on patterns of withdrawal from disputes, was that they encouraged outsiders, cognatic or affinal kin to come and join their group for which they could offer them qualified rights in land (Meggitt 1965: 30-31; Brown 1962:66). Among the Maring, according to Vayda (1968), it was the ability to speak to the ancestors, show evidence of their support, and demonstrate shamanic powers which were critical attributes for leadership. Apart from the Maring where the leadership positions were ideally hereditary (Vayda 1968), there was little inherited advantage, and apart from the Mae, non-agnates might also achieve big-man status.

The basis for the power of Big men was through their activities in contributing to the indemnity payments of others, thus establishing claims against them, physical force, contributions to the exchange commitments of kin, and among the Maring, the specific ability to determine the will of the ancestor spirits (Vayda 1968:200). In all these communities Big men were active in settling disputes (Brown 1964:4, Meggitt 1967:27, 1965:238, Nilles 1950:40,) and were often "called in to advise on quarrels" (Glasse 1959:232, 1968:98). at different times acting "as simple mediators, as active negotiators, I, Non-agnates only rarely became Big man among the Mae.

or as judges who would pronounce what they considered a proper settlement should be" (M. Strathern 1972b:25). It is doubtful that this sphere of activity was limited to the residential or descent group with which they were associated, both because of their extensive network of relationships outside the clan, and because among the Huli a Big man could clearly act as a mediator in disputes of several parishes where he had cognatic affiliations (1968:135). Big men might call for peace, negotiate a compromise, arrange indemnities, or soothe heated disputants (Nilles 1950:40, M. Strathern 1972b:24-25). In addition to the prestige they derived from such activities, Big men were also mediators in inter-clan conflicts, where they used their affinal or cognatic links to inhibit lasting wars as among the Huli (Glasse 1968:97, 1959:286), Melpa (M. Strathern 1972b:24), and Maring (Vayda 1968:231). Within the clan intervention was most likely where a dispute threatened to involve others (Glasse 1968:98) or when retaliation "was most likely to involve force or become a political issue" (M. Strathern 1972b:25). It is evident that Glasse's comment that in societies with discrete descent groups, the power of a big-man is limited to these groups (1968:135), rests on a fundamental misunderstanding of the way in which leaders achieve their status and maintain it.

With regard to the institutions for the settlement of disputes, the respective ethnographers have noted the existence of what they have variously termed "informal trials or moots" (Glasse 1965:40), discussions (Meggitt 1965:147), meetings (Rappaport 1968:30), public hearings (Vayda 1968:231, 228), or gatherings (Brown 1962). With the notable exception of M. Strathern's study (1972b), there is virtually no data on any aspect of these assemblies, and

while they retain similarities to the gatherings noted in Table 3.9 there are two very important distinguishing characteristics; (1) they are by no means as regularly convened, and (2) it was not a duty of leaders to mediate in disputes, they did not in this respect exercise authority. Exactly when, where, and how these assemblies convened can not be determined from the ethnographies, though it may be, as was the case for the Melpa, that they took place when people were essentially gathered for other purposes as a feast, or bridewealth exchange (see case 20, app. 2), though they may equally have simply developed from dispute situations which involved others.

With regard to procedure, it seems among both the Melpa and Maring that there was some presentation of testimony and then lengthy discussion in which small groups of men might talk among themselves (M. Strathern 1972a:218, Rappaport 1968:30). The emphasis on lengthy verbal discussion or 'talk' among the Maring (cep) and Melpa (ik) is due to the fact that talking is conceived of as having an intrinsic value in the settlement of disputes, the purpose of the assembly being to "make the talk one", i.e. reach agreement. There seems some avoidance of making the issues explicit as this is likely to cause confrontation, and among the Melpa this takes the form of an avoidance of pronouncing either disputant wrong during compensation debates. It is interesting to note that both among the Maring and Melpa, big men often ended an assembly with a homily or anecdote (M. Strathern 1972b:19, Vayda 1968:232) reminding the disputants of their obligations and the need for amity in their relationships, a strategy used in the assemblies of other highland societies.

SETTLEMENT PROCEDURES

In the preceding chapter I was concerned mainly to outline some of the formal aspects of those decision-making institutions found in these New Guinea societies. Attention was paid to the kind of disputes aired, the procedure carried out, and the kinds of situation in which leaders took direct action to settle disputes. In this section I want to discuss some of the principles involved in the disputes themselves, and to examine those circumstances in which a dispute "at one group level affects that of another" (Nader 1965:23). More specifically, my intention is to examine to what extent the basic tenets of Gluckman (1955) and Epstein (1970) are relevant to the analysis of disputes and the nature of the settlement institutions in these New Guinea communities. Broadly speaking, these latter anthropologists were concerned to (A) see the settlement of disputes within the context of political relationships, (b) emphasize that the total history of relationships between the disputants was critical to both the understanding of any quarrel and to an understanding of the tasks of mediators or judges, and (c) suggest that most disputes in such tribal communities are concerned not so much with what the rules are, as "with how they shall be applied in any given case" (Epstein 1969:149).

The significance of the second tenet is well exemplified in the cases reported in the context of assemblies, and altercations where there is a tendency for previous disputes or causes for grievance to be recalled in the debate. This most commonly takes the form of an exchange of accusations and counter-accusations (see cases 2,4,7.8, app.2) between the parties either recalling old debts, or omissions of obligation, or revealing

that previous accusations were misdirected (case 4, app.2). These cases illustrate both that such verbal quarrels are a part of the political inter-action between individuals and groups, and that the history of relationships between these units is an important part of this interaction. Thus among the Mowehafen, Todd (1936) explicitly notes that accusations are not made with the direct intention of securing compensation, but to induce shame in the other part and thereby increase that persons own prestige; the only way in which the shamed person can achieve equivalence again is to make some equally valid counter, to which end old disputes are recalled. It is important, however, to point out that the format of such debating is only partly a function of the mode of interaction between people, and must also be related to the fact that there was no effective means of third-party intervention among the Mowehafen, headmen did not exercise any formal legal powers to make a decision on such matters, and therefore disputes did not so much get settled, in the sense of a final resolution, as merely cease to be active for a while, or settled by default, neither party attempting to resort to violence. The resuscitation of old grievances has been noted for the Wogeo (Hogbin 1945:340), Gahuku Gama (Read 1965:225) and Kuma (M. Reay 1959a:127) ^{where} in disputes between sub-clans "recriminations are exchanged recalling affairs committed by the opposing group in the past".¹ Similarly among the Arapesh, where disputes inevitably tend to take the form of sorcery debates, it is common for one sorcery event to initiate discussion of past ones (Mead 1947:285).

A further aspect of any dispute situation which again points to the necessity of reporting fully the pattern of relationships between opposing units, is that (a) a dispute concerning

¹ see also Glasse 1958:152) concerning the Huli people.

one issue may hide a more deeply rooted and fundamental conflict between two parties, and (b) a dispute involving other people may be used by a third party to pursue his/her own personal interests. The distinction between the superficial issues of a case, and the real basis of the conflict, is fully realized among the Melpa people who talk of the former as "Ik peng" (M. Strathern 1972 b:20) - the head of the talk - as contrasted with "ik pukl" - the 'root' or 'base' of an issue. The most notable ethnographic example of this is the case reported by Hogbin (1940) concerning the relationships of a headman and his sons, where the resentment of Tafalti towards his father, because of his preference for his other younger son, was expressed in his opposition to his father's intentions as to the marriage of his sister. Pospisil (1953:C.24) similarly noted a case where the jealousy of a man concerning a rival for the woman he wished to marry was expressed or provided the basis for an accusation of debt. Among the Arapesh, accusations of sorcery between co-wives can often be attributed to the feelings of neglect which one party feels on account of her husband's preference for the other wife, (M. Mead 1947:II5). In these cases, an elder woman acts as a cross-examiner in the process of eliciting the basis of hostility between the wives.

With regard to those instances where third parties use other peoples disputes to further their own ends, many examples, especially those deriving from the complex nature of affinal exchange relations, and from conflicting loyalties, will be given during the course of this study. Pospisil has recorded two such instances from the Kapauku people (See case 35; app 2; and case 45, p. 174, 1958) where in the latter instance of a dispute between husband and wife, the wife's mother attempts to exploit the situation for the purposes of forcing the husband to hand over

additional bride price money. These considerations point to the necessity of viewing any dispute not as a single episode of confrontation between two parties, but as an event in a continuing series of inter-actions; where past and present relations affect peoples choices of one pattern of action as against another.

When one relates these considerations to the process of adjudication, it becomes clear why among the assemblies of the Siane Tolai, Kuma, and Gahuku-Gama, solutions to disputes tend to be compromises. The task of elders in these 'courts' is as we have seen in chapter II, to achieve equivalence in the relationships of people and encourage consensus, often by lengthy and desultory debating; they could not, and rarely attempted, to impose a decision on the disputants, and the success of their efforts depended entirely on the willingness of the parties to have the conflict resolved. Where this interest was absent, the mediators (those persons who influence parties to come to agreement by appealing to their own interests) could attempt to instil a motive for agreement by appealing to the norms requiring co-operation, friendship, and amity in relationships within the agnatic, residential, or territorial unit. Undoubtedly, the fact that the mediators did derive prestige from successful composition of quarrels, in addition to the point that disputes rarely reflected single interest issues, made the "compromise a way of least resistance for one who shall get the parties to agree to an arrangement" (Eckhoff 1966). There seems little attempt in these assemblies to apportion right to any one party, but rather to recognize just claims on both sides, and persuade the parties that there was an "equivalence" in their relationship by pointing out that the injuries balanced. The interdependence of the mode of adjudication and the nature of the disputes concerned is very marked among these societies.

Compromise solutions seem also important in the context of politically competitive relations, and Case 5(app.2) well exemplifies some of the points discussed. The issue over land rights was merely a superficial conflict, beneath which lay a number of claims and counter-claims, and the altercation ends in this instance with a compromise solution in which both parties can save face without loss of prestige. Other examples of compromise solutions are given by Pospisil (1958:Cases 50,25) and clearly illustrate that the decisions of a Big man are often based on choices between rival sets of purposes and interests, and not by a choice between conflicting norms.

The nature of a dispute is only one set of factors which can affect the decisions of an authority. The character of a defendant or plaintiff may equally influence the situation (Pospisil 1958:194), as do pleas for leniency (Case 22, app.2) circumstantial evidence, and political considerations. Thus, dispute-settlements, in the words of M. Strathern (1972b:23), were often events in wider strategies and Pospisil has recorded several cases where following an inter-parish killing the offender was extradited to avoid the possibility of war.¹ Such political expediency seems also to have been important in cases where a stronger party demands compensation, often without a just claim (see case 17 app.2) and it is paid out of fear of sorcery or other considerations.

When we come to consider those cases where a dispute at one level affects that of another,² it is evident that quarrels which develop between previously friendly groups most commonly occur as the result of an extension of responsibility. Thus among

1. see also Bateson 1967:98.

2. e.g. Case 20 app.2., and Case 10, app.2.

the Huli, disputes between parish members may develop following a war with another parish, when claims are made on the war initiated (wai tene) for deaths of allies and wounds. Three factors tend to contribute to this situation, (1) the lack of any formal adjudication to fix responsibility, (2) the ambiguous nature of oath situations which are one means often used to determine responsibility, and (3) the different interpretations which are put on the same set of events. The norm concerning responsibility is not itself in question, but where a war gives rise to a further series of deaths often the offended persons seek to claim damages from the person who was initially held responsible for the war. The denial of liability usually takes the form of claiming that the set of events are entirely separate, and points to some antecedent cause or event to disclaim culpability. It is not simply an issue of facts, which are not usually disputed, but a question of the application and interpretation of the norm as it applies to the facts. As we have already noted, payment of indemnities does not always connote an acceptance of responsibility as the cases reported by Glasse (1968:95) illustrate. Disputes within the parish may also arise from inter-parish conflict among the Huli when the parties consider the question of wound payments (nogo nisi), as very often these are similarly attributed to previous encounters unconnected to the present war. Case I6 (app.2) similarly illustrates how an inter-parish conflict may cause intra-parish disputes when the allocation of responsibility is in question, and the dispute between Wogogi -Loubarek (intra-subsection) and Wogogi -Enggawarek (inter-section) show the repercussions of an extension of responsibility for injuries or deaths caused by an offence of some person. Case I7 (app.2) shows how a death attributed to sorcery in revenge for a theft is compensated for by the initial offender. As among the Huli, and Lakalai (Chowning & Goodenough 1955:456), compensation

payments are not thought of as providing a final settlement of the dispute, and any renewal of conflict is not expressly disapproved of (Ploeg 1956:152). Among both the Wanggulam and Waropen, retaliation by an outside parish in response to an offence committed by one section of the parish, may be executed against section of the parish, and while this may restore the balance between the parishes, it creates an imbalance in the relationships between the sections of the same parish (Ploeg 1956:164, Held 1957:201) which may cause conflicts. Among the Kapauku responsibility for offences of a person are shared between parallel cousins and in Case 23 thus shows how revenge on a relative of the initial offender creates a similar imbalance in the relationships of the offender and the brother of the innocent victim of this revenge. However, the extension of responsibility to help one party may cause an intra-section dispute to escalate until the maximum units are in opposition, or this may simply result from the segmentary nature of political relationships, and then it becomes expedient to settle the matter in the interests of peace within the parish.

K.E. Read (1950:212) has recorded a case among the Ngarawapum of an inter-village pig theft, where the offended party is considered as having the right of self-help to kill a pig belonging to any member of the offending settlement.

A offends B: B offends C of same group as A: C must gain satisfaction from A.

The fact that C cannot as of right gain satisfaction from A, indicates both that the wronged party is justified in compensating itself in the name of the wrongdoer, and that the transfer of blame is accepted by C.

This form of self-help, where there is in Nadel's terms a "correct-
ive use of force" may be considered legal. In this context it
is somewhat puzzling that Berndt (1962:14) at once accepts
Hoebel's (1954:26-27) definition of legal as socially sponsored
use of force, but explicitly asserts that self-help is non-legal
(1962:292). The critical variable here is majority support
but it is clear that among the Ngarawapum, and indeed in other
cases to be discussed in chapter IV, we have to recognize the
private prosecutor as an accredited public official in certain
situations.

While undoubtedly oaths and ordeals are "important means of settling conflict" (Glasse 1965:40), the paucity of recorded examples prohibits us from a thoroughgoing test of such hypothesis as those advanced by J.M. Roberts concerning concomitant social structural, and political variables. Nevertheless, we may examine the situations in which they are likely to be employed, though we cannot, as Roberts (1965:189) did, class unreported instances as absences. Oaths consist of a calling upon some supernatural agent (or agents) to witness either (a) the veracity

TABLE 5

Oaths

Society	Term	Level	Offences	Ref.
<u>Huli</u>	Tera	Intra-parish	To identify War initiators	R.Glasse 1965:40. 1968:94,106.
<u>Tolai</u>	----	Intra-parish	Not stated	G.Brown 1910:254
<u>Waropen</u>	Awoura	Intra-parish	Sorcery charges	G.Held 1957:237,244.
<u>Kutubu</u>	Auamo	Inter-section	Theft and Adultery	F.E.Williams 1941: 390-391.
<u>Melpa</u>	----	Intra-parish & Inter-parish	Theft, Debts, Poisoning	A.M.Strathern 1968: 560.1973:110,21-23. 1972:127-130. A.J. Strathern 1971:87.

of what one says, or (b) one's intention to act in the way one states.

In Huli society, oaths are frequently sworn at 'moots'

during which both disputants invoke the deities in order to establish issues of fact or responsibility. Considerable preparation is necessary by a person who wishes to challenge his opponent, the appropriate incantations being performed by a specialist for a fee, and refusal to take an oath is tantamount to an admission of guilt. What is important here is that the ritually prepared pork with which the challenge to take an oath is made, is produced in those situations where either (1) "after long testimony and cross-examination no conclusion is reached" (Glasse 1968:94), or (2) a person finds the case going against him. This latter observation is similarly applicable to the Melpa, where oaths are also taken in the context of public trials, as a "drastic action" by "persons under duress" (M. Strathern 1973:21).¹ In this instance the oath is taken by only one person to prove the veracity of his own statements, or a challenge is made to an opponent to eat (suck or chew) a piece of the ²tribe's divination substance ('Mi'), as a test of his innocence. In apparent contrast to the Huli, Melpa oath-taking did not "prove single points of fact - they revealed the whole judicial truth" (M. Strathern 1973:22), thus disclosing not only the factual truth of statements, but the motives and attitude of

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1. See also F.E. Williams 1941:391 where the 'impasse' situation is evident in the example recorded.
 2. In Melpa society, one usually swears on the Mi of one's father, but in the event of a person being accused of theft by a member of his FZH's clan, then a son of the FZ may swear an oath on the Mi of his MBS to test the latter's innocence. M. Strathern (1972:127) has also noted that a married woman "may swear on the Mi of both her own and her husband's tribe" depending on the context of the accusation.

the person swearing the oath. The challenge to the ghosts to harm a person if he lies, thus establishes "overall guilt or innocence" (Strathern 1973:110), and in Huli society it seems that if any member of the parish section of either man falls ill, or suffers some misfortune within eight days of the oaths, then guilt falls on that man, and he must compensate both his opponent and the kin of the victim of the ghosts.

J.M. Roberts hypothesis that oaths and ordeals "probably contribute to more correct or successful outcomes than otherwise" (1965:186) is not borne out in the Huli case. Thus where no misfortunes occur within the first period of time, there is an extension of the interval for a further six weeks, though injuries sustained during this time are usually denied to be the actions of the nine deities responsible for oaths. This uncertainty which mitigates the effectiveness of oaths as a settlement procedure, is similarly evident in the fact that "there is no precisely defined group of kin implicated by an oath" (Glasse 1965:41). Similarly, the contention that oaths are used in contexts where the resort to physical violence is inapplicable (J.M. Roberts 1965:208,186)¹ is belied by Glasse's (1965:41) comment that physical coercion was often substituted for, and where, imprecations failed. Indeed, among the Huli immediate physical action was the "preferred" response to wrongs. While the available case material does not specify the relative power positions of disputants who swear oaths, rendering an analysis of the "costs of resorting to physical

1. i.e. where there exists what Roberts terms a "power deficit".

violence" (Roberts 1965:186) somewhat difficult, A. Strathern (1971:87) has recorded a case where even after an oath taker has died, and his guilt thereby established, this in no way settled the dispute as compensation was refused, and violence followed.

Among the Waropen and Kutubu people, oaths were also sworn on some object as a lamp, rifle, bamboo, or, in Kutubu, the fossil stones known as 'auama-kanao' and 'auamo-gi'. The practice in Waropen was to protest one's innocence, or one's intention to break off intercourse with another person, by declaring the specified object or individual 'taboo', or by "consciously exposing" (Held 1957:244) oneself to supernatural influences: "Aminara we anasani - by this bamboo I expose myself to supernatural influences". In this context a dissatisfied wife or Melpa bride may hold or eat their Mi substance, declaring to their parents their firm intention not to return to their husband; this form of suicidal threat may, however, also be used by the parents themselves (see M. Strathern 1972:128) against such recalcitrance on the part of their daughter. In Melpa society, an avoidance relationship was initiated by a man hanging a piece of his tribal Mi on the door of his house, and swearing he will never have relations with his offenders again.¹

In the sense that oath taking often represented a response to a challenge by an opponent, the Kutubu procedures share similarities with the Melpa and Huli instances, though

1. Used mostly in cases of debt, or dissatisfaction with an exchange relation. (see A. Strathern 1973:30, 1968:560).

in this instance there is a complete absence of any form of 'moot'. the individual so challenged swears his innocence while holding the fossil-shells which are owned by some third party who receives a fee both for their use and, subsequently, for the necessary fumigation treatment which an offender must undergo. The nature of the inflictions which can determine guilt or innocence varies according to the society under consideration, from the Kutubu disease known as 'auamo-siagabo' (i.e. stiff neck etc.) to death as among the Melpa, and Tolai where the words "Wirua Ba" or "Limlim ra nimuan" (G. Brown 1910:254) exhort the deities to kill, or bring into relation with a prohibited person, an oath taker who swears falsely.

With respect to ordeals - i.e. the determination of the guilt or innocence of an accused person by means of tests believed to be under supernatural control - the occurrences are too small to permit any definite statement concerning possible judicial co-variants. Among the Waropen people, a hot water ordeal may be resorted to either to clear oneself of a charge of being a sorcerer (Held 1957:244), or to test whether one owes a debt (Held 1957:232). In this context it is very much a "device of last resort" (J. A. Roberts 1965:209) and is taken only when the accused individual is subjected to strong pressure from his family. The only other instances of ordeals in our sample of societies occurs among the Melpa, where a suspected poisoner is challenged to test his innocence by eating a piece of his mi (i.e. divination substance) (A. Strathern 1971:87), and among the Arapesh people. In this latter society the ordeal follows an accusation of sorcery within the parish when a suspect, in order to clear himself, gives food to the widow of his supposed victim (M. Mead 1970:263) or to the plaintiff who made the charge (Fortune 1939:32-33); if that person then vomits the food this is taken as indicating the defendant's guilt. However, these ordeals rarely provided a sure means of settlement of the dispute as

either one side refuses to compensate the other and fighting results, or the offender, in Arapesh society, transfers the blame to the real sorcerer who lives in another parish.¹

* * *

THIRD-PARTY INTERVENTION

It is my intention in this section to discuss the circumstance in which other forms of third-part intervention occur, with specific attention to the principle of cross-cutting affiliations, commonly termed the "conflicting loyalties" theory following the work of Colson (1953) and Gluckman (1965). It is necessary to reiterate once again that the case material does not allow of as detailed an analysis as is desired, and I use the cases in Appendix 2 rather to illustrate my points than to bring out the structural principles inherent in the relationships there described. The multiplex nature of the relationships in any given unit are not developed in the cases described by Berndt (1962) or Pospisil (1958), and we certainly need to know more about the processes of, and conditions for mediation,² as well as the character of the norms appealed to. However this inadequacy in the data is certainly admitted to by the ethnographers themselves (Ploeg 1969:186) as Bateson's (1936:80) remarks indicate.

One implication of Colson's approach to the social control functions of conflicting loyalties which has provoked some criticism from several New Guinea ethnographers, is the idea that individuals balance several courses of action choosing the one where their interests are best served. Glasse (1968:107) dismisses the factor of "calculating deliberateness", noting that decisions among

-
1. There is no concept of intentional killing, or indeed of the instigation of sorcery within the Parish among the Arapesh.
 2. I use this term in the sense of influencing parties to come to an agreement by an appeal to their common interests.

among the Huli tend to be made on current and immediate sympathies, rather than any deliberate balancing of obligations, interests, or rights and wrongs of the issue. This position is echoed by F.E. Williams (1941:535-536) and Berndt (1962:410) though the latter also states the contrary position as well,¹ and is clearly an inadequate statement of personal motivation, tending dangerously close to the anachronistic theories of primitive mentality.

The determination of the persons who are likely to intervene in any given conflict situation will depend on the prevailing social-structural and political system, and on generally the conditions in which this is most likely are where fighting has broken out, or is a serious possibility, or where certain valued relations are in danger of being severed. Thus, we shall analyse these factors in terms of inter-personal and inter-group conflict.

Among those societies where there exists a clan-parish affinal relations will not be the avenues through which people attempt to mediate in disputes.² More commonly this is effected by big-men or others of neutral segments within the parish (see Mae Enga, Meggitt 1965:238; Siane, Salisbury 1962:30-31:) where they urge the disputants to come to an amicable and peaceful settlement of the issue, emphasising the norm "not to split the group" (Salisbury 1962:31). The process and circumstances are not elucidated by the ethnographers though it seems clear that

1. "This aspect of weighing a situation and taking sides (or abstaining from action altogether) is most noticeable in intra-district (i.e. parish) disturbances." (1962:300)

2. The Maring are an exception here as hostility between sub-clans might cause brothers to observe food and fire taboos, in preference to which they may attempt to intervene in a dispute.

Intervention is made in the interests of peace, though Big men undoubtedly seek also to increase their prestige through such activity. Similarly, it is impossible to determine whether certain types of dispute are more frequently settled by this kind of informal mediation as opposed to the procedure of an assembly. The sanctions which such mediators can wield are very weak and usually confined to censure or withdrawal of support.

The clearest exposition of third-party intervention is that given by Read (1950) for the Ngarawapum, where clans and villages are linked as "brothers" in a criss-crossing fashion. It seems that intervention was dependent on two main factors (a) the seriousness of the dispute, and (b) the possibility of an amicable settlement. Thus linked-clans tend to remain interested, but non-participating observers at first, intervening to urge the disputants to return to amity when the peace of the village is seriously threatened. Once again the norms emphasising the common interests of the people are reiterated, often through the idiom of common residence or locality - "we are one place" (Read 1950:202-203), - and are voiced usually by the elders (Garam Tzira). Other instances of intervention by clan elders have been noted for the Arapesh (Mead 1935:128), Abelam (Käbbery 1941:257, 1942:353), Orokaiva (Williams 1930:326) Ngarawapum (Read 1950), Melpa (A.J. Strathern 1972:26), and Mae Enga (Meggitt 1957: 137, 1958:273), and S. Fore (Glasse & Lindenbaum 1969:311). Intervention in village fights has been noted for the Keraki (Williams 1936:254), and Marind (van Baal 1956:592), while Koch (see Case 1. Among the Huli, neutral sections may also intervene to prevent intra-parish fighting, emphasizing common bonds (1958:129).

I, app.2) has noted that intervention is likely in the ward where common interests are strongest. It is evident that disputes which occur within the segments of a parish where there is a strong injunction against any fighting, is likely to also be the unit in which third-part intervention is commonly found; the identity of the mediators will vary with the kind of political and legal system, though it is possible that certain of the intervenors pursued private purposes rather than just the common interests and need for peace. Agnatic solidarity, or the ties between people of the same locality, are commonly reaffirmed and renewed by public ceremonies of reconciliation such as commensality or exchange of gifts.

Where there is a high incidence of intra-parish marriage, and particularly where these exist within a village unit, affinal relationships may be the channels through which mediation takes place, as among the Waropen (Held 1957:75), Abelam (Kaberry 1955), Arapesh (Fortune 1939:33), and Iatmul (Bateson 1936).¹ It is important to note that with the exception of the Waropen, there are no assemblies in these sepik communities, and a marked cultural emphasis on the MB-ZS relationship.² The clearest analysis of conflicting loyalties among these societies was made by Bateson for the Iatmul,³ where he noted that "the patterning and ubiquity of affinal relations are such as to ensure that whenever a quarrel reaches serious dimensions there shall be some individuals marked out to act as peacemakers and intervene" (1936:107).

With regard to the normative pattern of support, i.e. the ideal norms governing whom a person should support in a given conflict situation, Bateson (1936:73) isolated the following

1. There is no information on the Mailu, Koita, Kiwai, though here disputes would be settled by headmen, or through the council.
2. Among the Wogeo, Hogbin (1970:328) has also remarked on the conflicting loyalties of affinal relations.
3. See also M. Mead 1937:12.

three:-

- (a) If a wau(MB) is involved in a quarrel with ego's father, ego should support the former. (1936:78)
- (b) If ego's wife's clan is involved in a dispute with his own clan, he should support the former party. (1936:80)
- (c) If ego's maternal clan is involved in a quarrel with his wife's clan he should remain neutral or attempt to mediate.

However, examination of Case 8(app.2) reveals to what extent such normative formulations are affected by the personal interests or more specifically, the degree to which the specific nature of a kinship relation will be determined by such factors as residence and general relations. The case is interesting from many aspects, such as the repercussions one dispute has on the relations of other people, the statement that affines should not interfere in the concerns of their daughter who is now a member of her husband's clan, the resuscitation of old disputes between the parties, and means of reconciliation; all points which we have discussed in the section on Decisions and Principles. The relevant aspect is the intervention of Koulavwan between his father and Kwoshimba, who was his wau(i.e. MMZS). It is clear that in terms of Colson's (1953:210) "entanglement of claims", there is no conflict on the normative level, as the patterns of duties to support another are clearly explicit, the conflict is more likely to exist between personal interests and the possible motivation a person has for complying with the norm governing his actions;^I

I.i.e. It is here a conflict of interests.

Berndt's analysis of the 'nenafu' (cross-cousin) relationship similarly showed that the conventional expectations of help based on certain kin relationships, tends to be modified by other factors as (1) self-interest, (2) past or present disputes between the parties, (3) and the rights or wrongs in the case. These points are illustrated in Cases 43 and 44 (appendix 2), and it is interesting to compare the latter dispute where a father takes the side of his son's wife, with the dispute from the Kapauku (Case 32 app.2) since they both show how the fear of having to return bridewealth to the daughter-in-law's kin affects the behaviour of the father-in-law. While the possibility always exists that a person will in fact experience an entanglement of claims on his support, among the Kamano, Jate, Usurufa, this seems rarely to result in an attempt to mediate between the disputing parties, as a choice is made on other factors, the genealogical closeness of the parties being also important.

Marital disputes provide another area of analysis in which other related persons may attempt to mediate between the parties. Considerable attention is given to this in the sections on Suicide, and Women, but we may at this juncture briefly consider the kinds of situation in which intervention most typically occurs. We have already noted that among the Iatmul there is a tendency to resent interference by the wife's kin (Case 8 app.2), as indeed there is among the Arapesh (1947:284), and this generally applies to those cases where women are incorporated into the husband's group, though the nature of the marriage

I. See also Berndt 1952:296.

itself, and the nature of the relations between the wife's and husband's kin are important factors. Thus among the Kuma and Keraki where the ideal marriage is one based on sister-exchange the wife's kin rarely support their daughter's wish to divorce the husband, and where she has quarreled with him and attempted to return to them "she is not warmly received..and brought back to the husband"(Williams 1935:132).¹ With regard to the Kuma this tendency towards non-interference in marital disputes by affines is to a large extent based on the fear of having to return bridewealth already dissipated; they have a vested interest in the continuance of the marriage. Among the Keraki the fear of the wife's kin is based on the affects it has on the marriage of the other sister who has married into their group. In this kind of situation the woman will find it difficult to persuade her kin that she has a just grievance, and instead of returning to her kin she is likely to elope or desert to another man. (Williams 1936:166). However, the matter is somewhat more complex than this since among the Kuma and Kamano marital disputes tend to be concerned with sexual matters and desertion to another man tends to reflect the fact that the husband has full sexual rights over his wife, (Berndt 1962:121) and her kin are unlikely to interfere or support her in this type of dispute.

Where affinal relations are the basis of important and continual exchange relationships, as among the Mae Enga, Melpa, Jale, Chimbu, and Waropen, affines may similarly be reluctant to support a wife who threatens to endanger these valuable relationships. There is some conflict in the interests of affinal kin

¹. see also Reay 1959a:130.

in these circumstances as they both wish to deny the blame for a divorce action as being the wife's since this would mean a return of bridewealth, and at the same time may wish to maintain existing relationships with the husband. Thus whether they are prepared to support a wife in her quarrels with the husband will depend on the value they place on their exchanges, though where there are outstanding debts they may attempt to use these disputes in order to make the husband fulfill his obligations. The stability of the marriage can thus to a large extent depend on the success or failure of these exchanges. The other alternative is for them to attempt to reconcile the disputants, as is often the case among the Mae Enga (Neggitt 1965: 157), Waropen (Held 1957:105) Melpa (M. Strathern 1972a), and Jale (Koch 1968: 103). The blatant mistreatment of the wife by a husband, and the physical distance between the two sets of kin are other factors which will effect the situation, and these are more fully developed in Chapter IV.^I

In his study of conflict among the Jale people, Koch (1967) attempted to relate the absence of third-party mechanisms to the low incidence of cross-cutting affiliations, since among the Jale, wards are independent political, ritual and jural units and marriages create ties only at an individual level, this lack of affiliations across wards explained the high incidence of violent means of redress. The degree of political integration at the parish level was held to be significant for the development of conflict control agencies. These statements are too general to be amenable to detailed analysis, as such

I Among the Mowehafen, Arapesh and Lakalai women who insult their husbands are ceremonially disciplined by the male cults of the Tamberan (Arapesh) and Valuku (Lakalai).

concepts as "political integration" would need to be defined in respect of a number of factors one of which might be the presence of feud, and as this clearly implies an absence of conflict control agencies, Koch's hypothesis rather begs the question. The presence of third-party institutions is likely to depend on a number of economic, social, and historical factors and any explanation in terms of an either/or hypothesis will most commonly fail to take account of all the relevant variables.

* * *

S E L F - H E L P

TABLE IV

	SOCIETY	LEVEL	OFFENCES	ASSOCIATED PROCEDURES
1	JALE	Inter-Section	Pig killing/wounding Adultery, Rape, Tresspass, Cmission of payment.	Brawling - Avoidance
		Intra-Lineage	Theft, & minor offences	Brawling - Avoidance
		Intra-Section	Theft, Adultery.	Brawling - Avoidance
2	WOGEO	Inter-Section	Abduction, Theft, Adultery.	Brawling - Avoidance
		Intra-Section	Adultery, Theft.	Brawling - Avoidance
		Intra-Clan	Adultery (Flagrante Delicto)	Avoidance
3	ARAPESH	Inter-Section	Theft, Adultery, Pig killing, Abduction, Sorcery accusations.	Brawling
		Intra-Clan	Adultery, minor offences Sorcery accusations.	Avoidance
4	ABELAM	Inter-Section	Offence in Yam exchanges	Brawling - Avoidance &/or Yam Challenge.
		Intra-Section	Adultery, Theft, Tresspass, Marital disputes.	Brawling - Avoidance &/or Yam Challenge.
5	KERAKI	Inter-Section	Adultery	Brawling
		Intra-Section	Adultery, Theft, Rape.	Brawling - Food/Head Challenge
6	OROKAIVA	Inter-Section	Unspecified	Brawling
		Intra-Section	Theft, Adultery	Brawling - Avoidance
7	NGARAWAPUM	Inter-Village (L&N1)	Adultery	Brawling
		Intra-Village	Theft, Adultery & other offences.	Brawling
		Intra-Clan	Adultery (Flagrante Delicto)	Avoidance

ALTERCATION: I

Despite the lacunae of information regarding the precise range of offences and circumstances under which a 'public verbal dispute' will occur, examination of this mechanism is important both as a culturally patterned form of aggressive behaviour (LeVine 1961:6), and for the expression by the societies specified in Table IV of such ideals as "facing people publicly with their delinquencies" (Mead 1947:277), and prosecuting disputes in full publicity" (Read 1950:203).

While the distinction between an harangue - yehement address to an assembly - and an altercation - exchange of accusations between two parties - may be analytically justified, empirically the former invariably shades into the latter through "retorts" (Williams 1930:26), "rejoinders and interjections" (Williams 1936:254). Indeed, Koch noted with regard to Jale society that where only one party uttered recriminations the activity was known as 'Pet' (i.e. a scolding), though either the participants or observers may view the same event differently.

In respect of the means used to publicize an offence, the societies listed in Table IV readily divide themselves into those that employ the formal mechanism of the slit gong - the Wogeo, Arapesh, Abelam and Ngarawapum - and those remaining cases in which reliance is placed upon verbal means. The similarities which exist among the former three societies, with regard to the dispute procedure under discussion, point to the dangers of comparing these cases as though they were cultural isolates. Indeed, there is evidence to suggest that the Iatmul, also part of the Sepik complex, similarly use the

I. Verbal quarrels may follow any offence, in New Guinea, and I am here concerned only with this more patterned form of verbal disputation.

slit gong to summon people to an altercation concerning an attempted abduction, following which;

"there is a great deal of shouting and argument.

There is no speaking in turn as in a debate on the stool, but confused noisy vituperation" (Bateson 1932:281).

The slit gong may thus be used to publicize an offence, to assemble people to sympathize or avenge a wrong, or to formally end an altercation (Case Nos. 2,4); it is also sounded in the offender's settlement when the dispute involves opposing sections (Case Nos. 2,3). The importance of emphasizing the point that the use and procedure of a 'public verbal dispute' are dependent both on the nature of an offence, as well as the status and relationships of the disputing parties, is demonstrated by the following three situations: (a) When an offence involves two sections in Jale society, it is first publicized in the mens house (Jouie), where all available information, evidence, and circumstances of the event are collated and discussed in preparation for the ensuing altercation (Suaxal).

(b) When an offended individual is very young, and without the requisite prestige in Wogeo society, it is not considered customary for him to beat the slit gong and publicly shame an offender, and he must therefore seek redress in the ritualised fights accompanying initiations and other events (Hogbin 1946:736).

(c) Among the Wogeo and Ngarawapum, as is evident from Table V, it is only those adultery offences committed 'in flagrante

delicto', and within the clan, which are made public.

Consideration of such aspects as the occasion, place, and time when altercations occur, indicates the manner in which full publicity is attained for the statement of a grievance, and consequently how the maximum effectiveness of public opinion is achieved. A public verbal dispute may take place either following an offence, or in a prescribed context such as a feast or ceremony, depending once again on the social range of the offence. In the former case there seems a distinct tendency for disputations to take place in the evening, thus permitting some time to elapse between the initial stimulus and its verbal response. F.E. Williams' ethnographies on the Orokaiva (1930:26), and people of the Purari Delta (1924:117) illustrate this last point as does his remarks on the Keraki where "harangues in the quiet of the evening are the means of giving vent to grievances, and of securing a public hearing" (1936:254).¹ Other ethnographers have similarly reported the occurrence of altercations at night (e.g. Koch 1960, and Mead 1947:292) "when the villagers are assembled at their hearths" (Read 1950:211). The significance of this 'time' aspect is partly associated with the necessity of ensuring that the maximum audience is available to listen to the grievance, and partly the manner in which it serves to mitigate possible physical violence. Thus Koch noted that the elapse of time between an offence and the verbal counteraction in the evening, both permits tempers to cool, and makes it difficult for fighting to take place. These functions are similarly manifested where altercation.

¹ see also M. Mead 1970:77.

occurs in conjunction with village feasts (Mead 1947:305, Read 1946:116), or in the context of a 'sham' fight as the Esu in Orokaiva society which occurs as a prelude to "fierce harangues and altercations" (Williams 1930:31). The accusations may be vented either from some prescribed public place as an open space, known as the 'Amei' (Abelam) or 'Agehu' (Arapesh), the centre of the village (Hogbin 1938:243), or, as in Jale society, from the mens house. In the case of charges being uttered from the offended person's hearth, they are invariably augmented by various speech and gesture patterns in order to achieve the requisite publicity. The place where altercations occur is once again dependent on such factors as occasion, and where charges are made at some public gathering, the individual concerned may simply "rise to his feet, and standing in the space between the men and woman, shout at the assembled people" (Read 1946:116, also Williams 1924:117).

The offences which may occasion a public verbal dispute have been enumerated in Table IV, to which one must add the following qualification: that the systematic failure of ethnographers to specify the full range of offences renders any accurate compilation impossible. Analysts have either been content to discuss only such crimes as adultery and theft (Hogbin 1938:223-262, and Read 1950:210-217),¹ or employed such vague phrases as "some incident of slighted

1. Some indication of the reasons for such a treatment, albeit totally unsatisfactory, may be gained from Read's remark that offences are "in most respects similar to those reported for other Melanesian communities, and need not be considered in detail" (1948:210).

feelings" (Williams 1930:26). This qualification is similarly applicable to the list of associated procedures in Table IV, where once again the ethnographies fail to make clear whether the yam, head, or food challenge follows solely from those offences for which they are discussed, or whether they may be used following other breaches.

While the parties to an altercation may be either individuals (e.g. Jale - M/D, F/S, co-wives, H/W) or groups, according to the level of the offence, in both cases it invariably consists of a series of accusations and counters between two persons who are supported by their respective descent or territorial group. The participation of other members of these units may vary from active verbal or physical aid, to simply taking up threatening positions (Hogbin 1948:250, Mead 1947:24). However, even where altercations occur without the formation of opposing groups, other people stand by in case the classificatory ramifications of the dispute should involve them (Bateson 1939:281). The offended party may be represented by another individual where the following circumstances obtain:

(a) In the event of a person being excluded from participation on the basis of age (if the plaintiff is very young in Wogeo - Hogbin 1948:231),¹ or sex (as in Jale where females do not act for themselves in inter-section disputes), then that party may be represented by a father or elder brother.

1. The idea of deference to elders is similarly expressed in Ngarawapum where the young must suffer in silence the abuse of elders "and only rarely do they rise to answer charges" (Read 1946:116).

(b) In Jale, when repudiation of an adultery charge is not feasible, the brother of the accused will reply to the initial indictment; whereas among the Arapesh (Mead 1935:137) and Orokaiva (Reay 1950:116) respectively, an injured husband will be represented by a maternal relative (MB or MBS), or 'naname' (friend).

(c) Where disputes involve an opposition of section groups among the Jale and Wogeo, accusations may be voiced by the acting representative of that unit.

The participation of woman in altercations has been positively documented for the Orokaiva (Williams 1930:142, Reay 1950:116), Jale, Abelam (Kabbery 1942:341), and Arapesh (Mead 1935:115).

While the content of a public verbal dispute is uniformly that of the presentation of some complaint, accusation, or opinion to which a reply is made, such structural simplicity masks the important variants which may constitute a 'counter'. These may range from the justification or excuse of some conduct, denial of a charge, or statement of an opinion, to an accusation either differing from or resembling the initial charge.¹ An accusation may be repeated several times as the form of rhetoric used (Mead 1947:307), or as part of the dispute procedure. However, the attitude of a plaintiff in his desire not to sever existing relationships or contravene certain ideals of conduct, may affect

1. M. Mead's report on the quarrel between Balidu and Aden well illustrates this last situation when Aden concludes his harangue "with the accusation that after all Balidu had not helped him in his feast" (1947:306).

both procedural and substantive aspects of an altercation. Thus in one case of inter-village adultery reported by Hogbin for the Wogeo, charges were not repeated in the offender's settlement because the plaintiff was related to the headman of that unit and the defendant was the latter's son (I938:231). Similarly, an accusation may be specific in regard to the identity of the culprit, or, where the prosecutor does not wish to alienate public opinion by 'breaking the clan', a general harangue not explicitly naming the offender.¹ Harangues may also be delivered in the form of a general homily against the young (Read I948:II6, Mead I970:77) though among the Arapesh the fact that these accusations are sometimes received in silence does not signify deference to elders, as is the case for the Ngarawapum, but rather that the scolded person is aware that the rebukes serve as a catharsis for the plaintiff (Mead I970:77).²

Detailed examination of the substantive aspects of such verbal disputes reveals two features recurrent throughout all the procedures discussed in this thesis:— (I) Past grievances may be resuscitated either during the altercation (Williams I930:I42, II3; Mead I949:285), or as Koch reported for the Jale (I967:I53), during the debate preceding a 'suaxal' in which old offences by the offender, his kinsmen, or residential group, may be recalled. (2) The overt issues expressed may have little relevance to the pattern of underlying tensions and conflicts between the two parties involved. This is well illustrated in a case from Wogeo³ where the hostility between Waru and Sakum concerning the latter's daughter provided the background to an accusation of theft.

Investigation of the incriminatory and defensive speech and gesture patterns utilised by participants in altercations, indicates both the basis on which prestige depends in these

I. see Cases & in Appendix A., and Read I946:II6.

2. see section on 'Ritually Prescribed Conflict' in this chapter.

3. see Hogbin (I938:260).

societies, as well as the importance of specifying their context. Thus Read noted that a certain latitude in the expression of opinions is permitted only between linked village groups among the Ngarawapum (1950:213), while Williams has similarly remarked of the Keraki that the use of the word 'karoroa' (excrement) within the village may occasion physical violence (1936:251). Within such specified contexts there thus exists what E. Goffman termed a 'working consensus' whereby participants "agree not to disagree on the proper tone of voice, vocabulary, and degree of seriousness in which all arguments are to be phrased" (1969:9).

Three elements commonly used in altercations may be enumerated as follows:-

ABUSE: Usually reported as "streams of indignation" (Williams 1930:26, 1936:254), or "harsh vituperation" (Bateson 1932:282, Kabbery 1946:341), it may be directed at a specific individual or at a group of people such as a village, depending on the level of the dispute. To insult a person by reference to their failure to fulfil certain obligations, or their inability to acquire prestige through the prescribed channels, constitutes the principal form of abuse. This is well exemplified in the following quote from a quarrel between a husband and wife of the Abelam tribe:

"G (Husband). . . You do nothing; you are a bad woman; your brother's sago is no good; you have borne no children. You do nothing.

T. You do not plant large yams. . . My brother digs out large yams. You plant one, or two, or three only (Kabbery 1942:218)."

F.E. Williams has similarly remarked how casting doubt on the food producing ability of an opponent serves as a potent form of abuse (1936:233).¹

BOASTING: This consists of emphasizing to the advantage of oneself or one's respective group, various attributes valued by the society of which one is a member. Those noted by Williams for the Orokaiva - prowess as fighters, strength of numbers, and material wealth - are thus used to deride and shame the opposing party.

THREATS: These may be 'explicit' in their conveyed intentions of physical violence (Williams 1930:142, Read 1956:215), or 'covert' through "reference to what has been done to persons in the past for similar offences" (Hogbin 1938:233). Such speech patterns are invariably voiced in loud tones indicating both the importance of the speaker and the seriousness of the issue itself.³ To a large extent this is what M. Mead (1970:77) termed "cultivated aggression" which Big-men, as well as those aspiring to such positions, are ideally expected to manifest when they present themselves to a public. However, in Jale society, when the volume is considered too high by one party, they may effect a temporary cessation of the disputing by utilizing a form of laughter called 'nge Kngok'.

Ritualised² gestures and dancing augment the verbal tirades, and may take the form of parading back and forth between the houses as in Wogeo society (Hogbin 1938:230) and among the Orokaiva (Williams 1930:26), stamping up and down the piazza slapping one's thighs as among the Abelam (Kaberry 1942:341), and brandishing one's spear to intimidate the opponent. The 'performance' may conclude without any formal or informal settlement where

1. see also Read 1946:116, and Mead 1947:305-306.

2. The problem of distinguishing between real and ceremonial hostility in the course of the ethnographers' fieldwork has been remarked upon by M. Mead (1947:305).

3. F.E. Williams similarly notes that a loud voice is not always a sign of anger, but "the native rhetorician's mode of emphasising his meaning" (1936:238)

(1) the protest has been more a matter of form than an expression of real anger, and where exhaustion and tedium set in (Williams 1930 cf.:142; Koch 1969; Kaberry 1942:338), (2) either the charges cannot be proven, or the accused is not considered responsible for his actions, as is the case for an 'alomato'in' in Arapesh society (Mead 1947:388), (3) the offended individual does not consider further action appropriate in the circumstances (e.g. where he might alienate public opinion by 'breaking the clan').¹

Table IV enumerates three common procedures associated with altercations, though we must reiterate that the ethnographies do not allow of as full a treatment as desired. F.E. Williams has thus noted somewhat casually that "an acknowledged type of rejoinder in any dispute² is to challenge your adversaries to display as much food as you can display" (1936:233). A similar procedure involves depositing a trophy head from a raid at an adulterer's feet, challenging him to match it (1936:162). Among the Abelam, challenging an adulterer to equal one's display of yams occurs only in those situations where either the offender will not admit his guilt (Kaberry 1942:215), or where no settlement is reached (Kaberry 1942:338).³ In one sense these procedures represent what

1. viz. *infra* p.001.

2. The emphasis is mine.

3. Yam exchanges are carried out between members of two clans of opposite 'ara', and though the clans of one ward usually belong to the same ara (Kaberry: 1957:8), it is clearly not always the case (Kaberry 1957:19). This explains the occurrence of the yam challenge at the intra-section level in Table IV.

TABLE V. REACTIONS FOLLOWING ADULTERY

CASE NO	LEVEL	BRAWLING	AVOIDANCE MECHANISMS	THIRD PARTY INTERVENTION	ADDITIONAL PROCEDURES	MEANS OF RECONCILIATION
7	Intra-Clan Flagrante Delicto	-----	Withdrawal of offender	Clan elders intervene	Offender takes punishment without retaliating	Eating in public by disputants
	Intra-Village	Brawling in past now Ft. matches	-----	Influentials of linked clan units intervene	-----	Eat in public following compensation
	Inter-Village (linked)	Brawling	-----	Non-related clans of villages involved intervene	-----	Exchange of food
	Inter-Village (non-linked)	Brawling	-----	Elders intervene after wounding	-----	Exchange of food
2	Intra-clan Flagrante Delicto	-----	Withdrawal of offender or husband	Headman intervenes	Self-inflicted injuries	Eating in public by disputants
	Intra-village	-----	Withdrawal of offender	Not Specified	Self-inflicted injuries	Not Specified
	Inter-village	Brawling in past	Offender avoids all	-----	Young men must use ritual fights	Gifts given to offended husband
6	Intra-village	Brawling	Withdrawal of offender	Elders may intervene	Offender takes punishment without retaliating	Exchange of Pigs or Dogs
	Accusation of Husband		Withdrawal of Wife			
	Inter-village	Brawling	-----	-----	-----	Not Specified
5	Intra-village	Brawling	-----	Not Specified	Offender takes punishment without retaliating	Eat or Smoke together or exchange tobacco
	Inter-village	Brawling	-----	-----	-----	Eat or Smoke together

Ft. = football

4	Intra-clan	-----	Withdrawal of offender	Clan elders or relatives intervene	-----	-----
	Intra-Section	Brawling	Ritual avoidance	Section elders may intervene	-----	Brothers-in-law and Cross-cousins exchange rings
	Inter-Section	Brawling	Ritual avoidance	Intervention by elders possible	-----	-----
3	Intra-clan	-----	Withdrawal of offender	Clan elders may intervene	-----	Exchange of rings
	Inter-Section	Brawling	-----	-----	-----	Exchange of rings/pigs
1	Intra-Section	Brawling	Withdrawal or ritual avoidance by offender	Intervention by section members possible	-----	Exchange or gift of pigs
	Inter-Section	Brawling	Informal or ritual avoidance	Intervention by Big-man or elders possible	-----	-----

KEY TO NOS.

- 1 JALE
- 2 WCGEO
- 3 ARAPESE
- 4 ABELAM
- 5 KERAKI
- 6 OROKAIVA
- 7 NGARAWAPUM

L. Coser termed 'safety valve mechanisms', the function of which is to direct hostility into substitute channels; a point recognized by Kaberry in her remark that "it is a mechanism by which rivalry can be expressed and superiority demonstrated without recourse to violence" (1942:349,339). The 'challenge' thus serves both to permit competition for prestige in addition to providing a means whereby the guilt of a person may be determined, i.e. in that failure to meet a challenge is regarded as evidence of the latter fact.

From an examination of Tables IV and V a number of important points emerge in respect to the kinds of action which may precede or follow a public verbal dispute,¹ and the circumstances in which they prevail. In the case of adultery, withdrawal by the offender invariably follows the offence when committed within the clan, or (in Case Nos.2,4,6,) within the section (Case Nos.1,2). Withdrawal by the offended party (Case Nos.2 & 4) may also follow an altercation where (a) "the individual considers the point at issue to be one crucial to his self-interest and rights", (Kaberry 1942:341); (b) he finds the prospect of co-habitation with the offender unbearable, and (c) when he is faced with the conflict of his wish to use violence and the moral injunction not to (viz.infra. Case 9).

These avoidance patterns are in most instances correlated with an absence of 'brawling', which occurs mainly where adultery involves the opposition of villages, or sections (Case Nos.3 & 4). The correlation is partly attributable to

1. These activities are discussed more fully in later sections.

the greater pressures which exist to settle disputes within the clan, from recognition of the deleterious effects of any division which may weaken the strength of the unit in relation to others within the parish, and the implicit acknowledgement of the mutual interests and need for co-operation among clansmen. These values similarly find expression in the following two clan prohibitions: on Quarelling when elders intervene with the exhortation, "You must not quarrel; you are one clan; you are one totem" (Kaberry 1941:95, also Mead 1935:128, and Williams 1936:260,148), and on Fighting as that noted by Mead for the Arapesh, "It is all one gens, they will quickly make peace. Within one gens there will be no fight" (1947:359), a prohibition similarly noted for the other respective societies, and usually expressed as a moral norm requiring disputes to be settled 'peacefully' (Read 1950:193, Williams 1936:260, Kaberry 1957:17). Thus we find in Wogeo a complete denial of intra-clan adultery (Hogbin 1938:239), while the Ngarawapum "invariably attempt to minimize the importance" (Read 1950:201) of such clan disputes in case it results in a permanent breach within the group. In both these societies we may again note, as indicated in Table V, that only those instances of adultery which are in 'flagrante delicto' are made public. We may also take note of the point that such actions as 'self inflicted injuries' and the principle of 'non-retaliation' similarly demonstrate the importance of restraining the impulse to use physical violence within the specified contexts.

This latter observation is similarly applicable when

brawling does in fact occur, where an element of ritualized aggression is characteristic of such encounters as that reported by Mead for the Arapesh. This is never a "general fracas", but a "serial and carefully recorded exchange of spears in which the aim is to wound lightly, not to kill" (1935:24). F.E. Williams has also remarked how among the Keraki and Orokaiva "combatants are not bent on killing (1930:328,163; 1936:251,163), a facet noted of the fights in Ngarawapum (Read 1950:215-216) and Abelam (Kaberry 1957:1). Intervention by some third party invariably follows¹ when the dispute is within the clan or section, being less predominant where the maximal units of a parish are opposed, since both authority is absent at this level, and there are less pressures to settle quarrels.

Throughout our discussion we have emphasised how the various elements of a public verbal dispute incorporate and exemplify the officially accredited values of their respective societies. Where the desire to restore and maintain friendly relations thus results in some reconciliation between the disputants, the publicity in which it takes place functions to express these ideals to the relevant audience. As is evident from Table V, reconciliation may be effected either by participation in some joint activity as smoking, or by an exchange of certain specified items. The prevalence of the use of food as a means of reinforcing and reestablishing social relationships, indicates the way in which it symbolizes the common interests and values of the disputing parties.

1. In the case of the Abelam, elders may intervene before fighting actually begins, and place a yellow 'yauwal' leaf on the piazza as a taboo on further fighting (1957:17).

Dispute Settlement by the Extension of Conflict:

We may discuss at this juncture a form of self-help in which there is a deliberate "enlargement of the conflict, creating a new situation in which other socio-political units are forcibly involved" (Kopytoff 1969:65). We shall not be concerned here with those cases where the enlargement of the initial dispute occurs as the result of other units becoming involved through an appeal for help, or on the basis of conceived obligations, or with those cases where a unit retaliates against a third unit which is held liable for the offences committed by the original offenders. These have been discussed in Chapter 2. The type of settlement procedure I am specifically concerned with occurs among the Numfoor and Tolai people where a third party can be either 'forcibly' induced to enter a dispute, or 'contractually' persuaded. However, to return for a moment to a case of inter-village pig-theft among the Ngarawapum (Read 1950:212) where the offended party steals a pig belonging to a co-villager of the offender, this third party is not regarded as having a 'right' to retaliate against the individual who offended him, but must seek redress from the original culprit.

Model I: A offends B: B offends C of same group as A: C must gain satisfaction from A.

The fact that C, in the above model, cannot as of right proceed against A indicates both that the wronged party is to a certain extent justified in compensating itself in the name of the wrongdoer, and that the transfer of blame is accepted by C.

The most notable example of conflict extension is that "custom with the authority of law" (Danks 1887:311) reported for the Duke of York Islands and the Gazelle Peninsula, known as Kamara. P.G. Sack (1972:249-257) has discussed past references to this institution in the writings of such people as G. Brown, A. Hahl,

Schmeile, and von Pfeil, and it is not my intention to traverse the same ground, though the glaring omission of Danks paper entitled "On the Shell-money of New Britain" (1887:305-317) renders many of his observations more in the nature of pure repetition. The lack of detailed information concerning the offences, parties to, and circumstances under which Kamara will be used, as well as the resultant enigmas it poses for the anthropologist, have been noted both by P.G.Sack (1972:258) and S.L.Epstein (1971:160), though adultery, assault, theft, and cases of debt were among the most usual offences which might prompt a resort to Kamara.

Model II exemplifies both the 'vinirua' reported by Hahl¹ (in Sack 1972) and the Kamara pattern noted by Danks (1887:311), in which a number of persons are forcibly induced to enter a dispute:

MODEL II

A assaults B : B cuts croton of C : C destroys a canoe
of D : D damages several canoes of E

In the case of the model recorded by Hahl, the pattern continues until it reaches the original offender A, whereas in the procedure reported by Danks the chain of hostilities ends by some form of consensus.² As is evident, there is no notion of

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1. This consists of a series of killings following an offence such as adultery, and resembles in many respects the 'Kembi' of the Suku people.
 2. We are simply informed that "all now thought the matter should be settled" (Danks 1887:312), a statement which illustrates the validity of S.Epstein's criticism that the settlement processes are "far from clear" (1971:160).

precise or equivalent return of injury in the pattern of offences, and compensation in the above model is made by A to C, C to E, etc. until the series of payments reaches that individual who has not injured anyone in return for a wrong committed against him. Thus B does not receive any compensation despite being the recipient of the initial offence, his only satisfaction deriving from the fact that A is in some sense held responsible for the resultant hostilities, and may consequently suffer shame. Whatever cathartic function this procedure may fulfil,¹ there is no accumulation in legal liability beyond that arising from the first act of Kamara, as is evident from the pattern of indemnifications. This contrasts with the procedure noted by G. Schmeile (see Sack 1972:250) where if A steals a pig from B, and B cuts the croton of C, A is held responsible both for the offence against B and C i.e. he is faced with an incommensurable increase in fines.

The status and social relationships of the parties involved may, as we noted in our discussion of public verbal disputes, affect both the use and form of Kamara. This is demonstrated in the case where an influential and strong man offends a relatively weaker individual who is then confronted with the following possibilities:- (1) He can appeal to the offender for compensation, though unless he is able to summon considerable support this is unlikely to be successful. (2) He may resort to the action of Model II, in which event he would

1. P. G. Sack regarded this form of Kamara as "a legally protected emotional outburst to let off steam" (1972)

be liable to pay indemnification himself without receiving any compensation. (3) He could seize some property of a prominent personage, retaining it until such time as the offender makes restitution. Kamara is here used in those circumstances where an offender refuses to compensate the plaintiff, and the offended party lacks the requisite support to force him.

A slightly different variant of Model I has been recorded by both Burger and G. Brown (1910), where the third party replaces the stolen object to B, and attempts to seek satisfaction from A often claiming extra for his 'inconvenience'. In the event of a thief proving somewhat stronger, the third party may turn to D and E with the same request he faced from B, until combined they feel stronger than the offender; the transferees thus do not disappear from the legal scene. Public opinion is important in determining the valuation of an offence,¹ though excessive amounts beyond the norm may be demanded from the culprit where he is faced with an overwhelmingly stronger claimant.

However, as an alternative procedure the offended party may involve another individual by offering to sell him a claim. Thus if the damage is valued at 30f, he takes 3f (i.e. 10 per cent) to a third person who, if he accepts the offer, will repay the 30f and attempt to collect payment from the initial offender. Where the latter course of action proves

1. cf. Danks 1887:312 which echoes M. Mead's comment for the Arapesh that "there are no sanctions to deal with the violent man" (1935:26).

difficult, the following possibilities are open to the new claimant:- (1) he may resort to physical violence against the culprit, or (2) he may refuse to issue loans to anyone until the payment is made, thus mobilizing the rest of the community against the offender, and (3) he may adopt the procedure of seizing property from other persons to align them against his opponent. That the third party C is not acting as a mere agent of the offended B, and that the latter thus does not disappear from the ensuing events, is demonstrated both by Danks observations that B "engages (C) to assist him" (1887:312), and G. Brown's comment that "if an adulterer does not pay he must be prepared at once to face the chief and B and his friends" (1910:253).¹ One may also observe how the 'forcible' and 'contractual' models were co-existent patterns of alternative action, the choice often depending on whether the aim was revenge or recoupment of the debt. Where the former is the case, a person who has had something stolen might "break a leaf or dracaena plant in the chief's garden or injure a canoe (Brown 1910:300) leaving this third party to collect payment from the offender, even though he will not receive anything himself.

The importance and indeed necessity of involving an 'influential' individual is related to the Tolai's notion of profit making and prestige. Thus the factor of choice for C in the contract situation is crucial to the effectiveness of Kamara, since it is only where the 'chief' deems himself

1. As Sack (1972) rightly notes, the third party acts as part of the group of the injured.

capable of forcing the offender to pay will he accept the fee, for "it would be a serious loss of prestige if he were to fail" (Danks 1887:312). Similarly Sack's (1972:254) observation on the Tolai's eagerness to make a profit echoes Danks remark that it would be "quite contrary to a New Britain man's nature if he did not try" (1887:312) to extract a further 10 per.cent from an offender when the latter makes his payment. The third party thus is not angry at the individual who commits an offence against him, a situation contrasting with that of the Suku, where the third party is angry at both parties for involving it in the quarrel.

Kamara thus consisted of a number of 'legal possibilities' which both allowed weaker parties to seek redress against more powerful offenders, as well as effectively mobilising public opinion in support of one's claim. Indeed, G. J. Held (1957:232) explicitly stated that the action of a creditor in taking goods away from a third party in Numfoor society was a means of making a debt public knowledge. However, one is not justified in inferring that the involvement of influential persons in any way guaranteed a settlement, it merely facilitated one.¹

* * * * *

1. Danks remarked that "atonement is often made at once as soon as the great warrior has been dragged into the quarrel" (1887:312).

TABLE 3.

SOCIETY	LEVEL OF CONFLICT EXPRESSED	OCCASION	OFFENCES
HULI	Intra-Parish Intra-Section	TEGE ritual during Initiations	Omission of various obligations Accusations of laziness etc.
KIWAI	Intra-Parish Intra-Section	Mimia ceremony held at Initiations	Homicide
WOGEO	Inter-Parish Inter-Section Intra-Section	Initiations and Warabwa Feasts held when (a) Completion of a new club house. (b) Appointment of an heir to the position of headman. (c) Settlement of an important dispute. (d) Completion of a new dwelling for the headman. (e) For the purpose of enhancing the prestige of the host.	Adultery
MOWEHAFEN	Inter-Parish Intra-Parish	Ausan feast as part of the cycle of mortuary observances.	Theft Adultery Land disputes Omission of obligations
OROKAIVA	Inter-Parish Intra-Parish	'ESU' (a) Acceptance of bride-price (a-dorobu) (b) Feasts. (c) Mourning ceremonies	Killing of dogs Depredations of pigs Defilement of water supply Sorcery accusations

RITUALLY PRESCRIBED CONFLICT

My intention in this section is to discuss those ritual conflicts which have been conceived of, following Coser (1965), as 'safety-valve' mechanisms that provide a socially sanctioned framework for carrying out conflict such as fighting, without leading to consequences that disrupt relations within or between given groups. It is perhaps important to emphasise at the outset that recognition of the cathartic value of such ritualised dramas is not simply the product of anthropological observation, but something explicitly understood by the participants themselves.¹ Thus I. Hogbin noted in regard to the Wogeo that "the purpose of the affair is freely acknowledged as providing an opportunity for the expression of pent-up emotions" (1938:318). Table III specifies those societies for which such ritual conflicts have been recorded, and it is at once evident that there exist important differences between the group composed of the Wogeo, Orokaiva, and Mowehafen, and the remaining societies.

In the case of the Huli and Kiwai, ritual conflict occurs as a prescribed part of initiation ceremonies, and there is no consequent expression of inter-parish disputes as is the case in all the other societies. Among the Kiwai, mock fights take place outside the village in the bush, between the adult men and initiates when despite the use of weapons, great caution is exercised in the fighting. This activity may take place several days in succession, ending when the leaders, in order

1. cf. Todd 1935:406, and Glasse 1969:108.

to avoid the possibility of serious bloodshed, "make the participants exchange their weapons for pieces of flat board and sago-leaf stalks" (Landtman 1927:369). There is no formation of opposing groups, but an exchange of blows between pairs of individuals who may or may not belong to the same clan. While Landtman does not explicitly state that the participants may use the occasion to redress any grievance, if someone is killed in the course of the fighting the offended clan may wait until the next Mimia to exact their revenge.

Among the Huli hostility is similarly exercised between pairs of individuals, though where tempers become inflamed the event can develop into a general melee. Both residents and non-residents of the sponsoring section (or sections) participate, calling upon some person against whom he has a grievance because of a past offence or omission of some obligation, though cognizant of the prohibition on involving one's father or father's brother. The complaint is publicly announced following which the nominee presents his back for the plaintiff to whip; the defendant has a right to immediately retaliate by counter-indicting his accuser, the whole episode concluding when someone announces he has heard "the cry of the Urungawe bird" (Glasse 1969:108).

Where inter-parish conflicts are expressed in ritualised fights, as is the case for the Wogeo, Mowehafen, and Orokaiva, the whole event serves as a form of political aggression in which the aim is to gain prestige both for the sponsor and his group. In Wogeo, invitations to a Warabwa feast are made

by one village headman to another headman of a hostile parish, and since acceptance always entails an obligation to make a return invitation, it is often necessary for a prospective host to resort to devious means to manoeuvre a desired guest into the situation where the 'Warupo'¹ may be performed. The hostilities take place outside the hosts village, or where the occasion is an ear-piercing ceremony outside the club house, and last for approximately ten minutes when the headmen and elders intervene to restrain things from developing into a general brawl. There is no principle of division in the opposing groups and as in the Huli and Kiwai, fighting consists of a series of separate encounters between individuals in which the use of weapons is prohibited. Grievances of long standing, such as adultery,² are thus expressed in a context governed by definite rules, the level of disputes aired being (a) inter-parish, (b) intra-parish conflicts of the hosts, and (c) the intra-parish quarrels of the guests themselves. The rules of kinship behaviour which normally forbid violence between affines, brothers, and persons of the opposite moiety, are in abeyance during these ritualised combats.

Like the Warabwa, the Ausan is similarly an occasion when, apart from the display, exchange, and distribution of food, its raison d'etre is to "provide an opportunity for the settlement of grievances and quarrels" (Todd 1935:406).

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1. This consists of bowling "an orange coloured coconut along the floor on to the man's knees" (Hogbin 1970:310).
 2. Apart from this offence, there is no mention of the range of grievances which are capable of being expressed in this manner.

Invitations are formally made between village headman by means of a gold-lip shell, the headmen being in constant reciprocal exchange throughout the festival. Hostilities are carried out on the dancing ground outside the village¹ when the opposing groups face each other across a square 50 yds. in length. Among both the Orokaiva and Mowehafen there seem two distinct phases of the event:-

(1) There is a ritual display of hostility by means of a threatening advance and retreat by the opposing parties in turn, crouching "behind their shields and with spears in readiness" (Williams 1930:31).

(2) There is actual fighting which consists of a series of individual duels between pairs of enemies discharging their grievances. Thus, as with all the cases recorded, the opposing groups do not fight as units, it is only "a few individuals who perform excited excursions (Williams 1930:141). Despite the participants conception of the alignment of groups in terms of clans or villages, there is a great deal of flexibility in the system.² Among the Mowehafen, where there are two mens houses in the parish, the members of each under their respective leaders form the opposing units, each attempting to outdo the other in terms of the size of their following. Where the Ausan is arranged jointly by two villages, the sons

1. We may perhaps speculate that the significance of such fighting occurring 'outside', as is the case for the Kiwai, Wogeo, and Orokaiva (Williams 1930:141) as well, is related to the fact that the village is regarded as a place of peace.

2. cf. I.Hogbin 1970:321.

of the two headman may act as leaders, though the parties are not necessarily aligned by village membership. The level of conflict expressed is similar to that noted earlier for the Wogeo, though in the case of the Mowehafen inter-parish disputes may not necessarily involve one of the hosts, i.e. it may be a dispute between individuals of two guest parishes.

A number of restraints operate to prevent the fights from developing into something more serious, these may be enumerated as follows:- (a) The wives and daughters of parish headmen dance in the middle of the ground, and (b) the headmen themselves may intervene by going into the centre with lighted torches and imploring the participants to desist from further fighting. (c) Fighting is prohibited between both real and classificatory affines, thus restricting possible opponents.

Among the Orokaiva, the 'Esu' occurs whenever one group of clans enters the village of another, though, unlike all the other cases discussed, women seem to take an active part in inciting the men to violence, often "armed aggressively" (Williams 1930:31) with their quarterstaves; however, real clashes are carefully avoided.

One of the functions attributed to such ritual combats which we have not as yet discussed, concerns the political relationship between the participant parishes. Such occasions serve to mitigate the possibility of surprise raids by (1) providing an opportunity for socially approved fighting, and (2) because the guest is obligated to return an invitation, he finds himself under a moral obligation to refrain from raiding, or aiding others to attack his creditors. However, among the Orokaiva and Mowehafen there is always a remote possibility that the elders will not be successful in preventing the mock fights developing into more serious brawling, but even this is to some extent governed by a 'definite procedure'. There is a great "deal of sham" (Williams 1930:162) in these brawls, and no serious intention to kill; "the men of one side discharge their spears which are carefully avoided or deflected by their opponents, who then take their turn to assume the offensive" (Todd 1935:406).

We must also note that these fights in no way function as a means whereby a decision as to the guilt or innocence of an individual may be reached; they simply provide a chance to express and redress grievances. Thus, whether the infliction of a wound is likely to be regarded as 'settlement' of the dispute, depends entirely on the attitude of the defendant and those of his kin group who may be involved. However, the contexts in which the ritualised fights occur may affect the settlements of disputes within a parish, because the accretion in prestige and authority which a sponsoring headman in Wogeo derives from a Warabwa permits him to more effectively inter-

vene in quarrels.

The notion that this form of conflict acts as an 'emotional purging' has been explicitly remarked upon by all the respective ethnographers, an example of which is I. Hogbin's observation that "people give vent to their hidden feelings and thereby expel them. Then a fresh start can be made" (1970:105). As we noted for public verbal disputes, there is a certain license of expression permitted during these ritual conflicts, a point illustrated in Wogeo society where certain fighting prohibitions are temporarily suspended. Indeed, I. Hogbin¹ has gone so far as to suggest that such reversal of norms serves to emphasise the required ideals themselves, again showing the extent to which these ritual dramas are rule regulated activities.

Despite the paucity of recorded instances of self-inflicted injuries and the lack of information concerning the circumstances in which this procedure is used,² it would seem that the activity of "drawing attention to a wrong by actually making it worse" (Williams 1936:260) occurs both where (a) the identity of the offender is known, as in Keraki and Wogeo, and (b) in those cases where the culprit is unknown, as in the Tolai and Orokaiva. The necessity to make explicit these situations derives from the functions which this form of self-

1. cf. 1970:106

2. The table specifies only those offences which have been specifically recorded by the respective ethnographers, thus rendering it impossible to assess what other offences may have prompted a resort to self-injury, as well as to what extent the type of offence may determine the mode of procedure taken.

help fulfils for the individual who uses it. In Wogeo society an offended husband will attempt to set fire or demolish the corner posts of his own house following

Table 2.3

Self-Inflicted Injury

Society	Level	Offence	Ref.
<u>Wogeo</u>	Intra-clan	Adultery	I.Hogbin
	Intra-section	Adultery	I938:240-241
<u>Orokaiva</u>	Intra-section	Theft	F.E.Williams I930:332-333
<u>Keraki</u>	Intra-section	Theft	F.E.Williams I935:250
<u>Tolai</u>	Intra-section	Theft	G.Brown
		Trespass	I910:300
<u>Wanggulam</u>	Intra-section	Theft	A.Floeg I969:58
<u>Chimbu</u>	Female ego-agnates	Unspecified	J.Nilles I950:50

the discovery of an adultery, and often follows such activity by temporarily withdrawing from the village as well. The importance of observing that this course of action is likely to follow an offence committed by a fellow clansman stems from the fact that the offended individual is consequently faced with the conflict between his desire to seek revenge by physical violence, and the clan norm prohibiting such violence within the group. Thus apart from perhaps allowing tempers to cool, self-injury was also an "effective way of bringing home the guilt of the culprit without direct violence" (Hogbin I938:240), especially in those situations where the offender's identity was known. Similarly among the

Keraki, a man who finds his stolen taro shoots will destroy them on the spot and carefully place the remains on some conspicuous pathway. Once again, such action may partly be attributed to the desire to refrain from any violence,¹ though as Williams correctly pointed out, the offence is thereby also made public knowledge, in an attempt to shame the thief into paying compensation.

Among the Orokaiva, the theft of a man's water-melons may similarly provoke him to destroy a whole crop, leaving the pieces on some well used path; or where someone steals another persons' spears, the offended party may demolish his own house "before the eyes of the whole village" (Williams 1930:333). In these instances the identity of the culprit is not known but the intention, or purpose, of the procedure is very much the same as in the case where the offender is known: by aggravating the injury the plaintiff attempts to gain a measure of sympathy from others and thereby induce shame (meh) in the offender. This 'revenge of being injured' in Orokaiva society is conceived of as deriving from the mental state termed 'sisira', part anger and part self-pity. An injured individual may also resort to fasting, avoidance, or even suicide as forms of self-inflicted injury, though in precisely what circumstances each may be used is not explained by Williams. G. Brown noted in regard to the Tolai, that following a case of theft the injured party is likely to burn down his house to (a) shame the offender into compensating

1. See F.E.Williams "the group should be at peace" (1936:260).

him,¹ and (b) as a means of symbolically venting his anger.² In this context Brown also suggests that this activity may also be a form of cursing, a speculation impossible for us to substantiate, although A.Ploeg (1969:58) has recorded a case of self-injury among the Wanggulam where following the theft of a stock of bananas, there was a clear intention to harm the culprit supernaturally by destruction of the victim's own property.

Self-inflicted injuries occur also in other situations, notably as an expression of grief for a dead relative, and in Kapauku society as a means to convince others of one's innocence (Pospisil 1964:195). It is not my intention to discuss here those instances of sickness or spirit-possession³ where there is a clear imputation of supernatural intervention other than to make a number of important observations relevant to the discussion in hand. Firstly, it seems that such self-inflicted states also serve to make public some grievance in an attempt to gain sympathy and commonly occurs in those situations of conflict where direct confrontation with the opposing party, in physical terms, is conceived by that person as detrimental to his/her interests (e.g. it might provoke the husband to divorce his wife). The state of sickness or possession which results from a dispute with another person functions to avoid open conflict. Secondly, it is an instance of a more general tendency to substitute supernatural methods of retaliation for physical force within that sphere of relationships⁴ where there is "an inclination to avoid open quarrels and disruptions" (A.Ploeg 1969:157).

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1. An intention which an offended wife in Chimbu society also seeks to effect.
 2. M.Mead (1970:77) similarly noted that an angry person in Arapesh society "will come home and hack violently at his own palm tree."
 3. Readers are referred to A.M.Strathern's paper (1968) on 'Popokl'.
 4. The precise limits of this sphere will depend on the degree of independence of the units of a parish.

Table 8

<u>SOCIETY</u>	<u>LEVEL</u>	<u>CIRCUMSTANCES</u>	<u>IDENTITY</u>	<u>MEANS</u>
<u>KAPAUKU</u>	Daughter-agnates	Dispute concerning marital choice	Threat/real by daughter	Drowning
<u>GAHUKU-GAMA</u>	Male ego-agnates	Failure of kinsmen to provide a bride	Male ego from shame (Nogoza Helekave)	Surrender to enemy
<u>LAKALAI</u>	Intra-clan	Serious offence	Offender from shame (mahela)	
<u>KIWAI</u>	¹ Intra-clan	Incest	Victim's brother from shame (hiriro)	Hanging
	² Husband-wife	Appropriation of property	Wife	Hanging/ Surrender to enemies.
<u>S.FORE</u>	Daughter-parents	Dispute concerning marital choice	Threat/Real by daughter.	
<u>CHIMBU</u>	Husband-wife	Ill-treatment of wife	Wife	Drowning/ Hanging
	Daughter-parents	Dispute concerning marital choice/refusal to sanction divorce.	Daughter	"
<u>WAROPEN</u>	Intra-clan	Incest/serious offences	Male offender from shame (ningamaro)	Drowning
<u>MOWEHAFEN</u>	Male ego-FB/F	Refusal to provide bride-wealth.	Ego	Hanging
	Daughter-parents	Premarital pregnancy	Daughter from shame	Hanging
<u>TOLAI</u>	Husband-wife	Ill-treatment of wife	Wife	
<u>HULI</u>	Female ego-F&/B	Dispute concerning marital choice/refusal to sanction divorce.	Female ego	Hanging
	Husband-wife	Unspecified	Wife	Hanging
<u>N.B.DANI</u>	Unspecified	Unspecified	Female	Drowning
<u>S.B.DANI</u>	Unspecified	Unspecified	Female	Surrender to enemies

SOCIETY	LEVEL	CIRCUMSTANCES	IDENTITY	MEANS
<u>MELPA</u>	Daughter-Parents	Dispute concerning bride-wealth pigs promised to daughter/refusal to make moka with husband/refusal to sanction divorce/marital choice.	Real/Threat by daughter	Hanging
	Husband-wife	Assault by husband and refusal to give compensation/default in exchange payments to wife's kin/insult. Wife is discovered in adultery with kinsman	Wife from anger (popokl) Wife from shame (pipil)	Hanging
	Female ego-Z	Dispute concerning distribution of a pig.	Offended female	Hanging
<u>KAMANO:</u> <u>JATE:</u> <u>USURUFA</u>	Intra-clan	When male receives public reprimand considered unjust	Ego from shame & anger	Hanging
	Husband-wife	Assault following wife's refusal to have intercourse/false accusation of adultery/preference for co-wife/sexual incompatability.	Real/Threat by wife from anger or shame.	Hanging
	Wife-husband's agnates	Accusation of sorcery	Wife from fear of retaliation	Hanging
	Intra-Lineage	Refusal to send female in marriage	Female Ego from shame	Hanging
<u>KUMA</u>	Male ego- B/MB	Adultery with B/MB's wife	Offender from shame and fear of branding.	Hanging
	Daughter-Parents	Dispute concerning marital choice/refusal to sanction divorce	Threat/real by daughter	Drowning
	Husband-Wife	Dispute concerning neglect of duty	Wife	Hanging
<u>OROKAIVA</u>	Male ego-friend	Offence against a 'naname' (friend)	Ego	Hanging
	Intra-clan	Serious offence	Victim from anger & self-pity (sisira)	Surrender to enemy/Hanging
	Co-wives	Unspecified	Offended female	Poisoned herself

<u>SOCIETY</u>	<u>LEVEL</u>	<u>CIRCUMSTANCES</u>	<u>IDENTITY</u>	<u>MEANS</u>
<u>WANGGULAM</u>	Unspecified	Unspecified	Female	Drwoning
<u>MAE ENGA</u>	Daughter-parents	Dispute concerning marital choice	Threat/real by daughter	
<u>WOGEO</u>	Husband-wife	Assault by husband following dispute/adultery by husband	Threat/real by wife	Hanging
<u>GURURUMBA</u>	Wife-husband's agnates	Accusation of witchcraft	Wife	

1. see G.Landtman 1927:173.

2. see W.N.Beaver 1920:177.

SUICIDE:

In general, cases of suicide have not been as well documented for New Guinea as they have for African societies (see Bohannan 1960) and any analysis in terms of social-structural variables is perhaps a little premature given the present state of our knowledge. However, it is an area of immense importance to this study not only because it represents another form of self-inflicted injury,¹ but because of the way suicide patterns reveal womens reactions to dispute situations. The majority of the recorded instances of suicide from our sample of thirty-five societies, which are the result of some dispute or offence (i.e. not from such institutionalized situations as grief) are compiled in Table 8 on which two points must be made: (1) that included under the column of 'means' are those instances where a person voluntarily surrenders himself to an enemy in the expectation of death. R.M. Berndt's suggestion that we should limit the term solely to cases of "death by one's own hand" (1962:180) places an unwarranted restriction on the interpretation of suicide cases in terms of the peoples own conceptions.² (2) That there does exist certain differences as regards the observations of anthropologists who have worked in the same area (e.g. Heider 1970:128 and Matthiessen 1962:92) which may be due to the vagaries of fieldwork experience, though clearly Berndt's (1972:1059)³ analysis is based on an inadequate reading of the ethnographies.

1. see also relevant section in this chapter.

2. Thus one might also include a case noted by A.J. Strathern (1971:39) where after a dispute with a fellow clansman, an angry man might cut down a Poklambo tree as a form of protest and in expectation of death from his Mi.

3. Specifically his discussion in the Encyclopedia of Papua and New Guinea vol. II, and his omission of those suicide cases which occur among the Kiwai.

The initial difficulty in any study of suicide arises principally from attempts to understand 'motive', both because stated reasons often differ from real reasons, and because the ethnographer has often to rely on traditional accounts where there inevitably occurs what Berndt termed "rationalization after the event" (1962:181). Clearly, any analysis must consider suicide not only in terms of personality factors, but situation, cultural expectations, and personal choice. To a large extent interpretations of suicide in New Guinea have been based on Malinowski's analysis (1926:94) in which he distinguished three important factors: (a) that suicide represents an attempt to escape from situations without an issue, (b) or to expiate a sin or offence- self-punishment, or (c) a form of protest against those that have driven him to such action - revenge. In this context it seems that the people themselves attribute such suicides to states of extreme shame or anger, the two often constituting a temporal sequence.¹

From an examination of the ethnographies it seems that men commit suicide in the following situations: (1) When because of the direct action, or inaction, of others he suffers shame and/or anger. Thus instances of suicide among the Gahuku-Gama, Mowehafen, and Melpa (A.M. Strathern 1972:256) reflect frustration on the part of the suicide with those on whom he depends; there is an element of shame also in the former two cases because the individual considers himself unequal to the rest of the males of his group who have achieved marital status.²

1. Thus Berndt (1962:196) notes that the term Agaze connotes that "shame which leads to anger". cf. also F.E. Williams (1930:333) on the term 'sisira' as self-pity and anger.

2. Females may commit suicide for the same reasons (see Berndt 1962:196).

Among the Kiwai (Lyons 1921:26) it seems that when a FBS commits incest with male ego's Z, ego may hang himself both from shame and as a form of protest. The important fact here is that any direct physical action against the offender is precluded because it is taboo(sabi) within the clan. Similarly, Berndt (1962:206) records for the Kamano, Jate, and Usurufa that quarrels which arise within the lineage (and possibly clan) may result in suicide by the party which feels itself wronged. Once again the choice of other avenues of protest or action are to a certain extent limited because (a) direct physical action would contravene the moral norms of the group, "members are expected to refrain from attempting to injure one another by direct violence or sorcery" (Berndt 1962:396); and (b) continued quarreling might lead to a split within the group thus weakening its strength in relation to other co-ordinate units. These considerations are also applicable to those cases of suicide among the Orokaiva (Williams 1930:332) and Melpa which result from some dispute with fellow clansmen.

(2) Cases where the suicide has himself committed some offence.- Kuma, Waropen, Orokaiva, and Lakalai. While suicide may be in some sense understood here as an attempt to expiate a sin or offence, it is important to note that for the Kuma and Waropen instances, the offence may properly be termed a 'crime' (i.e. offence against his clan) and it seems according to Held (1957:79, 210) and M. Reay (1959a:48, 123) the offender would in any event have been expelled from the parish, or have been killed or suffered mutilation. Suicide perhaps in these cases represents an escape from such situations of extreme punishment.

With regard to the patterns of female suicide two general statements can be made following an examination of Table 8: (I) Females seem to resort to suicide more than men.^I

I. This applies not only in terms of reported instances, but statistically as well. (see Berndt 1962:181, and M. Strathern 1972

(2) That Bohannan's (1960) conclusion regarding African societies - "by far the greatest number of suicides occur in domestic situations" seems also applicable to New Guinea.

Suicide undoubtedly serves here as an index of strain in certain social relationships, and M. Reay suggests this is most likely to occur where "over-rigid regulation (in the cause of social unity) is sought at an excess cost of self-expression" (1959a:202). One exemplification of this might perhaps be in those instances of disputes between daughter-parents concerning marital choices - Kapauku case 37 App.2, S. Fore, Chimbu, Huli, Kuma, Mae Enga, Melpa - though the problem here, as regards Reay's theory, is that the hostility might be more an 'expected' response than a real show of hostility.¹ While statistics are not available, it is reasonable to suggest that one would find a greater preponderance of attempted² suicides in these situations, as the person often sees a real chance of coercing the other party into giving up (A.M. Strathern 1972:233) or effecting a reconciliation (Berndt 1962:188). Quarrels between co-wives might also result in suicide - Orokaiva (Williams 1930:177), Usurufa (Berndt 1962:190) - though this is rare principally because residential separation is alternative means, and women often resort to violence among themselves. However, what does emerge from the case cited by Berndt is that suicide often results as the culmination to a long period of continued quarreling. The fact that the two wives were from mutually hostile parishes was a further source of strain in the relationship.³

1. However, this is explicitly denied by Reay (1959a:179).

2. The incidence of 'threatened' suicide is also likely to be greater in these situations.

3. This is also a factor in the relationships of co-wives among the Kuma (Reay 1959a:80) who also tend to resort to physical means, and any suicide here is likely as in the case noted by Berndt (1962:190) to contain some hostility against the husband as well.

Another area of conflict in the relations between daughter and parents arises over the latter's refusal to sanction a divorce requested by a woman - Chimbu, Huli, Melpa, and Kuma - and often as other avenues of escape, action, or protest are not feasible in the circumstances, suicide may result. Most typically, the type of situation is one of dual alienation, by a woman's husband and her kin. Thus in Kuma society a woman's agnates have a vested interest in ensuring the continuance of the marital relationship since otherwise they would be liable to repay the bride-price which has long since been dissipated, and thus refuge with her kin is not always an alternative course of action since they are likely to send her back promptly.¹ Returning to a former lover is another possible course of action, though once again, unless that man's parish is in conflict with the husband's parish, he may not wish to incur the latter's hostility and start a possible war, and will therefore "send her back with a small payment for the injured husband" (Reay 1959a:180). Suicide under these conditions may offer the person an escape from a situation without any conceivable issue. Similar considerations are applicable to the suicide cases reported for the Chimbu and Melpa, where the importance of the exchange relationships between the wife's kin and the husband may prompt the former to return a wife who has run back to her natal kin.²

With certain exceptions, these arguments seem also

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1. As will be seen in our discussion of marital conflict, among the Kuma a woman has much difficulty in persuading her kin that she has a justified reason for divorce. (Reay 1959a:15).
 2. With regard to the Huli, it seems that it is the fear that they might have to return the full bride-price which urges them to send the wife back (Glasse 1968:73).

relevant to those instances where a wife quarrels with her husband, and then commits suicide. Ignoring motives for the moment, Berndt (1962:188) has succinctly stated the possible courses of action which a wife faces in such situations: refuge with kin, elopement, desertion, continued quarreling, reconciliation¹, or retaliation. As we have already seen, whether the first course of action is open to her depends on her kin's assessment of their relations to her husband and his parish, and whether they feel she is the wronged party. In this context however, one finds among the Kamano:Jate:Usurufa, Melpa, and Kuma (Reay 1959a:202) that irrespective of the real causes of the dispute, the wife invariably serves as a focus for blame both by her husband, and her own agnates who may wish to appear innocent of any charge of complicity, or simply desire to maintain existing exchange relations with the husband. The circumstances and reasons as to why women find themselves blamed will be discussed later, though we may here note that among the Gururumba and Kamano:Jate:Usurufa, societies in which women retain their natal clan membership, suicide may result from accusations of witchcraft or sorcery, offences for which they would otherwise be killed.² Elopement may not be an alternative in any given situation (Berndt 1962:188) and desertion among the Melpa (A.M. Strathern 1972:187) and Kamano:Jate:Usurufa would more than likely be punished by plural copulation.³ The notion that suicide thus represents a choice based on perception of a number of possibilities, must take account not only of the factor of preferences in these, but often of factors divorced from the dispute itself. In addition, suicide patterns may also

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1. Which can be effected by an attempted suicide (Berndt 1962:188).
 2. This may have been the situation among the Melpa as well where women were accused of poisoning, and the fact that she comes from a hostile parish would be an important factor in the situation as it was in the case cited by Berndt (1962:182).
 3. It seems reasonable to suggest that suicide may also have occurred among the Keraki where dual alienation, and plural copulation as punishment for desertion, were also present (Williams 1936:163).

thus reflect not only situations of dual alienation, but the lack of other effective sanctions which could be used against a husband.¹

With regard to the nature of the offences themselves, it is evident from an examination of Table 8 that among the Tolai, Chimbu, Melpa, Kamano, Jate, Usurufa, and Wogeo, an assault at some stage of a quarrel is a precipitous cause in and eventual suicide. Thus Berndt (1962) recorded nine cases of suicide from marital discord, two by men and seven by women, of which five of these last seven illustrate serious assault by the husband.² It is also evident that that an offence such as wrongful appropriation of property does not of itself allow prediction as to the likelihood of suicide or the identity of the party which might take such action. Thus in Kiwai society where the offence is against a wife she may commit suicide as a form of protest, while the same offence among the Usurufa will result in the husband's suicide (Berndt 1962:192). Any marital dispute which eventuates in suicide is likely to have a complex etiology, and reflect not only the interests of the parties concerned, but the dominant cultural themes of their respective societies. This latter point is well exemplified in the very marked contrast between the pervading sexual³ overtones of those cases reported for the Kamano:Jate:Usurufa, and the concern with exchange relations which characterizes Melpa society. With respect to this latter society, and indeed the Kuma as well (Reay 1959a:204), it seems that Bohannan's suggestion that "certain combinations of roles are suicidogenic" (1960:260) is not particularly relevant in these New Guinea societies. Thus, even though a Melpa wife identifies herself with the interests of both her husband and her own kin to the

1. Among the Melpa a wife has a range of sanctions such as popokl-sickness, poison, sorcery, menstrual pollution, spirit-possession, oath taking etc. which she might resort to in any specific situation. If the statistics were available, it would be interesting to see whether the number and nature of these alternative patterns of action in any given conflict situation, affected the appropriate incidence rate of suicide. The fact that suicide among the Melpa rarely results from disputes between co-wives perhaps reflects this point.

2. This may, however, merely reflect a facet of the cases witnessed, or reported by Berndt himself.

3. Marriage is conceived of as a means of engaging in regular sexual activity (Berndt 1952:127).

extent where she may find herself popokl(angry) with both these parties at the same time(A.M.Strathern 1972:282), her suicide results not from any conception of incompatible roles, but from her failure to successfully fulfill them.(A.M.Strathern 1962:284).

Lastly,we may consider attitudes relating to the act of suicide itself, and the problems concerning culpability and liability. While the ethnographies do not permit as full a discussion as one would like, it seems that among the Kapauku (Pospisil 1958:153) suicide was considered an "immoral" act and an offence against either the person who paid the bride-price or was entitled to it if she had married;thus the husband is not liable to give compensation to her kin.This contrasts with the Huli where a husband who causes his wife's death is liable to indemnify his affines,though if the dispute concerns her father or brother they have an obligation to indemnify her MB who would have received some of the bride-price given for her. However, compensation payments do not always connote an acceptance of blame, on the part of those paying it.Thus, among the Kamano:Jate:Usurufa there is no notion of apportioning blame to either the husband or the suicide by the former's kin,and normally only mortuary payments at the wife's death are given to her brothers.However, where her kin are members of the same parish and fighting has occurred or is likely,compensation may be forwarded by the husband and his kin to appease the other party;it is not,however, an acceptance of liability.(Berndt 1962:189).¹ Among the Chimbu (Nilles 1950:48) and Melpa death payments are made to the wife's kin at her death and in these cases may subsume compensation payments as well.² However, for the Melpa, the direction of these payments(Kikkapa) is determined by the place where the wife commits suicide, indicating which ghosts are held responsible for her death.

1.Cf.also G.Brown 1910:253,J.A.Todd 1936:424.

2.i.e. Where the wife's kin feel the suicide is a result of the husband's neglect or ill-treatment, they may demand a higher mortuary payment.

TABLE 9

SOCIETY	LEVEL	DISPUTE	TERM = MEANS - INTENTION
<u>ARAPESH</u>	Intra-parish/ Intra-clan	Unstated	<u>She ne Shapul/She ho wagon</u> :Aggrieved person ties a mnemonic knot of croton-leaf and hangs it on his door.Indicates his intention neither to give or receive food from his offender.
	Husband-wife	Wife's incompetence in her care of pigs.	<u>She ne Shapul um Mbul</u> :Husband affixes piece of bark with arrows and spears on it,to her door as ameans of disciplining her.
	Exchange partners (Buanyin)	Disatisfaction/default in exchange relation	<u>She ne Shapul um Buanyin</u> :Aggrieved party places wooden bowl on agehu to terminate relationship.
<u>LAKALAI</u>	Inter-clan	Follows a peace ceremony after feuding	<u>Tahalo</u> :Avoid physical contact and henceforth become exchange partners.
<u>MELPA</u>	Wife-agnates	Default in their payments to her husband	Swears a Mi oath not to visit them again.
	Exchange partners	Disatisfaction/default/debts	Swears a Mi oath/places Mi on his door as a sign of termination of relationship.
	Intra-lineage Wife-husband	Any grievance Neglect/jealousy of co-wife.	"Puts a mi"(Taboo) on co-residence. Swears a Mi oath against intercourse with her husband.
<u>WAROPEN</u>	Intra-clan	Violent quarrel(Held 1957:237)	Swears an oath which places other person as taboo for him,total avoidance.
<u>OROKAIVA</u>	Husband-Wife	Unspecified	Wears a piece of his Heratu(totem) on his arm and refuses her food.
	Wife-husband	Accusation of neglect by husband	Wears her totemic badge and refuses food from his gardens.
	Intra-village	Boundry dispute	Erects a sign(bunch of leaves) to signify encroachment and neither gives nor receives offenders hospitality.
	Inter-village	Unspecified	Wears heratu and publicly refuses food in order to shame offender.
<u>ABELAM</u>	Inter-ward/Intra ward	Unproven accusation of adultery	<u>Wauna Ndu</u> :Refusal to sit/talk with offender and henceforth compete as exchange partners

SOCIETY	LEVEL	DISPUTE	TERM - MEANS - INTENTION
<u>JALE</u>	Intra-ward / Inter-ward	Theft/Adultery and most other offences	<u>Heleroxo</u> :Refusal to share food, speak, sit, or sleep with the offending party.
<u>MARING</u>	Intra-confederacy/ Intra-clan	Insult/assault/adultery/ Theft/homicide/pig depredation/Where persons or groups are allies of two other opposing units, they must observe taboos.	Initiate taboos(<u>Acek</u>) on eating food cooked over the same fire, or food grown by the opposing person or group.
<u>KUMA</u>	Intra-subclan	Serious and long standing disputes	Initiate fire-taboos(<u>Doap ma Bil</u>), cannot use fire or food cooked on them. The taboo applies to the descendents of the disputants as well

AVOIDANCE:

While the ethnographies under consideration provide few examples of cases of informally instituted avoidance, it is evident that either individuals, by using gardens at different times, or groups which were spatially separated, could simply avoid contact with an opposing party (see cases 7, 10:app.2). However, my concern here is to examine those instances of ritually assumed avoidance patterns which in effect place specific restrictions on intercourse between the two disputing parties. Examples of these have been compiled in Table 9, which also includes cases where a relationship is symbolically and irrevocably terminated. These latter cases seem to be restricted to instances where an exchange relationship has deteriorated because of the "sharp practice" (Kabbery 1942:348) or neglect of one of the participants.^I

Despite the paucity of recorded examples of such taboos, a number of tentative points can be made with respect to their occurrence and the kinds of situation in which they might be used. Firstly, such avoidances were not casually initiated by a party but were used only as a drastic or last resort measure (M. Mead 1935:54-55, A.M. Strathern 1972a:130) since the consequences for the person who swears an oath, or executes the ritual procedure, were very serious. The fact that it did represent an extreme state of anger and self-deprivation was no doubt an important factor in endeavouring to induce shame in the other party. Secondly, formal avoidance may either have followed directly after an offence or dispute, or after fighting, altercation (see case 3:app.2), or an assembly. In the context of this last observation, the situations where such avoidances were most likely to be adopted were (a) where other courses of action were seen as inappropriate and likely to sever the relationship itself, and (b) where other courses of

I. This ritual abrogation of a ceremonial exchange relation occurs among the Abelan as well.

action have failed to produce a settlement of the dispute. Thus among the Abelam, P. Kabbery explicitly states that avoidance only follows an adultery case where "no settlement has been reached" (1942:338). This kind of impasse situation may very well have been characteristic of the disputes among the Kuma, Waropen, Arapesh, Orokaiva, and Melpa; by instituting a taboo serious hostility is averted. The essential difference between these latter cases and the instances among the Lakalai and Abelam is that the nature of the relationship itself does not change, while among the Abelam the disputants enter into a new mode of interaction by competitive exchange.²

Examination of the parties to these disputes reveals that they mostly stem from close inter-personal relationships, either in a kin or residential sense. The intention of instituting these avoidances is to publicly declare a grievance and attempt to discipline the other party by appealing to public sympathy, withdrawing co-operation, and attempting to induce shame in the offender. The nature of the restrictions themselves, (1) on giving and receiving food, (2) using each others fires, (3) and the termination of co-residence, are well suited to the expression of hostility because they symbolize shared interests, co-operation, and friendship; resumption of friendly relations is thus expressed in these ways as well, e.g. commensality. The importance of the ritual involved in instituting such taboos lies precisely in the fact that the conflict is both made public and impersonal and formal; discussion over the taboo is unnecessary in these circumstances (M. Mead 1935:58). The restrictions are specific and do not entail non-cooperation in other activities, "the area of the conflict is narrowly defined" (Rappaport 1968:209) thus inhibiting a complete breakdown of the relationship and the possibility of a more dangerous expression of enmity.

I. Among the Abelam this also serves as a means whereby a person can refute a charge of adultery; failure in the exchange thus indicating guilt (Kabbery 1942:215).

It is instructive at this juncture to compare these avoidance patterns with some of the other self-help mechanisms already discussed. The use of the term "safety-valve", as applied to these various procedures by anthropologists, is a recognition that they provide an institutionalized outlet for hostilities within specific conflict situations, and serve to mitigate the serious consequences that might otherwise ensue from such disputes. L. Coser (1956:41) distinguished three modes of expression of such conflict, with which we can interpret the procedures previously enumerated;

- (a) The direct expression of hostility against the source of conflict:
-Ritualized fighting, duels.
- (b) The displacement of hostility onto substitute objects:- Self-inflicted injuries, suicide.
- (c) Tension release activity without the need for object of hostility or substitute:- Harangues, altercation.

While ritually assumed taboos share similar functions to these mechanisms, it clearly represents, in Coser's terms, "a displacement of the means" (Coser 1956:43) of expressing conflict. The essential, and important, difference between this, and instances of ritualized combat, is that the nature or terms of the relationship does not alter and thus is a suitable means of expressing hostility where a complete severance of the relationship is not desired. While R. Lappaport does not analyse ritual avoidance in these terms, he does suggest that taboo is "better fitted" (1968:209) to the expression of conflict, because it turns the disputants away from each other, than ritual¹. This statement, apart from being too ambiguous to allow serious discussion, ignores both the fact that institutionalized conflict is by definition a rule-regulated activity and has the merit of "clearing the air" (Coser 1956:42), and that self-help procedures, as those discussed, are usually part of a total

1. It is similarly unclear whether he uses the term for a system of religious rites, or merely for any prescribed procedure.

strategy, or series of actions in response to an offence.

The abrogation of such ritual taboos is effected by a number of procedures. Thus, among the Waropen (G. Held 1957:213) and Arapesh people the practice is to 'throw lime' to signify a formal end to previously hostile relationships, or, among the Maring (Rappaport 1968:205) and Waropen (Held 1957:237) this is achieved by the use of certain leaves for rubbing each other.¹ In Orokaiva society the state of avoidance is informally ended by an exchange of gifts, or as in the case of intra-clan or inter-clan conflicts among the Arapesh, by commensality of the two disputants. In the case of the Jale and Maring peoples, where ritual avoidance is more frequently resorted to, the resumption of relations is formally signified at the respective Pig feasts of these communities, where the person who initiated the taboo (Maring), or the offender (Jale) must kill and present a pig (or pigs) to the other party.²

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1. We may note that among the Gururumba (Newman 1967:87) the Lusu ritual similarly serves to end a state of illness produced by intra-village, or intra-clan disputes, and in which the disputants rub each other with specially prepared water.

2. Known as Mangawaroxo among the Jale, and as Acek Kung (taboo pigs) in Maring society.

WITHDRAWAL:

It is my intention to examine here the occurrence of withdrawal as a response to both inter-personal and inter-group conflicts. The motives for any residential move are likely in each case to be complex, reflecting not only aspects of the dispute itself but such factors as the size and status of the group to which he intends to go, and the extent to which he will himself suffer jural, economic, or social disabilities from withdrawal.¹ In addition to this, cases of withdrawal must be analytically differentiated to reveal the following very different situations:²

WithdrawalTHREAT of withdrawalATTEMPTED withdrawalVoluntary:

ACTUAL withdrawal:- Total or temporary involving residential separation & or change of group affiliation.

Involuntary:

Threatened withdrawal from a group can in many instances be seen as part of a person's strategy to both force others to intervene as well as make one's opponent retract an accusation, or desist from some action. The kinds of situation where this mode of action is taken reveal two quite different sets of circumstances. (I) Where actual withdrawal is likely to have serious social and economic effects on the group to which both disputants belong. While ethnographic examples are rare, in Arapesh society co-operative economic units are small and moves are deprecated as weakening both the size and strength of the clan. Thus M. Mead (1947:212) notes that in any serious dispute the final resort of an aggrieved party is to destroy his own property and threaten to cease all co-operation.

1. Withdrawal from effects of feud or warfare are not here discussed.
2. Empirically, however, they often shade into each other or form a temporal sequence.

with an opponent and his group. K. Burrige (1960:93-97) similarly noted a case of a dispute between a big man and another individual of much less social stature where following the endeavour of the former to engage in a verbal dispute (to both increase his prestige and shame the latter,) the accused attempted to destroy his coconuts as an indication of his intention to sever relationships with the village. While this action may have indicated the man's inability to engage in the kind of political competition his opponent obviously wanted, the threat or attempt to withdraw may also have been made as a calculated bluff, knowing or expecting that his kin would prevent him, and thereby restore his position vis a vis his opponent to one of "equivalence" (Burrige 1960:96). The threat or attempt at withdrawal seems to occur among the Wogeo and Ngarawapum particularly (Hogbin 1938, Read 1950) in cases of adultery within the clan where there is a strong moral injunction restraining the reaction of an angry and offended husband not to "break the clan".¹ The offender may make a show of withdrawing in the expectation of being stopped by the offended party, though equally an offended party may attempt to withdraw as an expression of real hostility (Berndt 1962:297). The threat of withdrawal may also be made in an attempt to coerce others into respecting one's wishes, as in the examples given by A. J. Strathern (see case I, 1972:155) concerning moka plans.

(2) The other set of circumstances in which the threat of withdrawal is most typically used is when Big men or headmen use it against persons who threaten their authority or power in some way. The effectiveness of the threat or attempt is dependent on the extent to which a leader is critical to the strength, continuance, and status of the group to which he belongs. Thus in the case concerning the quarrel between Marigum and his son (Hogbin 1940) the use of the threat and actual withdrawal is effective in aligning initially public opinion against his son who causes his father to

to endanger the group by withdrawing from the village for a short time. A Mowehafen headman may act in a similar manner when his authority is challenged (Todd 1936:422-423), and it is reasonable to suggest threats of withdrawal were used in similar circumstances in other societies where a leader was indispensable to the functioning of his group and did not by his actions threaten his own position.

Voluntary departure was a course of action employed by either an offender or victim, and once again the factor of propinquity assumes paramount importance. Thus we have already noted in our discussion of altercations that a person who commits adultery is likely to temporarily withdraw from the unit in which he committed the act of adultery, and that this may immediately follow the offence or follow an altercation. In the societies given in Table V we also noted that withdrawal was most likely to occur where the adultery occurs within the clan (Nos. 2, 3, 4, 6, 7,) or within the section (I, 2) the units within which the offender suffers most shame from his action. Adultery within the clan is similarly likely to result in a temporary withdrawal by the offender among the Kamano, Uate, Usurufa (Berndt 1962:150), Kutubu, Kuma (Reay 1969a:48) and Waropen. Another offence which causes a similar withdrawal is murder within the Parish (e.g. Kapauku Case 38, IPI Pospisil 1958, N.B. Dani Heider 1970:79).

In a case reported for the Wogeo (see C.19 app.2), the offended party, even after formal reconciliation, left the village temporarily both because he finds the prospect of co-residence with the offender unbearable and to restrain himself from assaulting the man which would seriously contravene the moral norm requiring peaceful settlement of disputes in the clan. W.H. Goodenough (1962:9) has also commented on a similar reaction of a Lakalai to any quarrel within the hamlet, while J.A. Todd (1936:422)

has remarked that a Mowehafen man may temporarily withdraw from the village if his wife quarrels with her brother, since he suffers shame from this action of hers.

However, while such moves may mitigate the possibility of serious violence they do not in themselves bring disputes to an end. Thus Heider's (1970:101) observation that "withdrawal is a means of resolving conflict by diminishing or eliminating contact between the parties" is not applicable to all instances of moves, and depends on the nature of the issue which causes the withdrawal. Thus among the Kuma (Reay 1959a:74) and Wanggulam (Ploeg 1969:C.9) residential separation of brothers after a quarrel does not resolve conflict, but merely allows the persons to continue hostility from their new home; and where similar disputes between brothers among the Siane, Melpa, Kutubu, Maring, Huli occurs, and one party moves to another place within the parish this is often indicative of relative power positions rather than an acknowledgment of wrong.

The importance of the relative status and power positions of disputants is also relevant in cases of involuntary withdrawal, either as a result of offences against a group or against a stronger faction. Thus among the Melpa people offences by a Big man against a weaker party, or by the latter against a Big man may result in the weaker man's expulsion (A.J. Strathern 1972, Cases I, 2, p. 150; see Bromley 1960, Case 6, p. 247). An individual who has committed an offence against another parish may have been extradicted to the victims parish where there was a desire to avoid a war with them, and while this has only been positively documented for the Kapauku (Pospisil 1958; cases 2, 39) and Koita (Seligmann 1910:129) may equally have been present in other societies with a council.

While ethnographers have generally been at pains to point to the absence of "crimes" (offences against society at large)

in New Guinea societies, the ethnographies do indicate numerous cases where a group reacts against an offender by expulsion and/or execution.¹ Among the Kiwai, Mowehafen, Maring, Chimbu (Nilles 1950:59), Kutubu, Waropen, Wogeo, and S.B. Dani (Bromley 1960:250) a person suspected or convicted of initiating or making sorcery within the parish is likely to be expelled and killed, a punishment meted out to witches in Kuma society and poisoners among the Melpa (Reay 1959a:48, M. Strathern 1972a:268). Other offences include treachery (Kamano, Jate, Usurufa, S.B. Dani, Kapauku), adultery with a KMB (Kuma) and promiscuity (Melpa), homicide (Waropen) and failure to contribute to section payments (Huli).²

The factors affecting a person's choice of where to move are multifold, and likely to include not only the nature of the dispute i.e. whether he is moving to continue hostility or as a result of expulsion -but ecological, political, and social variables as well. Thus among the Mowehafen and Huli withdrawal is a common reaction to almost any dispute situation (Todd 1935:456), and the high rate of residential mobility reflects partly the fact that cognatic ties in these societies make it easy for a man to take up residence in another parish. However, we find a high rate of residential mobility among the S. Fore and Dani communities, though the ease with which a person can attach himself to another parish is not linked to cognatic ties so much as a toleration, among the S. Fore of dual loyalties in the face of the exigencies of war. Thus the ease with which one can change clan affiliation (as among the Abelam, S.B. Dani (Bromley 1960:241) and Orokaiva (Williams 1930:106)³) or the extent to which a man can maintain dual loyalties (as among the Kutubu, (Williams 1941:263)

1. These can usually, though not always, be distinguished from those cases where there is simply a general censure of certain actions.
2. A comparative study of incest as crime or sin would be revealing as well (see Held 1957:79, 210 and Salisoury 1962:75 for expulsion and execution following incest)
3. see also M. Rimoldi 1965:49.

and Abelam will affect the incidence of withdrawal. Each social structure will thus present a range of relationships or ties within which an individual may make a choice, which will be in some cases dependent as we noted in Chapter II on his expectations of help and opportunities for leadership. Thus where we find dispersed clan groups as among the Lakalai, Tolai, and Dani communities, a person will use these as a basis for his choice of residence, though he may equally join his wife's group as among the Orokaiva, Abelam, Arapesh and most other societies. However, whether a person adopts the latter course of action he is likely to be affected by the kind of help he can receive e.g. land rights, and the prevailing attitudes to non-agnates. Thus among the Chimbu, and S. Fore non-agnates do not suffer any jural disabilities in relation to agnates whereas among the Mae Enga, who have acute land shortage non-agnates do suffer certain disabilities as we noted in Chapter II.^I Nevertheless, as we also noted there, Big men among the Chimbu, Mae, Kuma, and Melpa are active in attracting non-agnates to their parish in order to bolster its, (and their own) strength, and will offer qualified rights in land to them; thus such ties as the MB-ZS, and WB-ZH may be the basis of one's choice as to where to move.

These attitudes to non-agnates are thus important as affecting not only the decision to move but the decision of where to move to. In his study of the Kamano, Jate, Usurufa, Berndt (1962:165) pointed out that refugees in a parish are treated as "outsiders", in their disputes with members of their resident parish, and as emerges from the dispute recorded on that page they

I. Non-agnates may also be expelled from the parish for anti-social acts while agnates cannot be (Meggitt 1965:35-37).

cannot rely on the support of members of that parish, but must call on the aid of their natal clan members. Dual loyalties are not tolerated amongst these communities and "the principle of agnatic loyalties would be invoked against him in times of stress" (I962:40I). Similar considerations are applicable to the Melpa people where frequent changes of residence may reflect a spiral of decreasing status, and the only way in which a man can begin again to achieve prestige through Moka is to return to his natal clan (A.J. Strathern I962).¹

The last aspect of withdrawal is the effect inter-group conflicts have on social structures, though the subject of segmentation, fission, splitting is too complex to discuss in any detail here. Factors as population increases and pressure on land are likely to effect the incidence of fission in addition to any inter-group conflict. However, among the Chimbu, Mae Enga, Melpa, and Chimbu the level of the clan section is important as fission may develop along these lines where the sections develop autonomy over time. Among the Mailu (Malinowski I9I5:5I9) Koita, Waropen, Iatmul, and Kuma, segmentation or fission is likely to follow from factional rivalries within the minimal agnatic units, and is usually associated with spatial separation at the same time, or by withdrawal of a clan or sub-clan to another territory.² Disputes between Big-men among the Huli, Marulu, and Lakalai may also cause new residential units to be established, though among the Lakalai this is not associated with descent group structure. The segmentary paradigm is not, therefore, necessarily the key to segmentary political relationships, and notably among the Melpa the disputes between Big-men over when and where Moka will

- I. Refugees are frequently accused of sorcery or poisoning because of their uncertain loyalties. See also Bromley I960:2I5 where refugees are also accused of sorcery and treated as outsiders.
2. In the Waropen and Orokaiva segments of a clan are likely to retain clan membership at first, achieving independent clan status over a period of time.

be made, are significant in the processes of structural change.

In order to illustrate some of the principles derived from our discussion of suicide and withdrawal, and to provide a basis for a brief discussion of sorcery accusations, I want at this juncture to examine an aspect of male-female relationships in relation to adultery by a wife. Several studies have been concerned to relate various aspects of sex antagonism in the Western Highlands of New Guinea (Meggit 1964, Read 1954b) to other social-structural variables and my intention here is to follow the tentative findings of M. Strathern (1972a) concerning sorcery/poisoning accusations, political affiliation of wife and her agnates, and the cultural themes of pollution and strength. More specifically I want to relate this cluster of factors to the attitudes of men towards their wife's adultery. ¹

Among the Kamano, Jate, Usurufa, Gahuku Gama, Kiwai, Gururumba, Melpa, and Maring one aspect of the marked sex-antagonism is polluting powers of women and the related fear by men of menstruating women. Intercourse, even within the sanctioned relationship of husband and wife, is considered dangerous and weakening the strength of men. One also finds that in all these communities women are also considered dangerous because of their affiliation to their own clans; i.e. they retain membership to their natal clans. ² The third point of similarity is that women are seen as the agent through which enemy sorcerers obtain the semen or 'leavings' to work their art (Berndt 1962:159,

2. A considerable amount of generalization has been necessary and it is understood that terms like incorporation deserve to be elucidated in each case in terms of the rights of each party to a marriage.

I. One might include the Huli among this group as well.

2II, Read 1966:176, 1954:27-28, M. Strathern 1972a:175, Newman 1965:91, Landtman 1908:238). The fact of being open to suggestion as well as having the opportunity to collect leavings is important though in all these cases the incidence of accusations are affected by the political relation of the wife's kin to the husbands parish - accusations tending to be made against wives from enemy groups. The interests of women are felt, in some areas of behaviour, to be antithetical to those of men.^I

When we consider the reactions to the adultery of a wife it is necessary to take account not only of the disposition of the husband, but the character of the offence, and the respective political affiliations of the wife's kin to the husbands' group. The severity of the reaction to the situation among the Kamano, Jate, Usurufa - usually plural copulation, mutilation, or death - is not related as such to the act of adultery itself which is not per se condemned (Berndt 1962: 57, 146), but to the fact that "alien seminal fluid has entered his wife's vagina and can harm him" (Berndt 1962:159). Specifically, adultery is conceived as causing a loss of strength to the husband, and is one factor in the situation of marital distrust. Women are conceived as being lascivious and self-interested parties, a point which is reflected in the cases of adultery cited by Berndt (1962) where females are portrayed as taking the initiative and as being too "strong" for men to resist (see Case 40, app. 2); women serve as a focus for blame in such

I. It is interesting to note that with the exception of the Melpa (M. Strathern 1972a:194), barrenness is considered a grounds for divorce by a husband, reflecting the concern with growth and fertility.

cases of adultery. Turning to the other societies mentioned, it is interesting to find this complex of features also present. Thus, in cases of adultery a stereotype defence in a Kiwai council, or in an assembly among the Gahuku-Gama and Melpa, is a plea of innocence and an imputation of blame¹ (i.e. responsibility is laid on the wife for enticing the man) to the female (Landtman 1908:171, Read 1965:154, 160, M. Strathern 1972a:342). Adultery is similarly held to have a weakening effect on the strength of men (Read 1954:27, M. Strathern 1972a:164,) and death is sometimes the penalty for such action.

However, the factor of the political affiliation of the woman in the case can affect the consequent reaction to the adultery. Thus, among the Kamanó where affinal relations exist within the parish, the penalty inflicted on the wife may be greater than if her agnates come from outside the parish where there exists the possibility of war if her kin support her against the husband. The situation is likely to depend on the current relations between the two parishes, and such considerations may influence the husband's behaviour towards the wife (Berndt 1962:301).

Comparing this situation with that among the Kuma and Chimbu,² it is immediately noticeable that though they share the general fear of menstrual pollution the sex relations and restraints are far more lax than the instances we have already discussed. Marriage is largely with friendly units and wives are incorporated into the clans of their husbands, albeit a qualified membership. One major difference to the communities discussed

2. Information regarding the Siane is insufficient for a detailed analysis.

1. The offender was still liable for his actions however.

above, is that wives are rarely suspected of sorcery, and personal leavings are not critical to the performance of it, a fact perhaps explained in terms of both the friendly nature of affinal relations and the lack of fear of the polluting powers of women between husband and wife. Among the Kuma, as among the Gururumba, women are more frequently accused of witchcraft. However, both among the Kuma (Reay 1959a:185) and Siane (Salisbury 1962:49) women are regarded as sexually promiscuous and there may similarly have also been present an attribution of blame to women in adultery cases, though there is insufficient data to confirm this. Where the factor of incorporation seems to be important is thus in the area of the type of danger which women hold for men, and this may explain why women are not regarded as operating poison or sorcery¹ in these communities. Similarly among the Mae Enga where there is found an extreme anxiety over menstrual pollution, and marriage is conceived of as with enemies, one finds both that women are incorporated into the husband's group and that there is no accusation against them of either sorcery or poisoning. With regard to the reaction against a wife for adultery these seem less severe among the Kuka, Mae Enga, Chimbu, and Siane, than was the case among the other Highland communities discussed, and usually stopped at beating or mutilation.²

While this discussion has been somewhat restricted in its range of factors, and any full understanding must necessarily take account of male initiation rituals and other aspects of male-female relationships, the broad patterns do nevertheless remain

1. i. e. As acting as instigators by purloining leavings.

2. The situation is perhaps considerably more complex than given here, because other factors already mentioned may affect the husband's response. Generally, adultery in flagrante delicto was always punished more severely, as was an habitual offender.

valid. Thus in other societies where women are incorporated into the clan of the husband, as among the Koita, Mailu, Orokaiva, Mafulu, Ngarawapum, there is no marked sex anxiety as in the societies previously discussed, and there tends to be a high incidence of intra-village marriage or intra-parish marriage. Women are not accused of sorcery, and do not become a focus for blame as was the case in the Highland communities. The reaction to a wife's adultery is thus more directly related to the character of the offence; an habitual offender was usually divorced, while in flagrante adultery may have resulted in the wife's death as among the Mailu (Malinowski 1915:580), Koita (Seligman 1910:80), and Mafulu (Williamson 1912:174).

Among the Sepik societies, Wogeo, Iatmul, Arapesh, and Abelam sex antagonism does exist but without the political connotations of those relationships noted for the Highlands; women are invariably incorporated into the husband's clan and there is a high incidence of intra-village marriage. While women are not normally suspected of sorcery,¹ there is certainly some indication that adultery is considered as having a weakening effect on men either directly, or on their yam crops (M. Mead 1935:128), and among the Wogeo that women tempt men into intercourse (Hogbin 1938:242).² Thus, though Ploeg (1966:269) does not explicitly mention it, it may be that the fact of women sorcerers among the Wanggulam, and their absence among the Baliem Dani, can be related to the point that women do not become members of their husband's clan in Wanggulam. While such one to one correlations

1. Except among the Arapesh, but here accusations invariably are levelled against women from the Plains area, and not against women from within the parish. Plainswomen are regarded as more highly sexual.

2. Thus while the S. Fore share the Kamano fear of menstrual pollution, women are never accused of sorcery, and unlike the Kamanc, are incorporated into the husband's group.

can rarely offer a full explanation for the presence of any factor¹, it is clear that attitudes towards a wife's adultery, both in the sense of the imputation of blame, and the effects the adultery is held to have on the husbands being, and the severity of the reaction to the woman, are likely to vary with the nature of the relationship between the sexes, and the respective political affiliations of the parties involved.

While it is not my intention to discuss here the nature of sorcery disputes, it is evident that the incidence of accusations within a parish similarly reflect relationships of political hostility. Thus, they seem to occur between (a) sections of a parish which are politically autonomous, and where the ties uniting the sections are relatively weak, as among the Orokaiva, Keraki, Mafulu, Marind, Gahuku Gama, and Gururumba; (b) where clan or parish segments are developing an increasing independence and are in the process of fission, as among Chimbu and Melpa clan sections, or the sections of the Abelam² and S. Fore; (c) against individuals who are regarded as in some sense anti-social, though where they are made it is invariably between the sections of a parish as among the Wogeo, Kiwai, Waropen, Arapesh. Accusations are also made against such undesirables among the Mowehafen and Maring;³ and (d) against refugees within a parish, as among the Kamano, Melpa, Marind, S?Balien, and Kutubu. These kinds of sorcery accusations are thus statements about social and political relationships.

1. Thus among the Kapauku, one might attribute the attitude of a man towards women's sexuality and their initiative in adultery to the relative independence and autonomy they enjoy as compared to some of the other Highland societies.

2. This is always an accusation of instigation not performance, as sorcery is denied to be practised in the parish.

3. This is usually a successful rather than impoverished person.

2

CONCLUSION

The principal orientation of this study has been towards the analysis of disputes as total situations within which disputants are confronted with choices between a number of alternative courses of action. The principles governing such choices as we saw in Chapter IV, vary according to the social range of the offence, the character of the offence itself, and the relative statuses and intentions of the parties involved. However, it is necessary to view such structural features of disputes within the wider context of the dominant and prevailing attitudes towards disputes themselves and disputants, and the social norms (or concepts of morality) which assume relevance within given conflict situations. To this end, anthropologists have recognised that the use of the term "descent ideology" (A.J. Strathern 1972) connotes not only a set of ideas which articulates a conception of social order, but that these ideas are both used and identified with the interests and policies of given groups. Thus we noted in Chapter III, that among the Kuma the norms and values which are used as a basis for judging behaviour, and in the interests of which attempts are made to reconcile conflicting parties, are those of the clan. In situations that have lead, or which might lead to intra-parish conflict (Glasse & Lindenbaum 1969:315) the ideals of clan identity and clan solidarity, or indeed other principles^I which symolise common interests, are stressed and reiterated by third parties either within the context of court situations, altercations, or fights. These ideals often take the form of specific injunctions not to fight, quarrel, or split the group (Salisbury 1952:31, Read 1950:213, 215). Among the Abelam, elders often intervene in quarrels admonishing both parties with the words "You are one clan, you

I. Most typically these are based on common residence or locality, and people of one ward among the Abelam stress being "one piazza", as people of a village among the Ngarawapum stress they are of "one place".

must not quarrel. If we quarrel the clan will be divided" (Kaberry 1941:255, 1942:86). Dispute situations, as we noted in Chapter III, and as Gluckman (1955) continually emphasises in his study of the Lozi, "are concerned with relationships which embrace many interests rather than ephemeral relationships involving single interests" (1955:19) and these multiplex relationships and the necessity of their maintenance find expression in the ideals and injunctions voiced in conflict situations.

However, we may distinguish here between such norms relating to fighting and quarreling, and which we saw in the last Chapter are commonly phrased as an expectation of a peaceful settlement of disputes within given units,^I and that nexus of attitudes which function to limit and localize hostilities to the immediate persons or groups concerned. These are directly relevant to any analysis which attempts to answer such questions as those propounded by G. Cochrane (1972:51):

(1) Under what circumstances do people, knowing that an offence has been committed, fail to take action?

(2) When do citizens say of something known to be a crime 'it's nothing to do with me'."

To a large extent part of the answer to the first question was given in the chapter on self-help where the factor of propinquity, both in terms of kinship and locality, was seen to determine the reactions of persons in such cases as adultery. However, the question is also amenable to analysis in terms of the relative power positions of the parties to a dispute, the weaker party often unable to redress the offence against him

I. "The phratry is considered a field of action for reaching a settlement in matters under dispute and within which people are willing to admit the possibility of an amicable settlement.." (Newman 1965:31).

(Case 29, app.2).¹

The importance of making explicit the social range of an offence, in respect to the questions enumerated above, is similarly evident in the light of such facts that among the Wogeo (Hogbin 1938:239), Gahuku Gama (Read 1955:264) and Kutubu (Williams 1940:276) there is both an explicit denial of adultery in the clan, and invariably an "attempt to minimize the importance of clan disputes" (Read 1950:201). This tendency to "play down" conflicts will thus occur where the value of clan unity or parish unity is held to be important for reasons mentioned at the beginning of this section, and noted by Berndt in his study (1952:298). Such values and interests, as we remarked in the introduction to this thesis, will invariably be reflected in the cases which anthropologists collect from informants, either because there has been a suppressed recollection of serious hostilities between closely tied individuals or groups (Ploeg 1969:112), or because informants tend to distort the facts to the advantage of themselves or their group. Thus non-action appears to be the desired form of reaction where the injunctions against any form of violence are strong and where inquiry to establish the identity of an offender, or where any violence against a known offender, is likely to cause dissension within the units where these prohibitions apply. Apart from the cases of adultery already mentioned non-action is also evident in cases of homicide among the Keraki (Williams 1936:162), Mailu (Malinowski 1915:579), Koita (Seligmann 1910:134) and Gahuku Gama (Read 1955:264).

In answer to the second question posed by Cocrane, we have to consider the complex of attitudes concerning both the willingness, or reluctance, to judge actions or people, and

1. See also Matthiessen (1952:32).

the attitudes towards interference in other peoples affairs. As yet, there has been little systematic analysis of either of these issues, and observations on these points tend to be in the nature of passing comments. Nevertheless, both Ploeg (1969: 106, 138) and Read (1955: 281) have remarked for the Wanggulam and Gahuku Gama respectively, there there is a reluctance to judge actions or situations against abstract notions of right or wrong, though Hogbin (1938: 226) and Berndt (1962: 292) explicitly talk in terms of actions as "ideally wrong". To a large extent I think the differences between these interpretation stem less from the differences in the empirical situations, as from the inadequacy of our language to reflect primitive concepts of justice etc. We need to know in what sense the terms Mwang Tabo (Hogbin 1938: 231), or Kets (Reay 1959a) may be understood as "wrong". The ethnographies we have considered in this study seem to suggest, as do their authors, that the moral connotation of an action is dependent on the social context in which it occurs, that 'offences' as homicide or adultery are not wrong per se, but only where, in Meggitt's (1965: 95) words, "they cause ill-feeling between those who should not quarrel" (Williams 1941: 534, Seligmann 1910: 134, Malinowski 1915: 579) and "cause harm to concrete interests (Held: 1957: 120).

The principle of non-interference in disputes which do not concern other people, seems directly linked to the observations just made, and though the contexts in which this attitude prevails are not made explicit by ethnographers who have noted its existence, it is reasonable to assume that it is relevant in those situations where there is a desire to limit and localize the dispute to the immediate parties involved. It

is unlikely that any single explanation of its occurrence in terms of such principles as "autonomy" (Ploeg 1969:106) can account for its existence in such random and varied societies as the Iatmul (Bateson 1936:99), Orokaiva (Williams 1930:325), Keraki (Williams 1936:161), Ngarawapum (Read 1950:203), Mowehafen (Todd 1935:440), Kamano, Jate, Usurufa (Berndt 1962:298), N. Baliem Dani (Heider 1970:100), S. Baliem Dani (Bromley 1960:249), Wogeo (Hogbin 1938:231), Maring ^I (Vayda 1968:230), and Kuma ² (Reay 1959a:17). Undoubtedly a fuller elucidation of contexts would have helped to explain these occurrences, and to what extent we can relate these notions to the social range of a dispute.

This study has attempted to isolate contexts and situations in order to understand the principles governing the choice of one mode of redress rather than another. Explanatory hypotheses in terms of an either/or character have been avoided as unlikely to account for the extreme complexities involved in any dispute situation. P.G. Sack's statement that "it is not simplicity which makes traditional law in New Guinea primitive" (1972:258) seems particularly apt in the light of the observations made in this study.

* * *

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1. "Ngot yenako awa" (Its none of my business).
 2. "Nim Konngan ma".

APPENDIX 1. Diagrams

Explanation of Symbols

W	Wife
H	Husband
M	Mother
F	Father
Z	Sister
B	Brother.
D	Daughter
S	Son
K	Classificatory
+	Elder
-	Younger
C	Case

Where the symbol / appears in a table, it is to be read as or. With regard to the diagrams in Appendix I, horizontal and vertical unbroken lines represent territorial divisions of a parish where this is a village. Horizontal and vertical broken lines represent territorial divisions of a parish where this unit consists of several villages; subsections within the sections are demarcated by diagonal unbroken lines. Where the residential pattern of a parish is composed of hamlets or homesteads, territorial divisions are represented by the use of broken diagonal and vertical lines.

Confederacy:

Temporary allies (Ngeindu for war against traditional enemies (Mama)

Parish:

Dual organization for initiation and Yam ceremonies (Ara)
Possesses a bird totem (Djambu).
Work unit for construction of Tamberan house.

Clan:

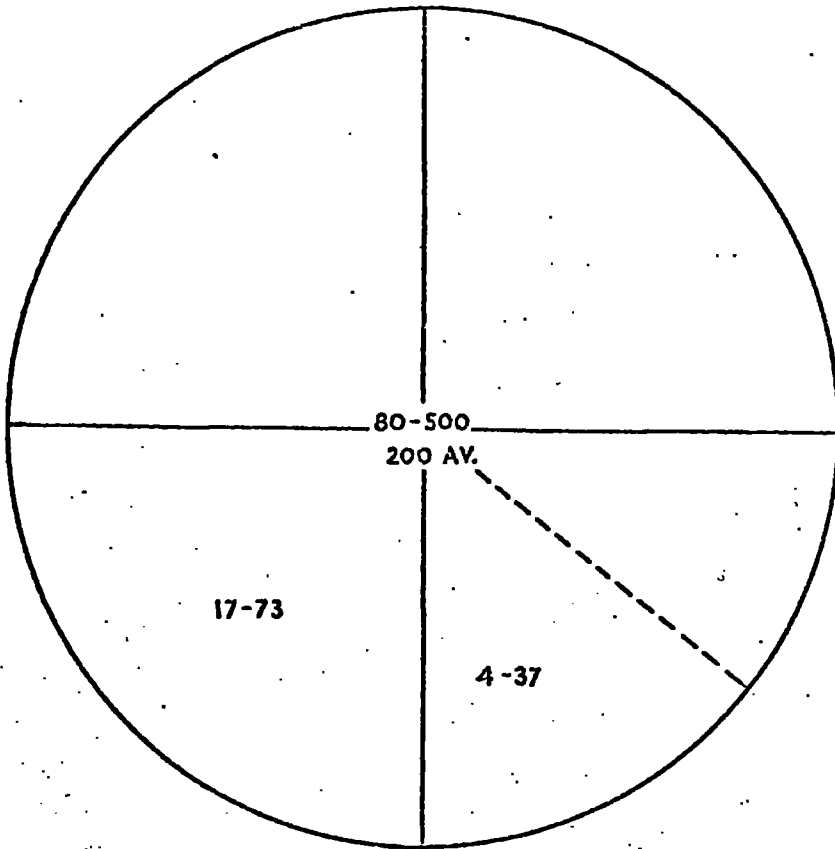
Exogamous - totemic.
Own spells, songs, names and spirits (Ngwalndu).
Unit for Yam harvesting, planting, and display.
Communal land rights.

Sub-Clan:

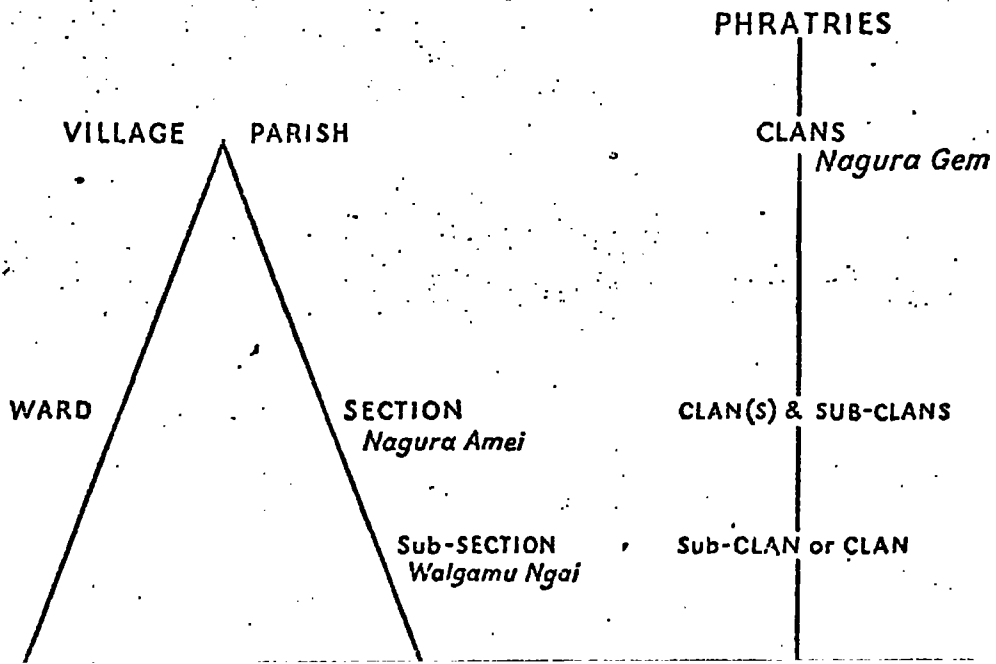
Owms and works garden and bush land.
Possesses 'Ngwalndu'.

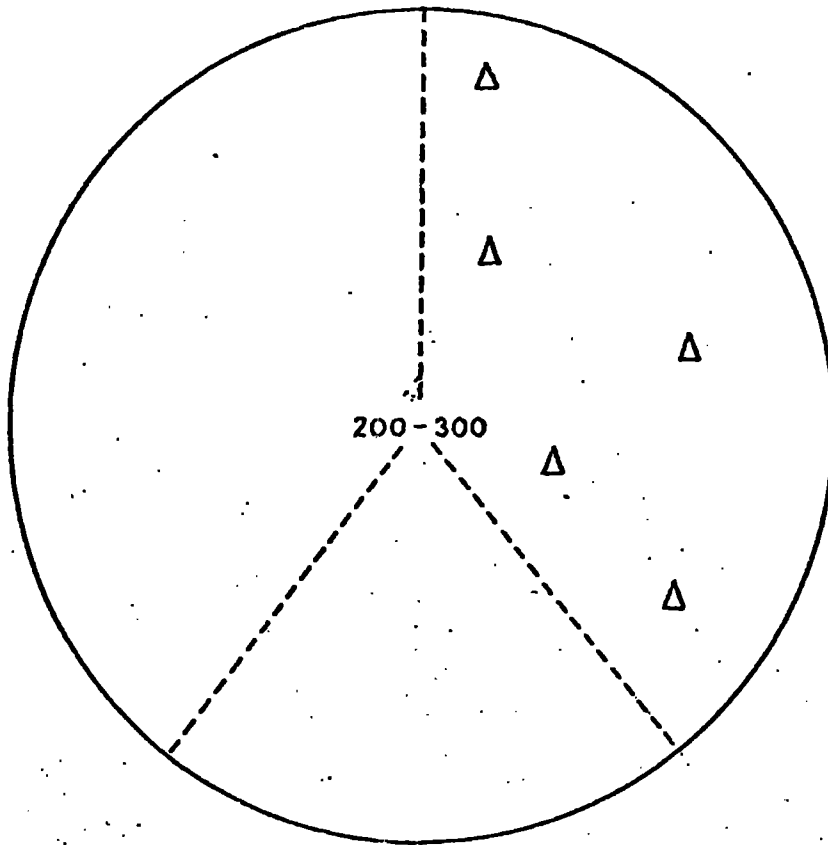
Ward:

Tamberan house.
Linked for ceremonial occasions.
Unit for Yam display with own piazza (Amei).



ABELAM





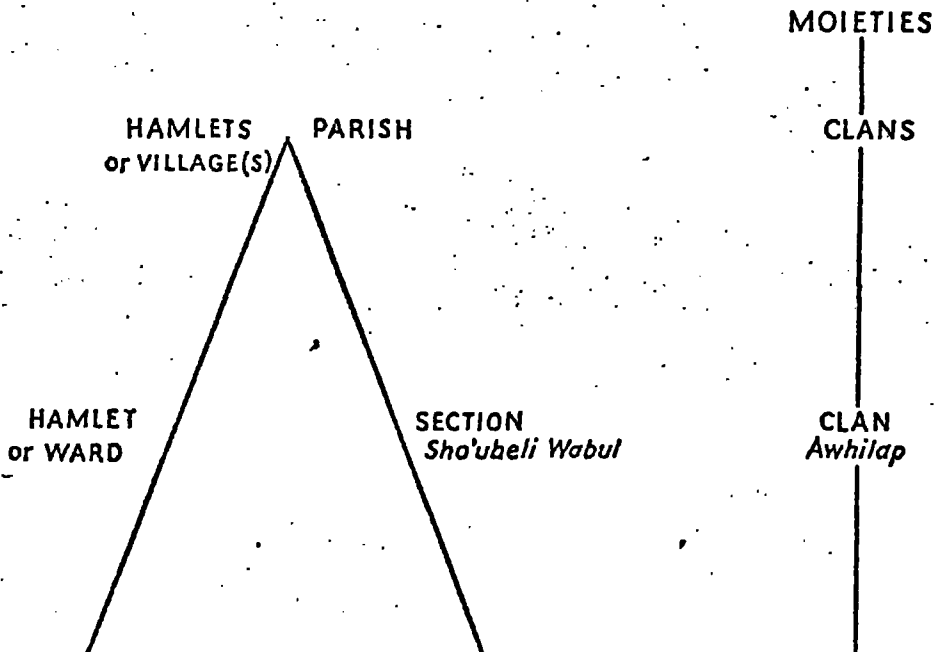
Parish:

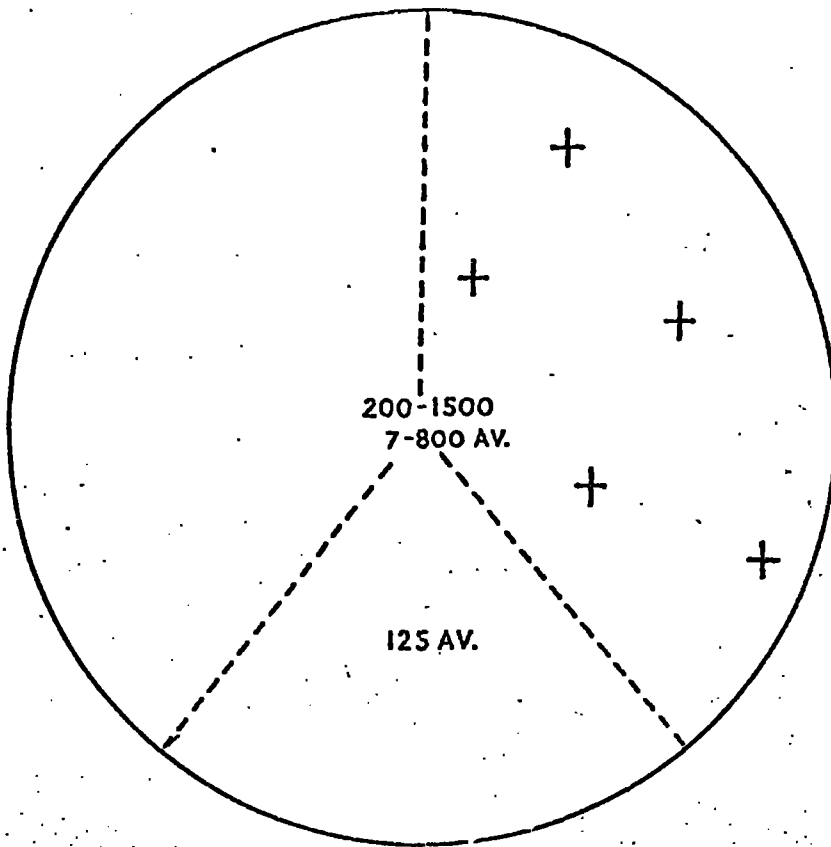
Feud occurs.
Communal fishing rights
Ritual unit for Tamberan.

Clan:

Tamberan house
Communal hunting and
gardening rights.

ARAPESH





Confederacy:

Fluctuating enemy/ally relationships.
 Unit for Pig festival (Buga Gende), & vegetable distributions (Mogena mbiri).

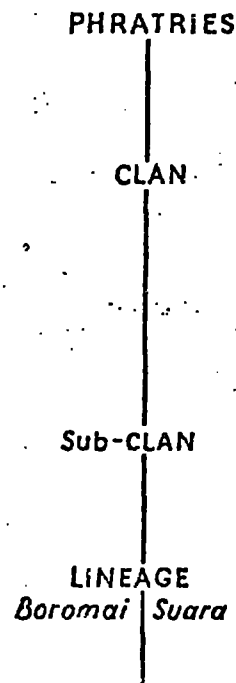
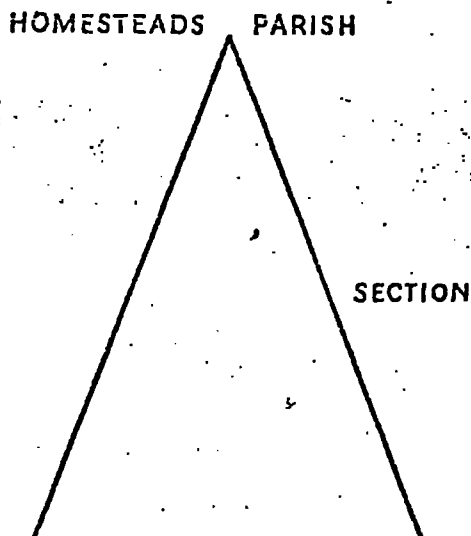
Clan:

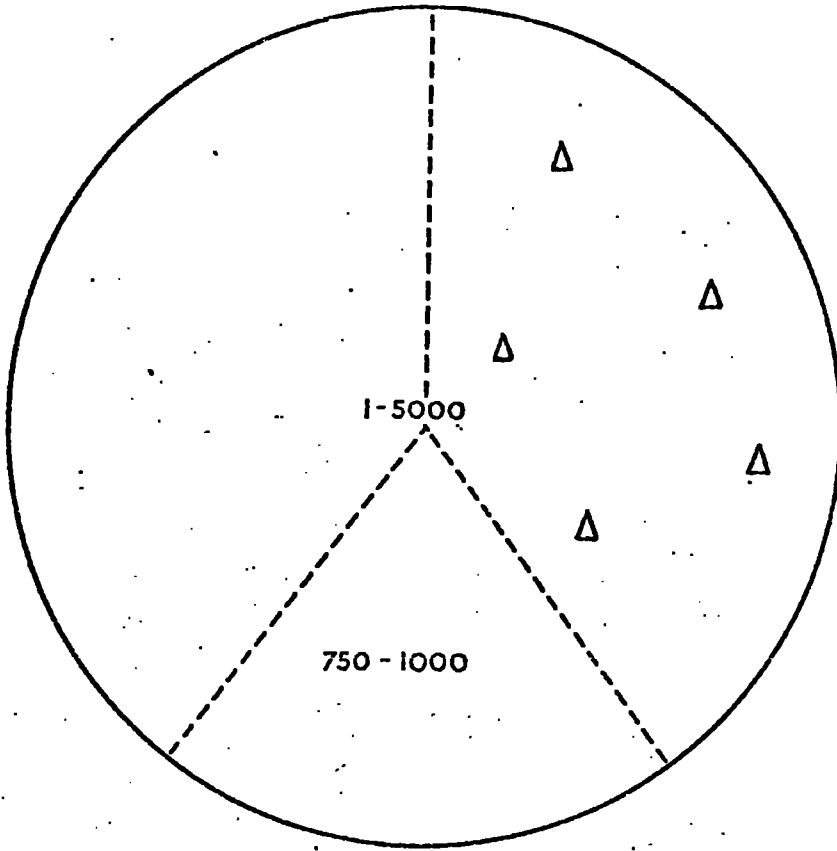
Exogamous
 Main war unit.
 Ceremonial unit in Pig feast.

Sub-Clan:

Unit for feasting, and marriage & death payments.

CHIMBU





Confederacy:

Unstable enemy/ally relations in war (Wim). Feuding (Umai'm) occurs Unit for Pig feast.

Moieties:

Exogamous - Food taboos

Clans:

Exogamous - Totemic.

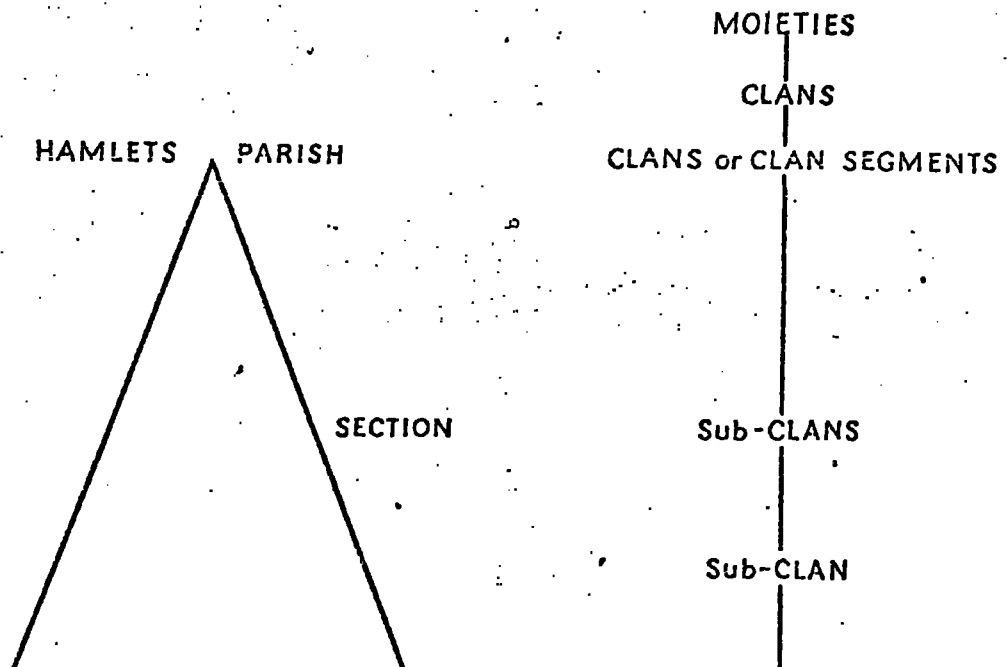
Parish:

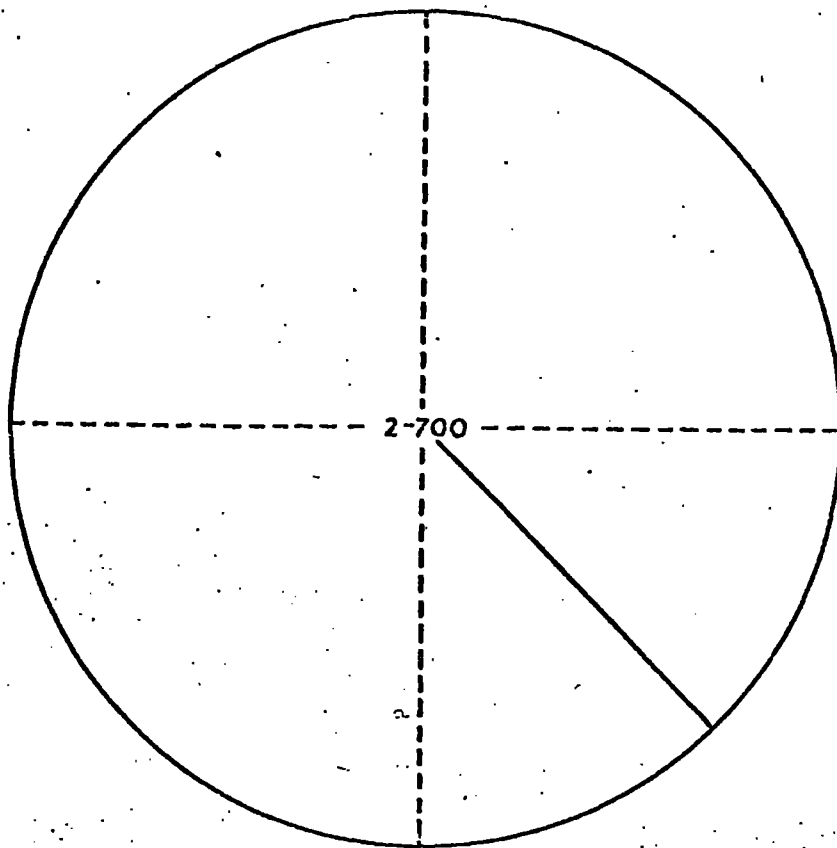
Named for a dominant linked section group. Unit for war, victory celebrations (Edai), and 'Je Wekanim' ceremony.

Sub-Clan:

Ganekho group which possesses its own specific sacred objects.

N. BALIEM DANI





Confederacy:

Fixed alliance

Phratry:

Exogamous.

Clan:

Exogamous
Possesses bull roarer,
and arable land.

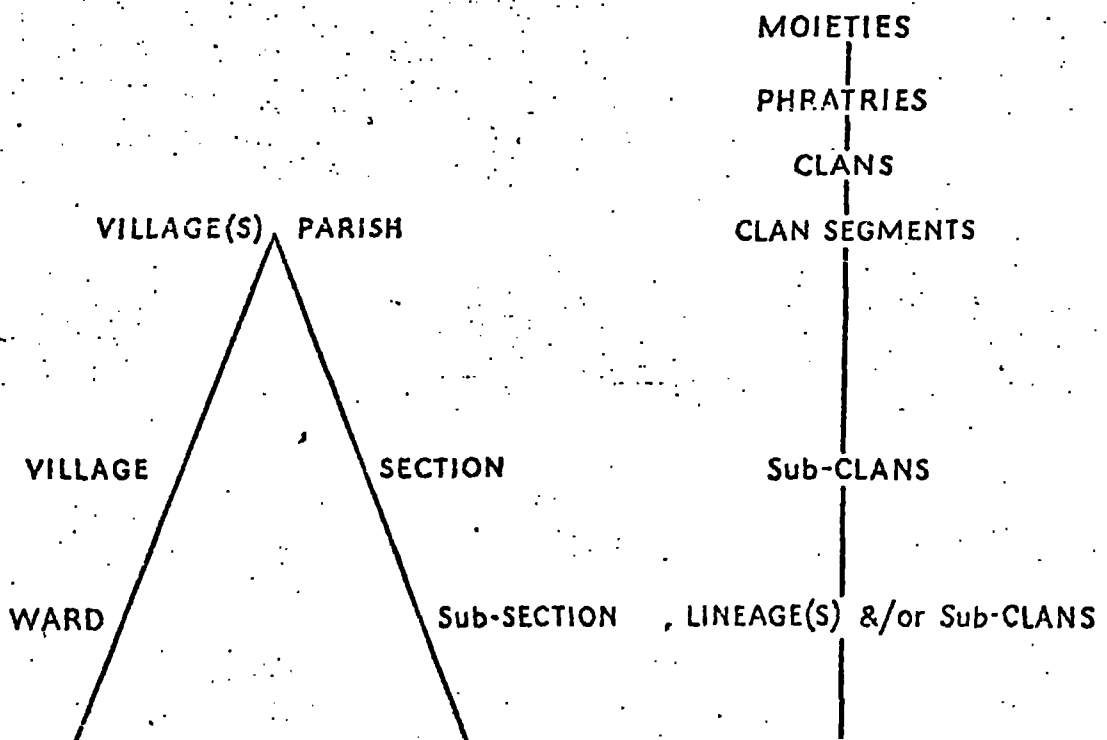
Sub-Clan:

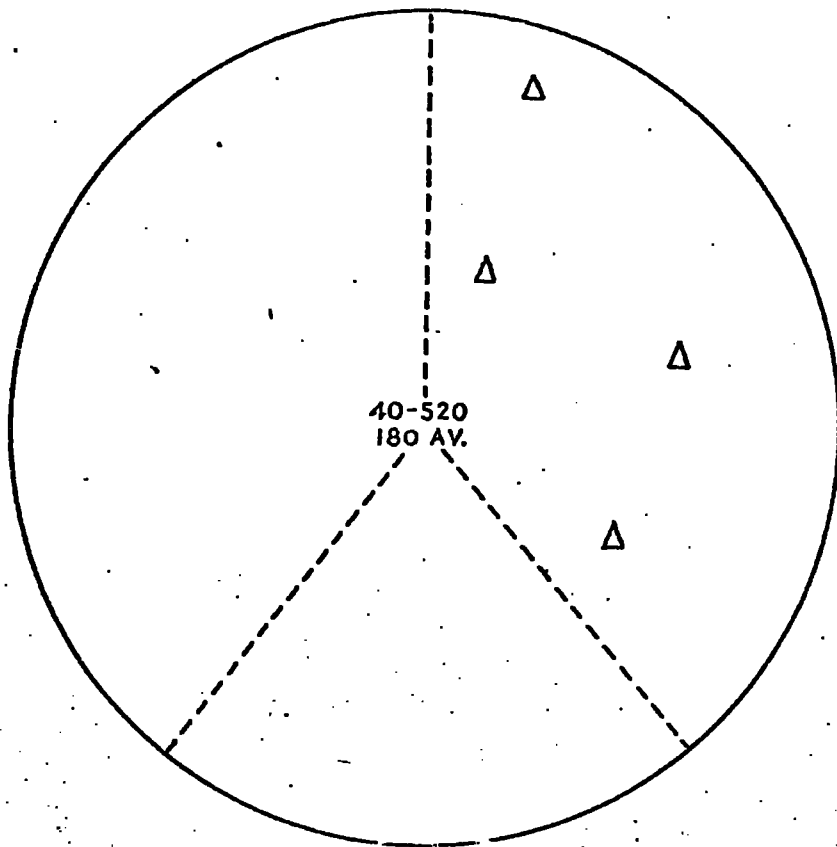
Possesses sago swamps
and coconut groves.

Village:

Ritual unit with open
clearing behind the
village (Soso).

MARIND-DANIM





Confederacy:

Unstable alliances.

Parish:

Unit for offence and defence, initiation, and age grading rituals.

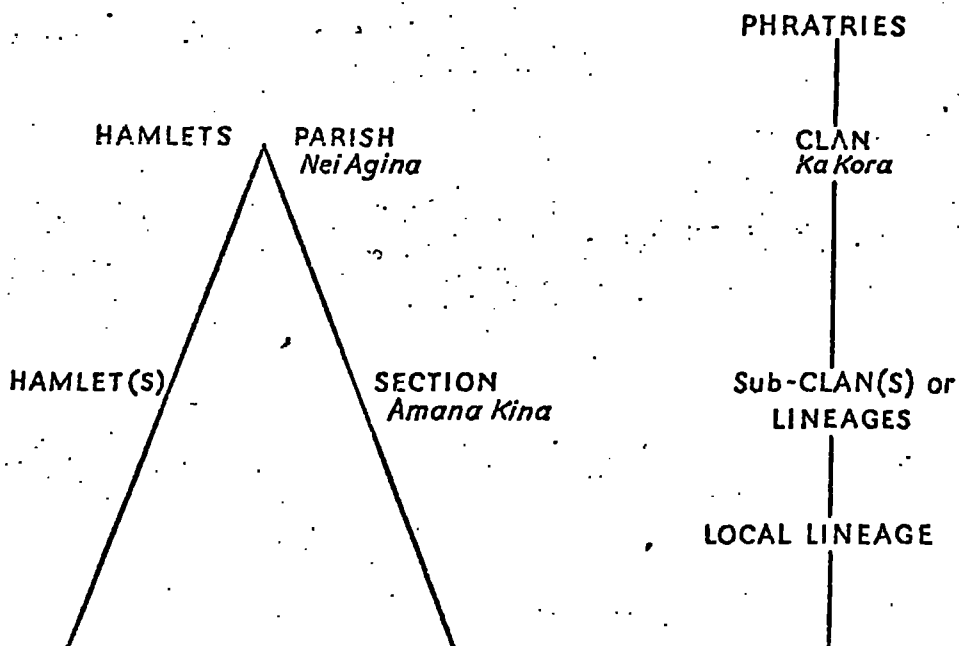
Section:

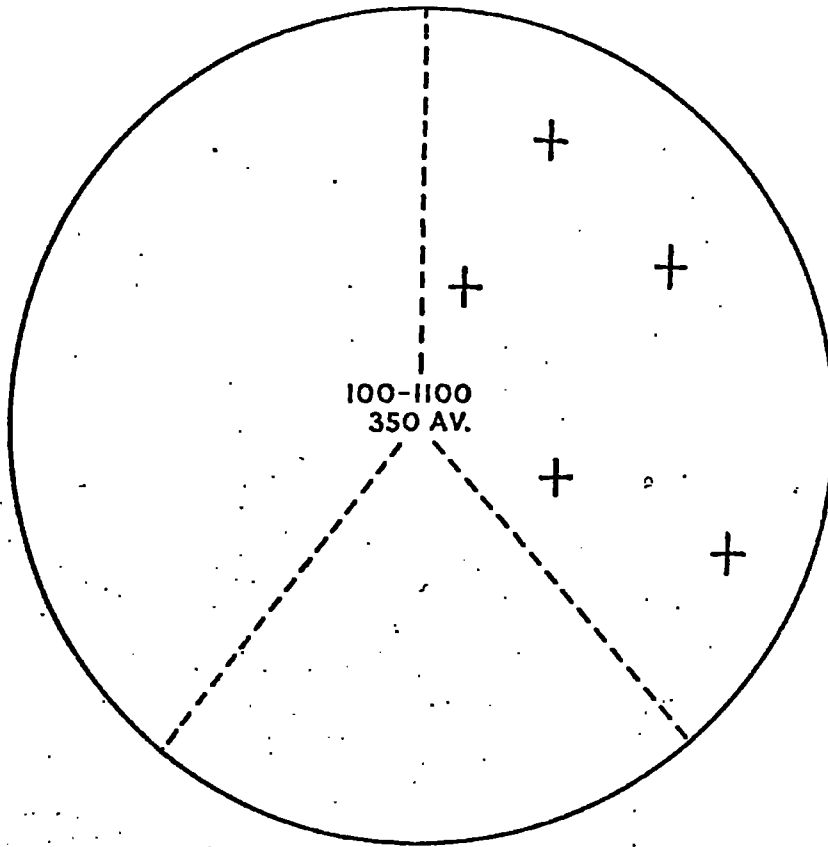
Effective political unit for war, and contracting alliances.
Exogamous

Lineage:

Unit for contracting bride-price payments.

SOUTH FORE





Confederacy:

Temporary alliances.

Phratry:

Ideally no warfare
Unit for fertility rites
and 'sporting fights'.

Clan:

Exogamous, Cult house,
Feud occurs.

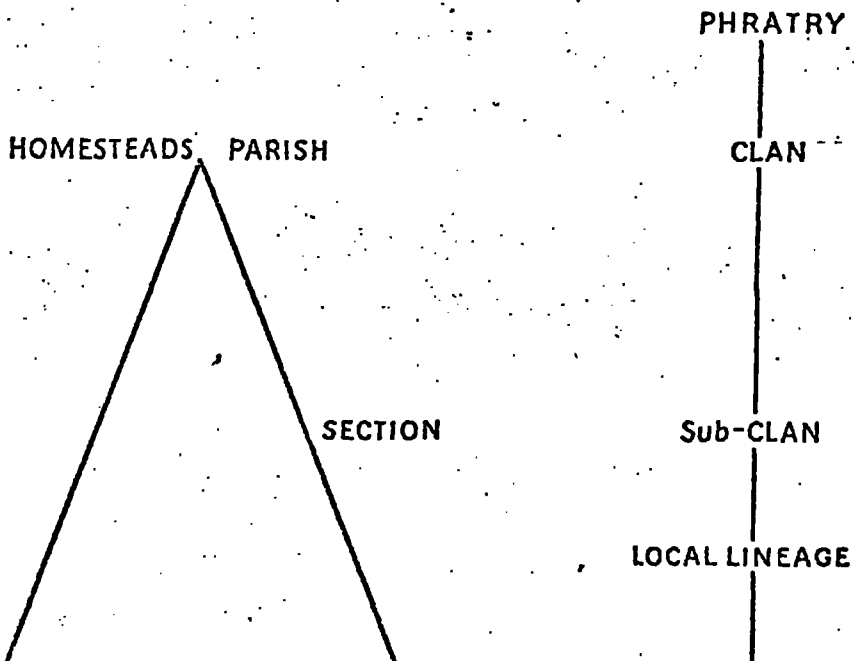
Sub-Clan:

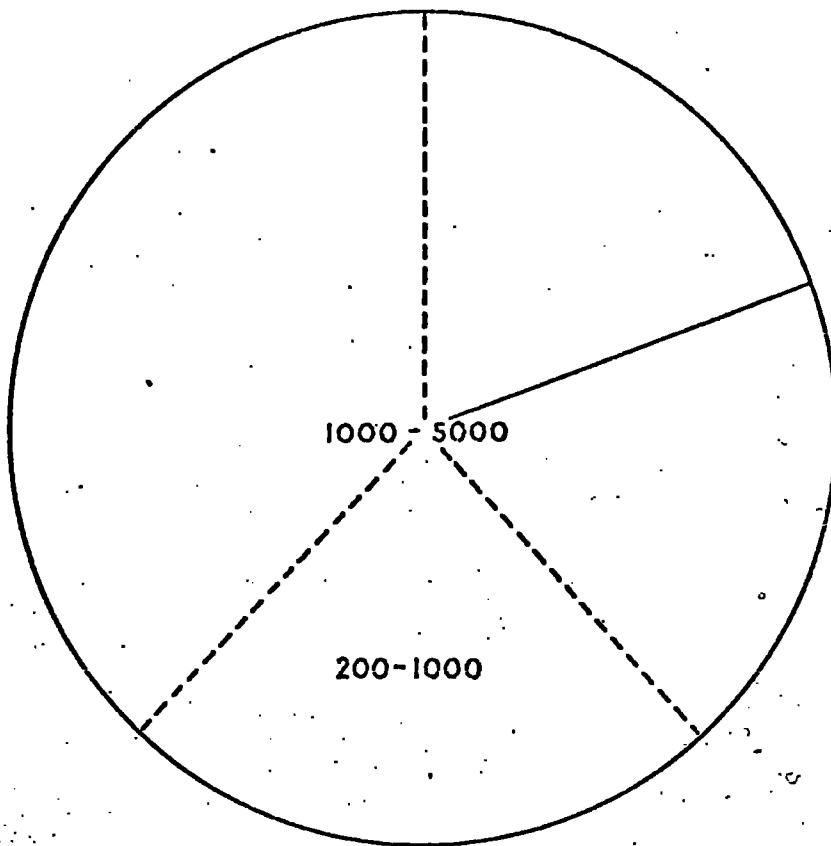
Unit for gardening,
purificatory rituals for
bachelors, fights, and
death compensations.

Lineage:

Communal land rights.
Unit for bride-price
payments, injury com-
pensations, gardening and
building houses.

MAE-ENGA





Confederacy:

Permanent war boundaries.
Traditional allies for war, trade, and exchange

Moieties:

Exogamous.

Parish:

Named for linked clan unit.
Feud occurs, but no use of war fetishes or victory ceremony.
Unit for Pig feast.

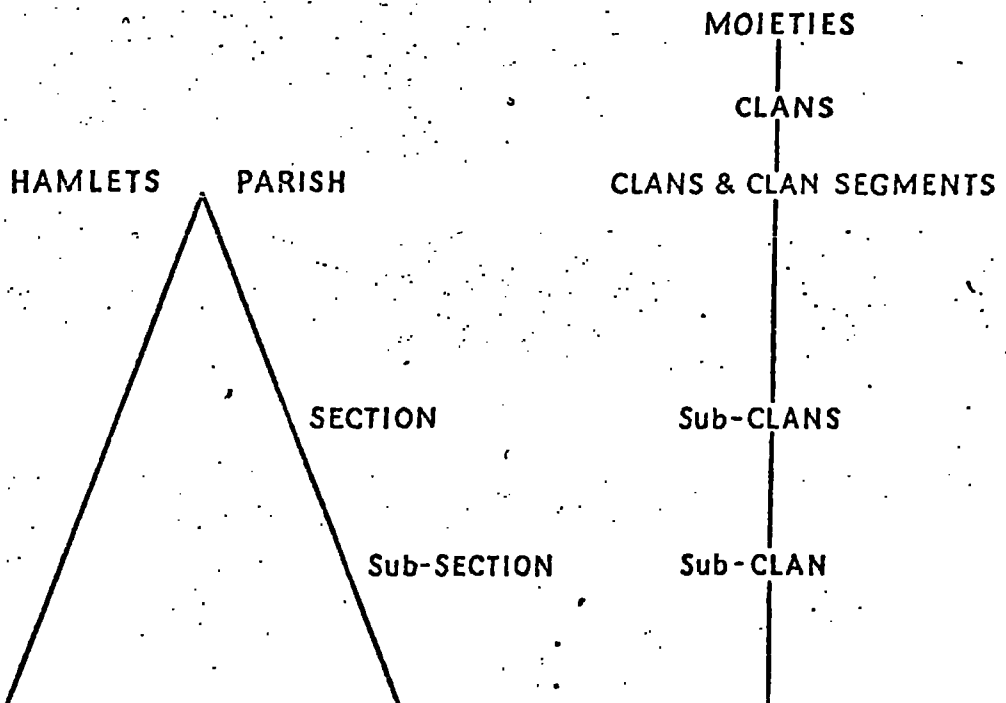
Section:

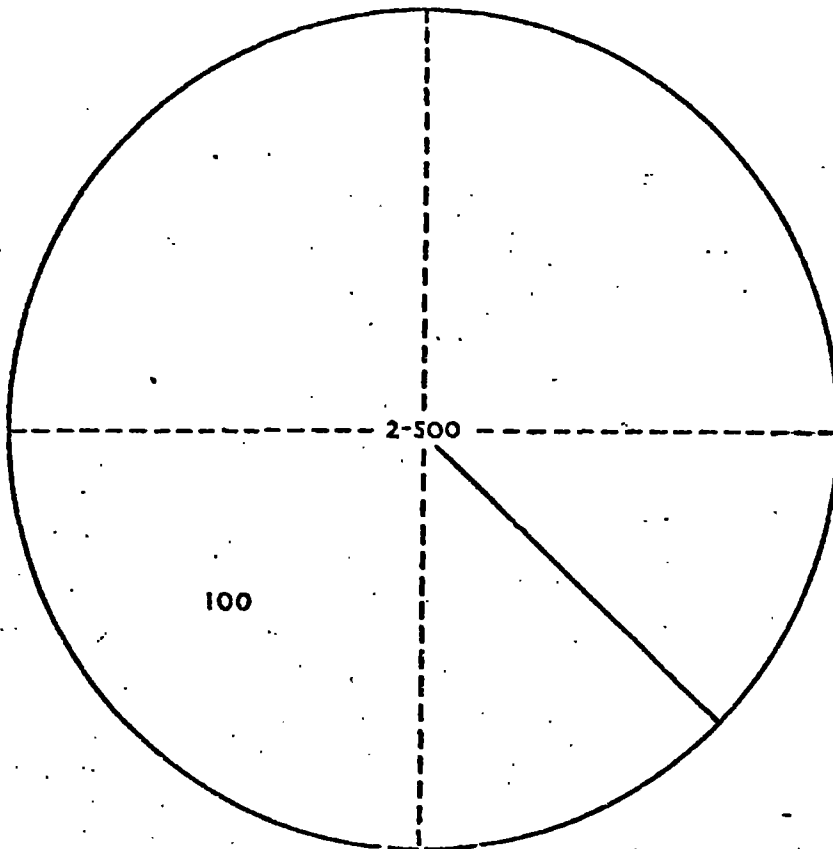
Feud does not occur.
Unit for fighting, and victory dance.

Sub-Section:

Men's house.
Unit for gardening, fencing projects, and initiation.

S. BALIEM DANI





Confederacy:

(Ha'makoko ve None)
 Warfare prohibited but
 feud (Hina) occurs.
 Traditional enemies (Rova
 Ve or Gara ve).
 Unit for making temporary
 alliances with other like
 units, and Pig festival
 (Idza Nama).

Parish:

Feud prohibited.
 Unit for initiation and
 Pig feast.

Clan:

Men's Club house (Labusave)
 Exogamous - Land rights.
 Unit in initiation.

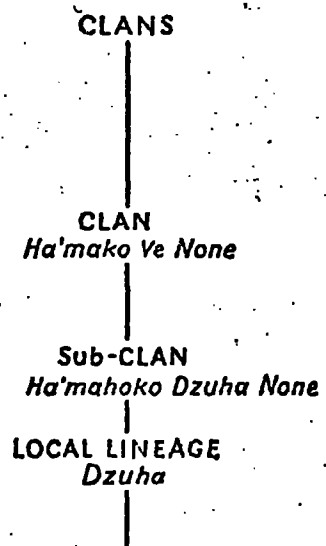
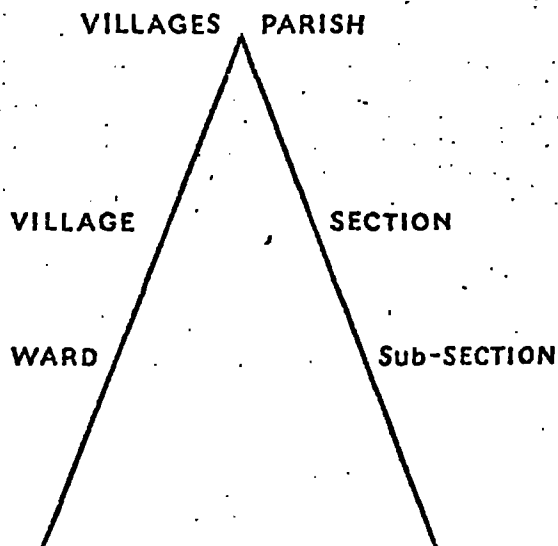
Sub-Clan:

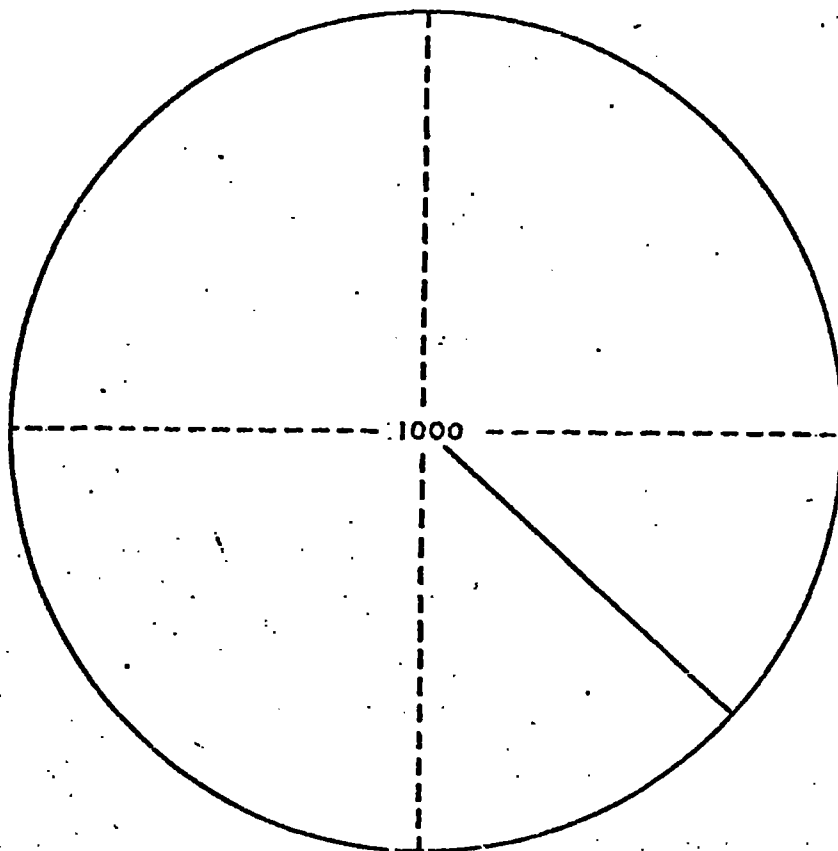
Nama flutes and tunes.
 Communal land rights.
 Unit in offence & defence.

Lineage:

Communal land rights.
 Work unit.

GAHUKU-GAMA





Confederacy:

Fixed alliance

Parish:

Unit for War (Robo)
 Pig festival (Idzi Namu)
 and Jabirisi ceremony.
 Feuding (Nande) occurs.
 Unit for grass-burning.

Clan:

Exogamous
 Unit for war, gardening,
 and exchange.

Sub-Section:

Arranges mortuary rites,
 Bride-price payments and
 food distributions.

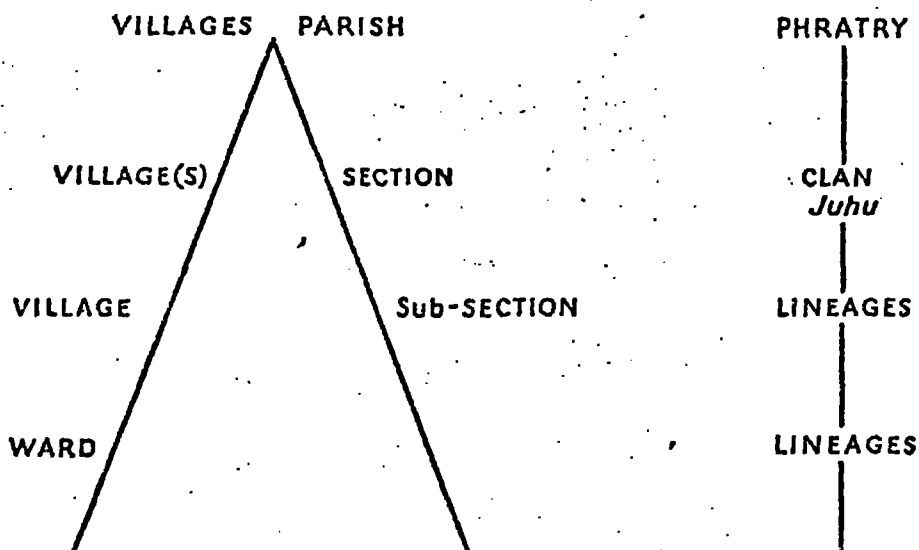
Ward:

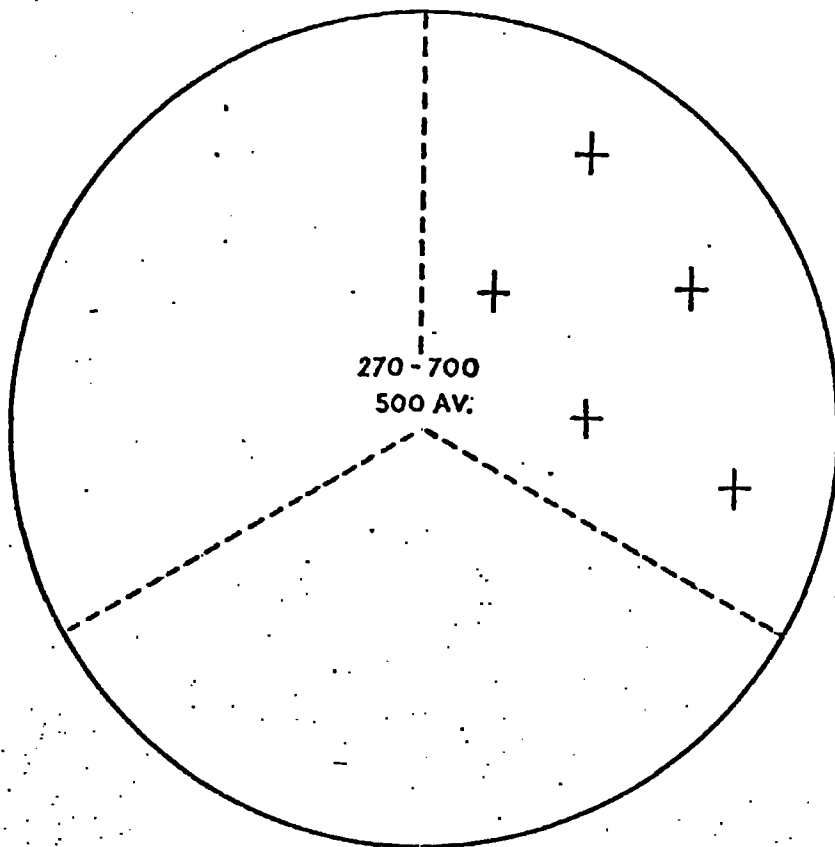
Men's house, Flutes
 and tunes.
 Unit for initiation.

Lineage:

Communal land rights.

GURURUMBA





Confederacy:

Temporary alliances for war (Wai Timbuni)

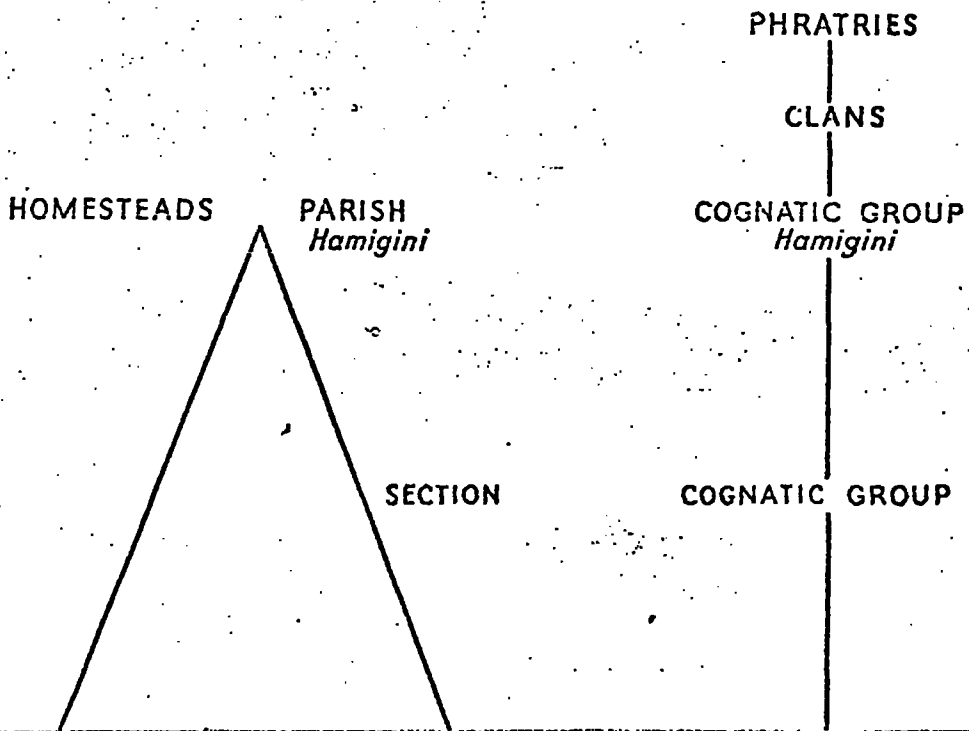
Parish:

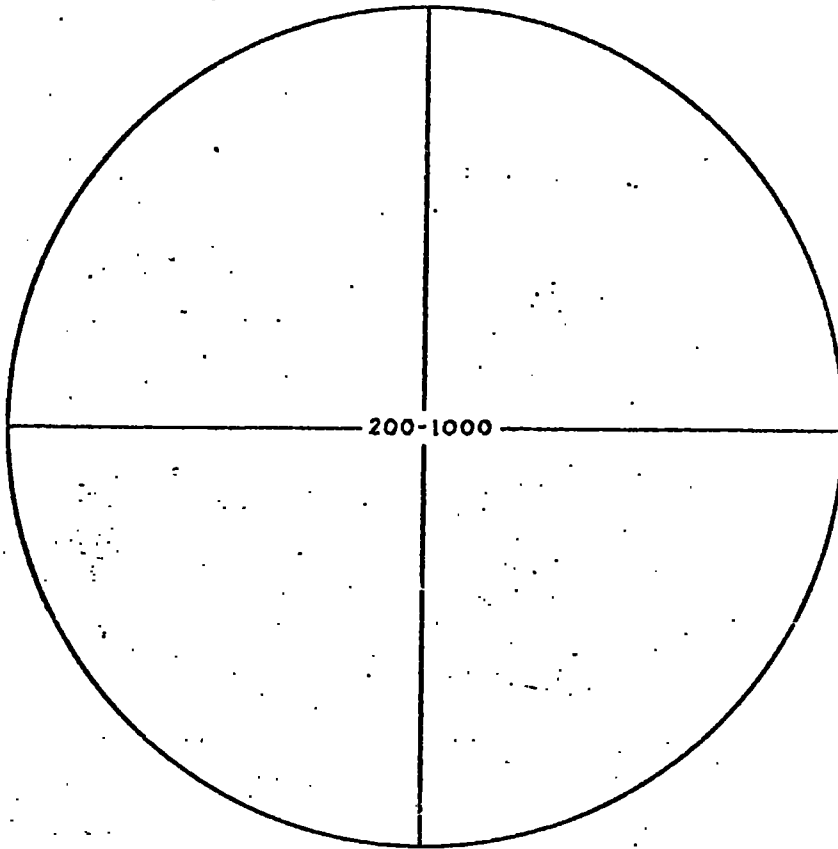
Feud (Wai Emene) occurs. Unit for initiation rites in Tege, and for bachelors' ritual (Harol gamu).

Section:

Initiates war and peace Sponsors Tege festival and mortuary feasts.

HULI





Confederacy:

Traditional enemy/ally relationships.

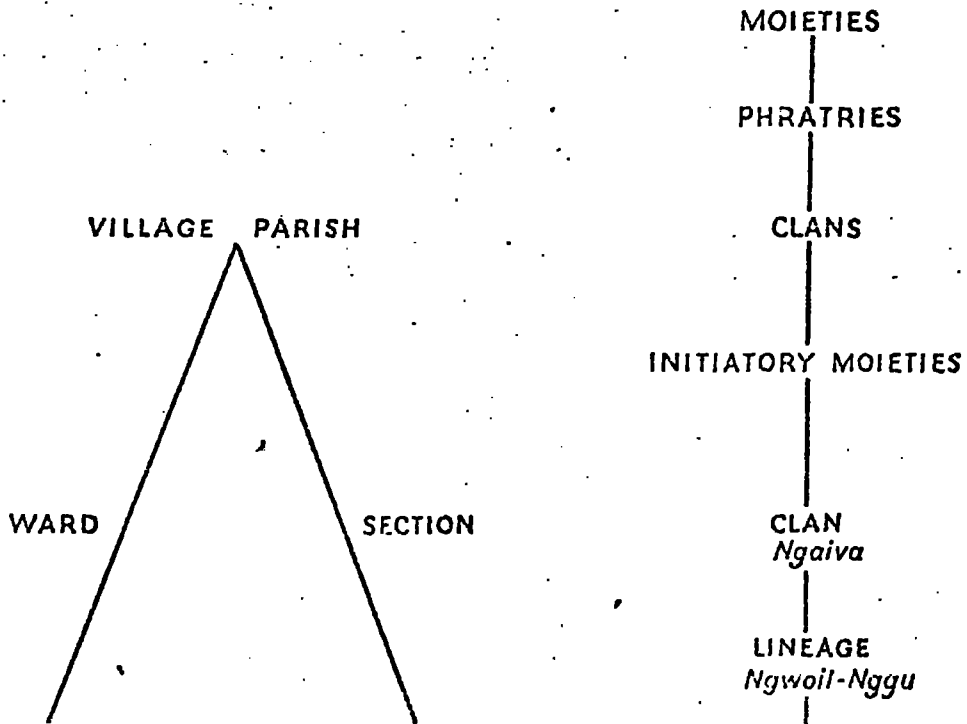
Parish:

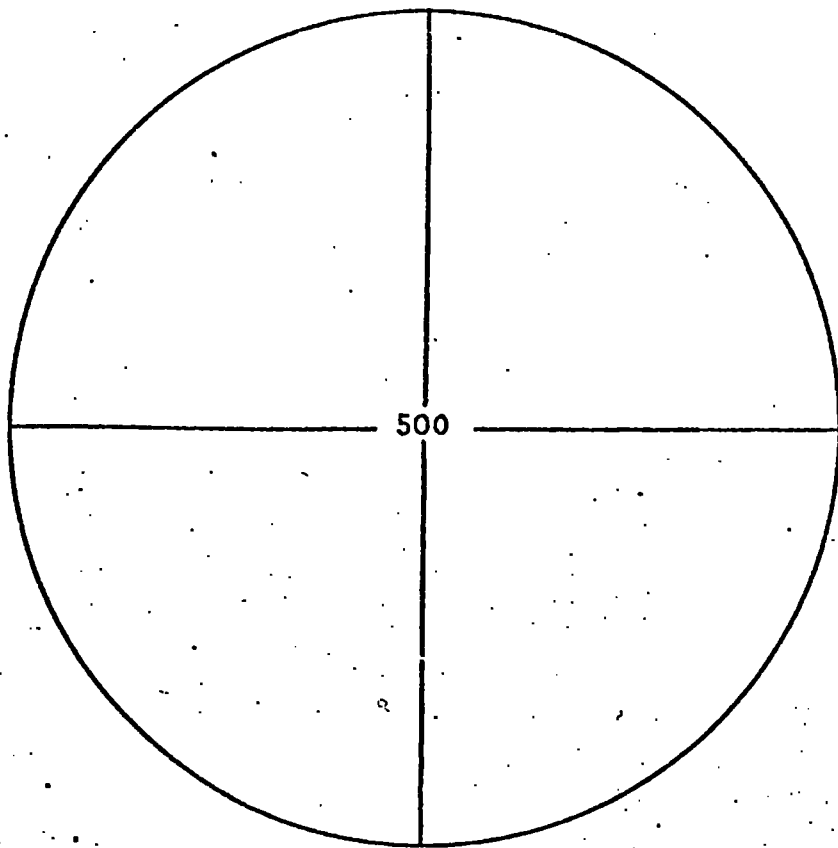
Possesses dancing ground (Wompunau), and ceremonial house (Ngaigo). Symbolised by the 'Eagle' as the fighting force of the unit (Kau). Stick fights occur. Two cross-cutting pairs of initiatory moities sub-divided into age grades.

Clan:

Named lines based on alternating generations (Mbapma). May be linked to another clan as 'elder-younger' for ceremonial co-operation. Exogamous, myths, flutes totemic relics, and ancestors, (Wagan). Land owning.

IATMUL





Confederacy:

Temporary allies for war
(Wim)

Moieties and Clans:

Exogamous
No political, economic,
or ritual functions.

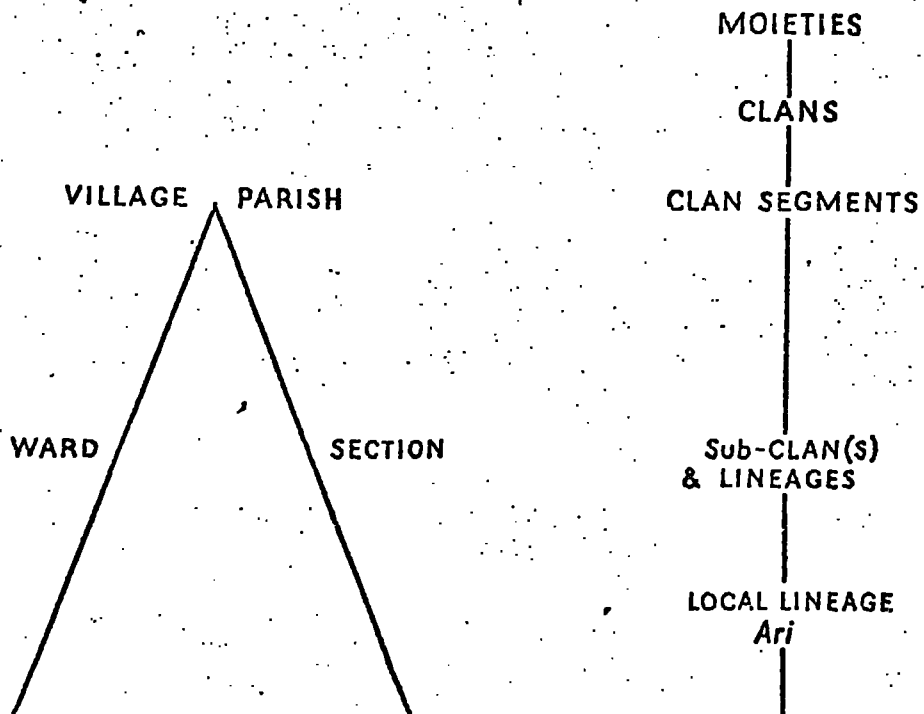
Parish:

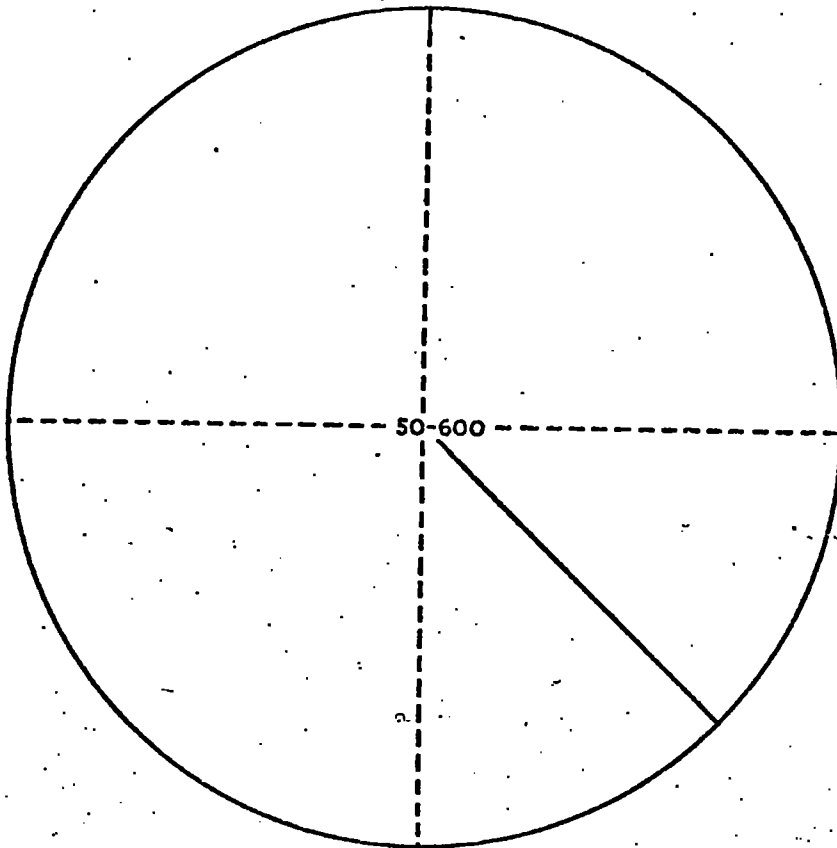
Bipartite division.
Feuding (Jeik) occurs.

Ward:

Men's house (Jouei)

JALÉ





Confederacy:

Shifting alliances.

Parish:

Unit for Pig feast, and age-gradeing rituals.

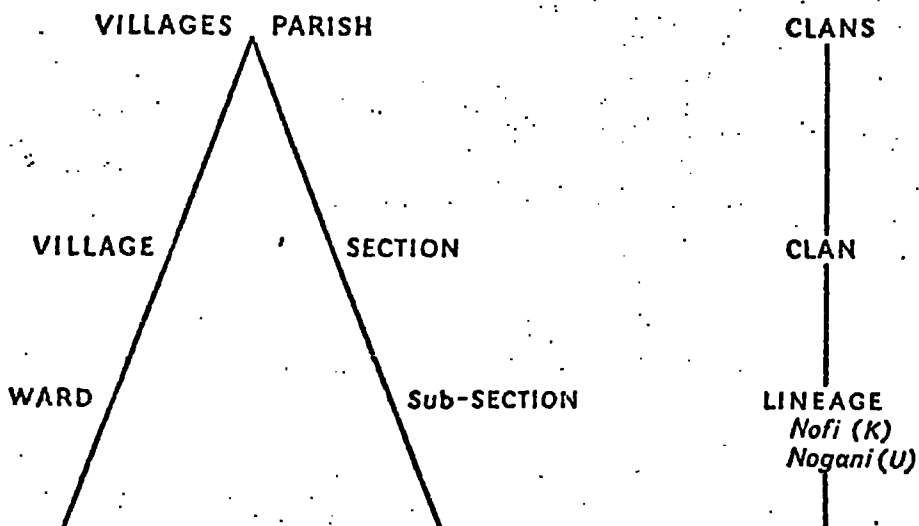
Clan:

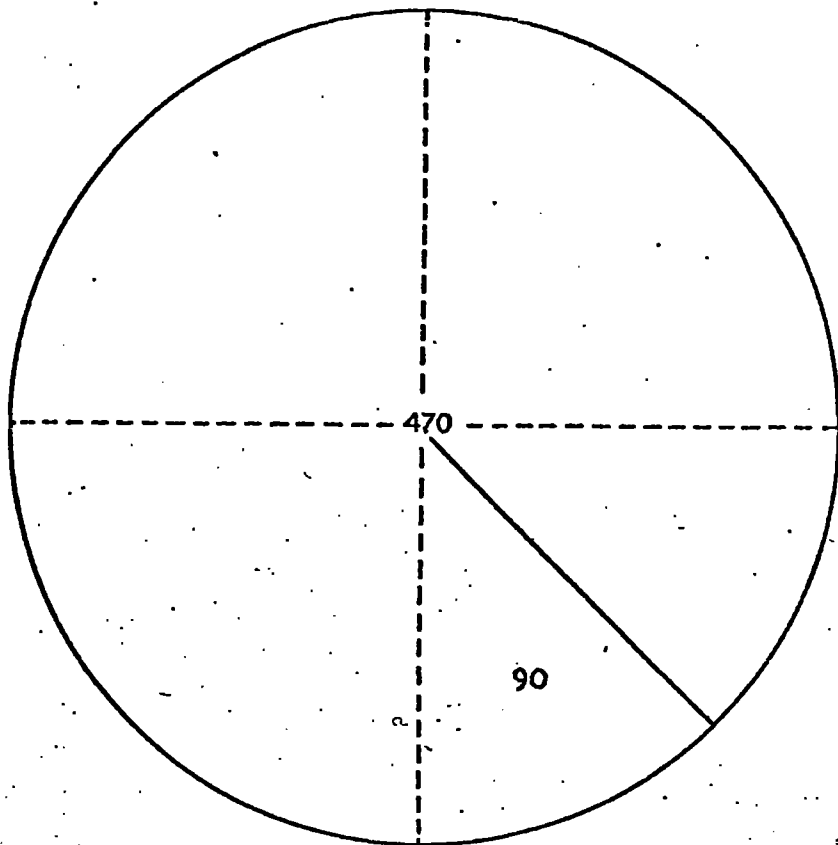
Unit for offence and defence, initiation, and 'Avagli' ritual.
Exogamous-men's house

Lineage:

Possesses sacred flutes and ritual tunes.
Unit for house building and arranging marriages
Communal land rights.

KAMANO: JATE: USURUFA





Confederacy:

Fixed alliance for war with traditional enemies (Jape bugee).

Section:

Exogamous
Stick fights occur.

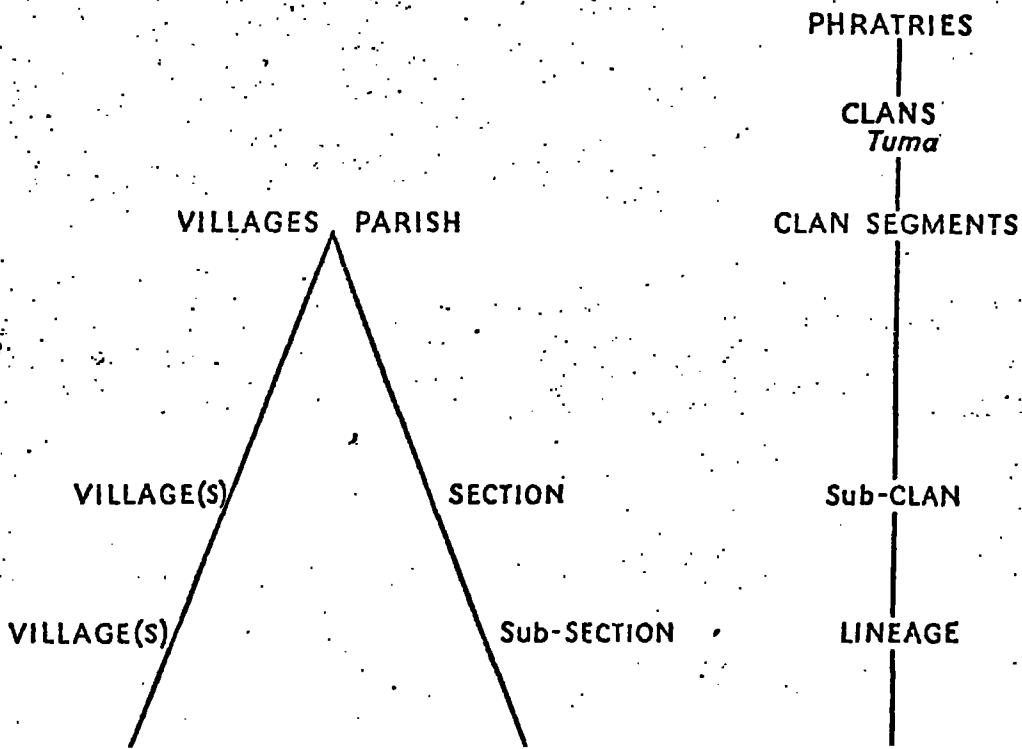
Lineage:

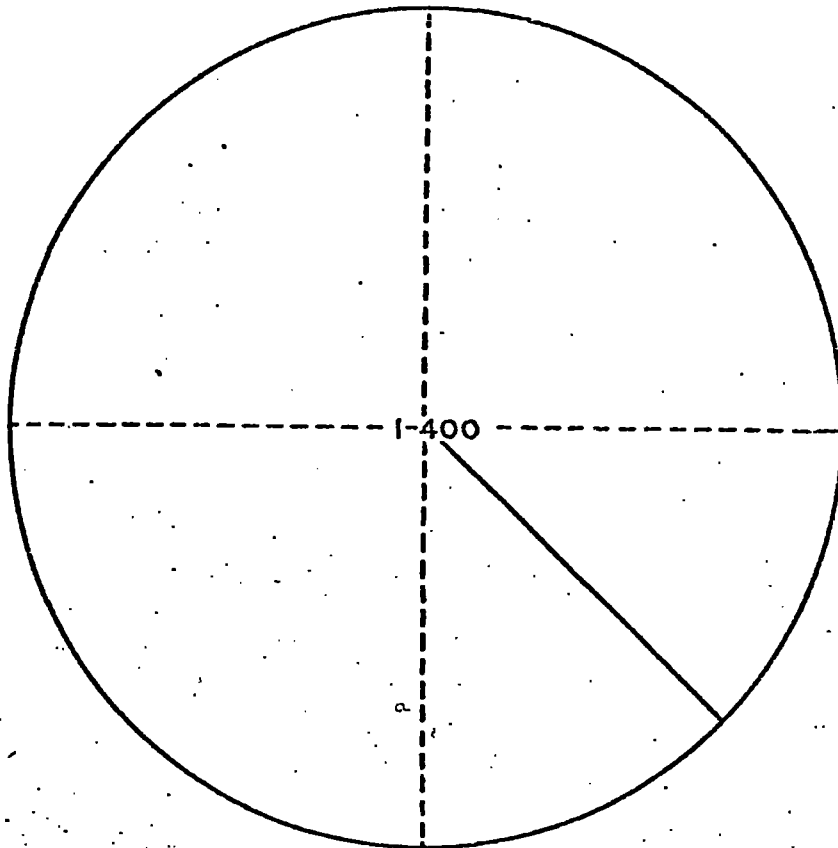
Communal fishing, gardening and collecting rights.

Village:

Unit for construction of ditches, fences, and bridges.
Sponsors Pig feast.

KAPAUKU





Confederacy:

Fixed for war against traditional enemies (Moku Devenar, or Areviar)

Moieties:

Exogamous - Totemic

Parish:

Unit for war and making alliances.
Feud (Guwari) occurs.
Unit for initiation.

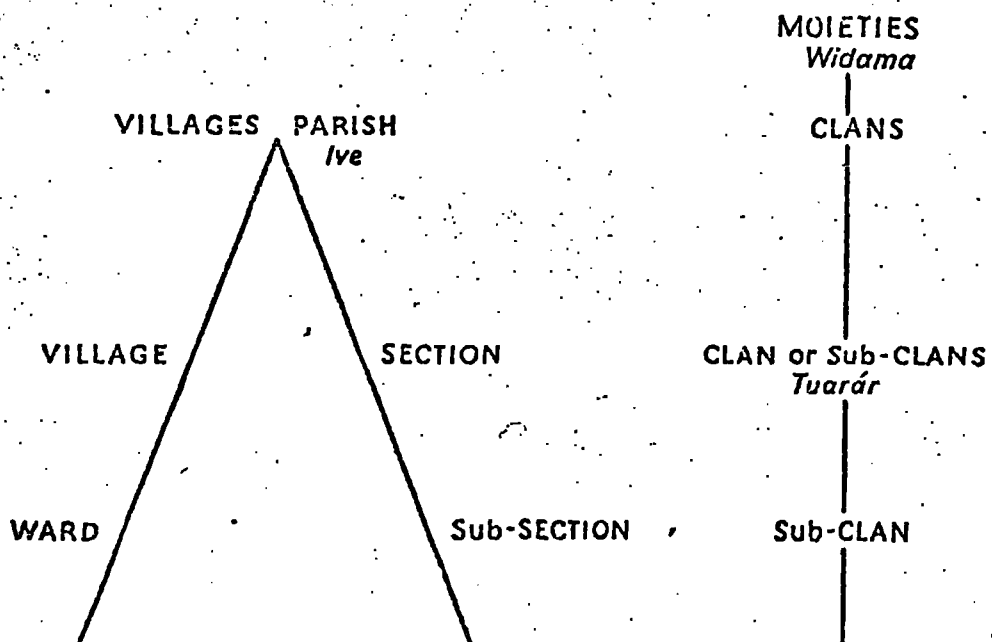
Clan:

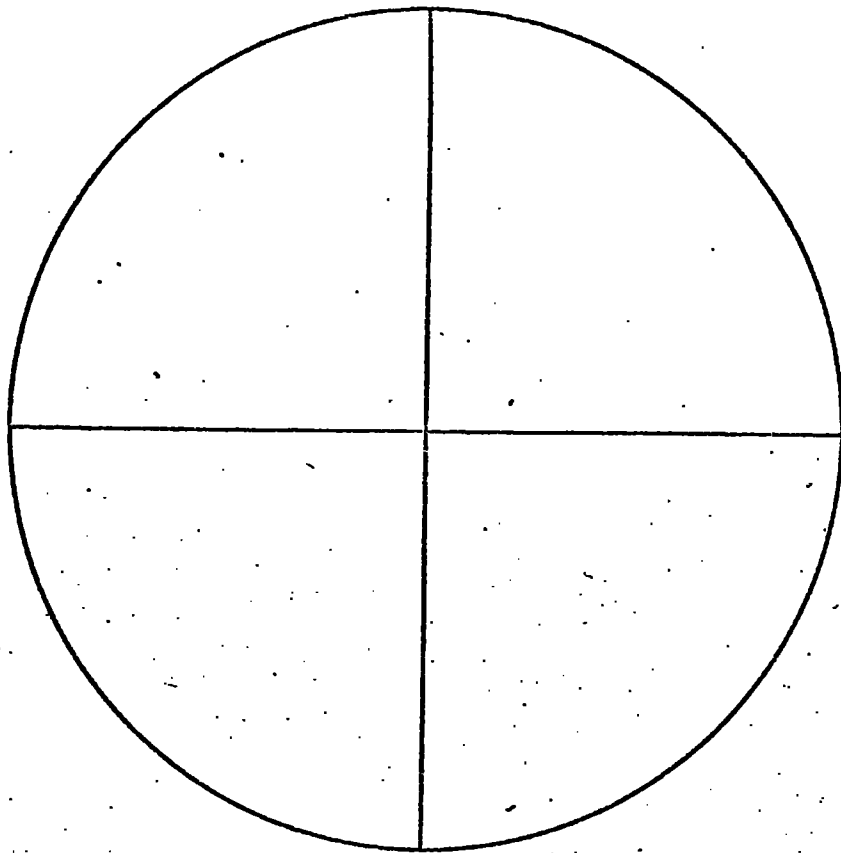
Totemic - Exogamous
Specific magical and religious functions.

Sub-Clan:

Unit for feasts, hunting gardening, and raids.
Owns a Bull Roarer.

KERAKI





Confederacy:

Fixed enemy/ally relations.
Feuding occurs.

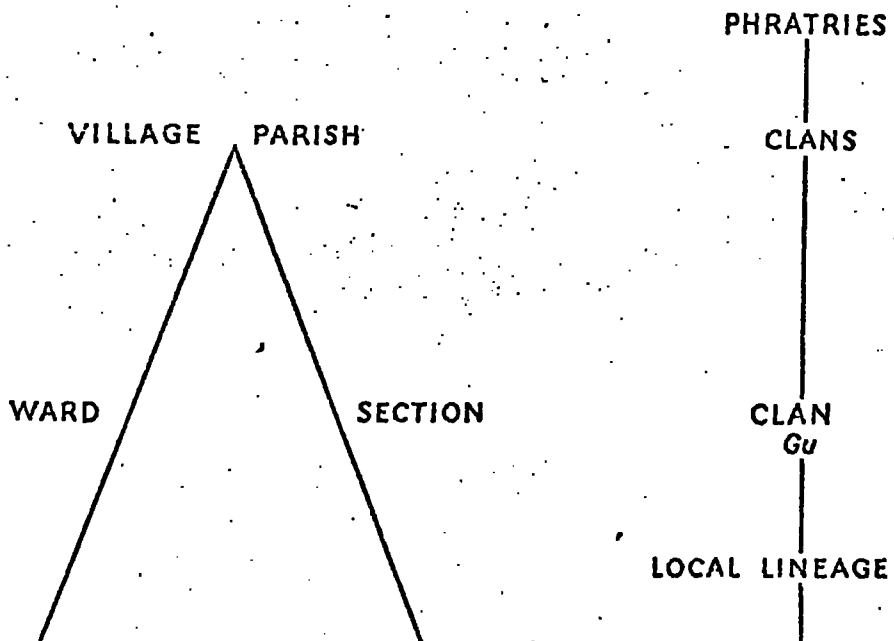
Parish:

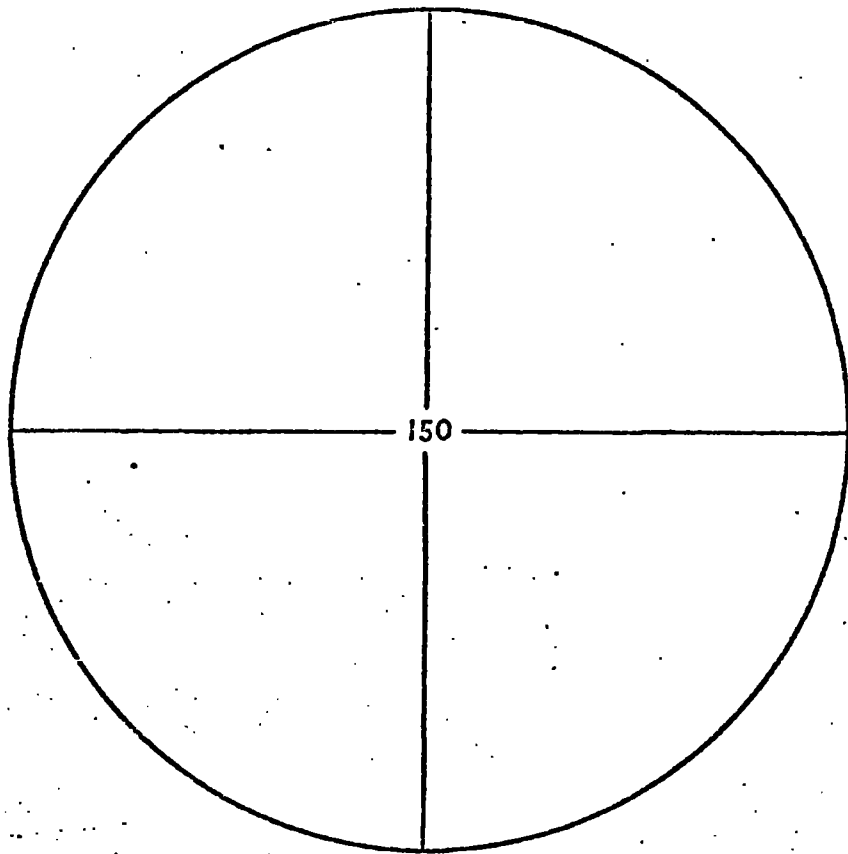
Unit for Horiomu, Mimia, & Meguru ceremonies.
Men's house (Darimo)

Clan:

Exogamous - Totemic
Owns carved posts in men's house.
Unit for food distribution in Horiomu.
Principle feud unit.

KIWAI





Confederacy:

Fixed enemy/ally relations.

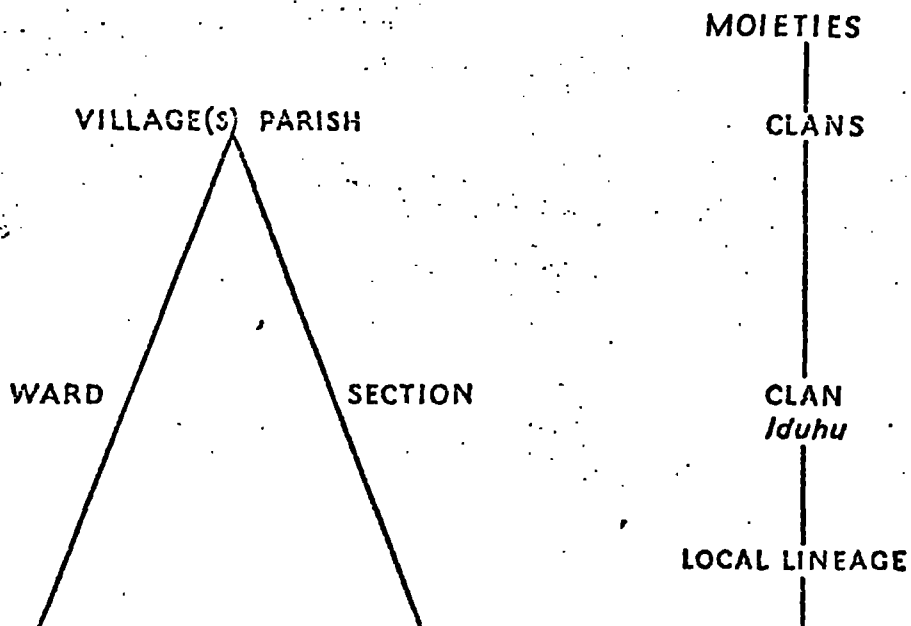
Parish:

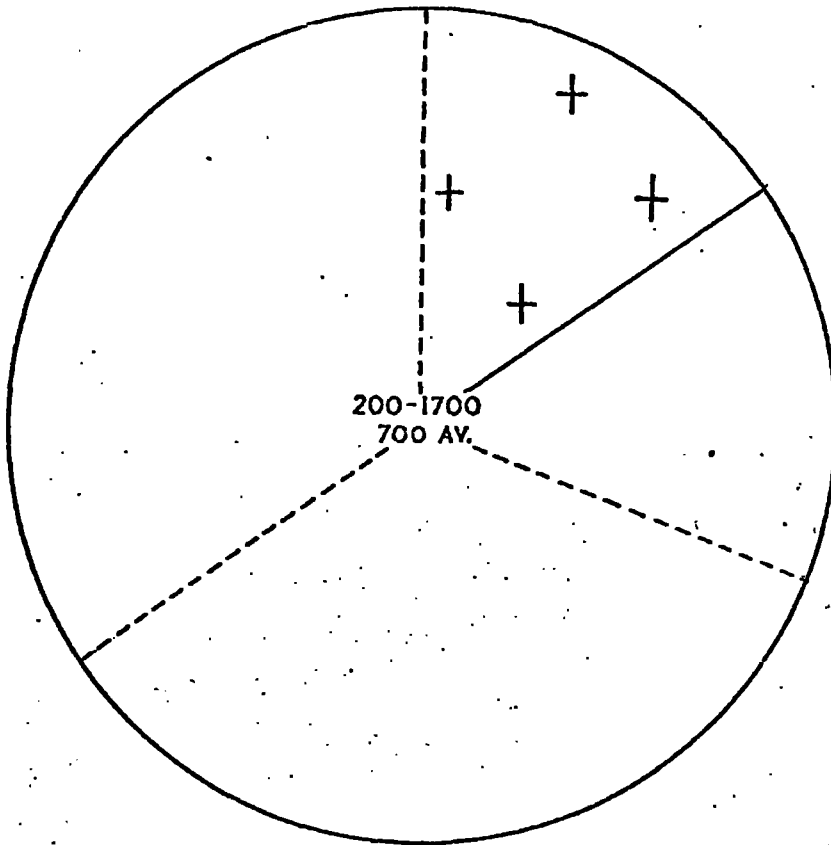
Unit for Koriko and Tabu feasts.
Communal hunting rights.

Clan:

Men's house (Dubu)
Communal land rights.
Unit for mortuary ceremonies and feasts.

KOITA





Confederacy:

Traditional enemies, fluctuating ally relations.

Clan:

May be linked to other clans for intermarriage, aid in fighting, and Pig ceremonials (Konggol) Exogamous. Unit for war and Nut festival (Wubalt)

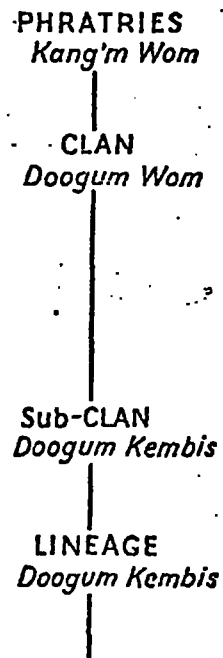
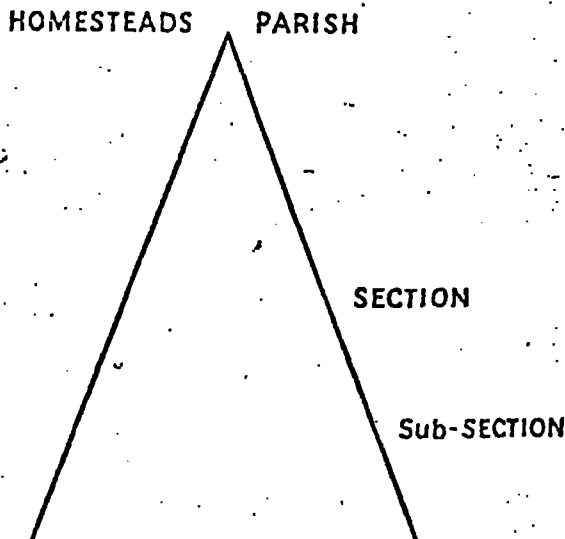
Sub-Clan:

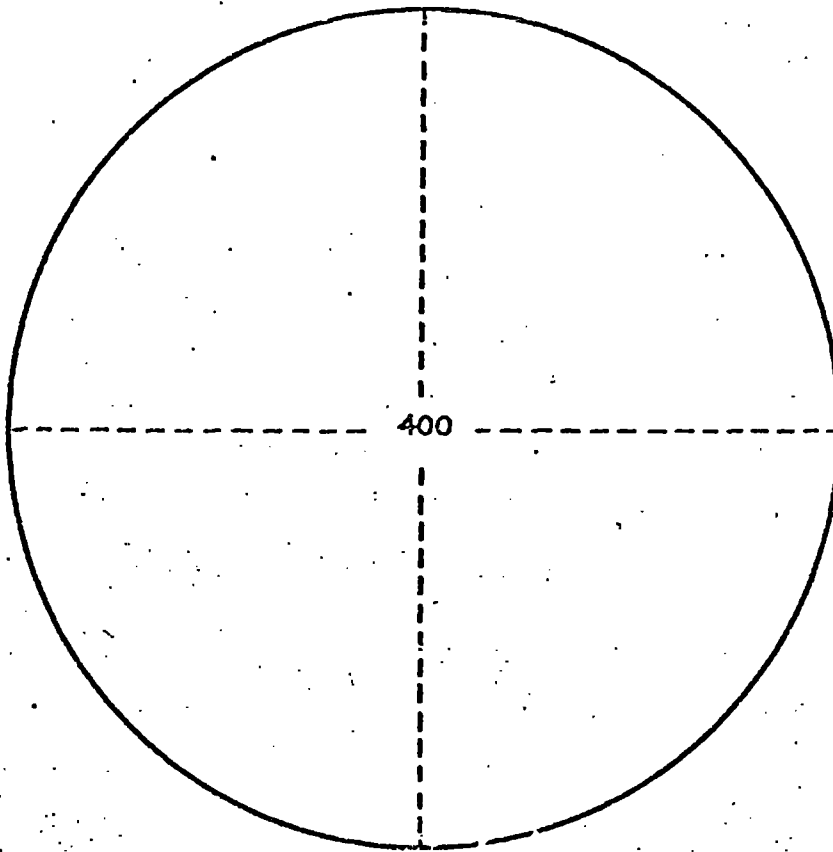
Unit for initiating war, building houses, Communal land rights.

Lineage:

Unit for building, fencing and clearing.

KUMA





Parish:

Feud (Yako Enibu) occurs
 May unite for war.
 Unit for initiation.

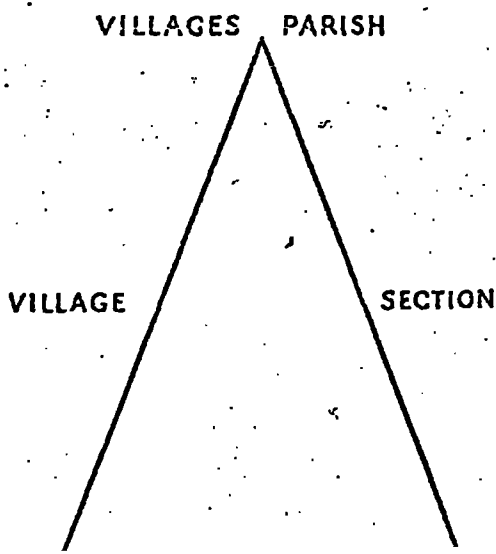
Village:

Unit for offence & defence, feasts, gardens, building, initiation, Men's house.

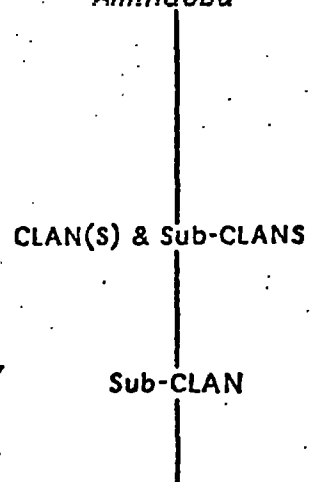
Clan:

Exogamous-Totemic
 Communal land rights.

KUTUBU



CLANS & CLAN SEGMENTS
Amindoba



Confederacy:

Temporary alliance for war.

Clan:

Communal rights in mask designs, dances, trick costumes, cultivable land, reefs & sacred places (Oh). Common fund of myths, ghosts (Hitu) & spirits (Tauna). Incorporal property of magic and nose-piercing technique.

Parish:

Communal hunting and gathering rights. Unit for canoe contests war, and ceremonies. Feuding occurs.

Village:

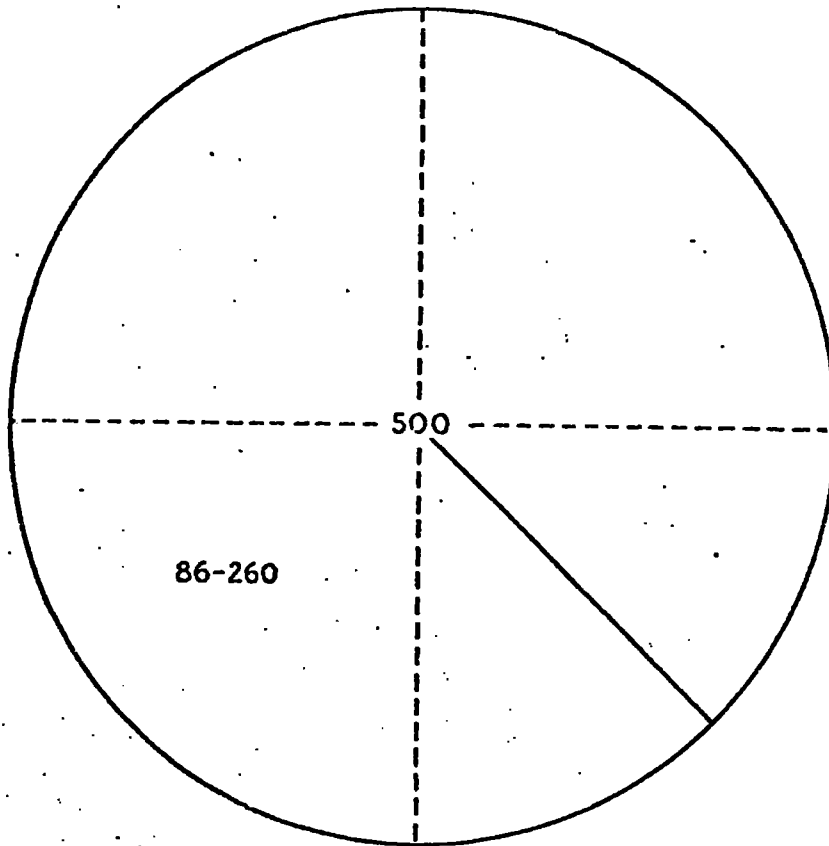
Fishing, collecting and water rights. Unit for war, gardening, and Valuku ceremony.

Ward:

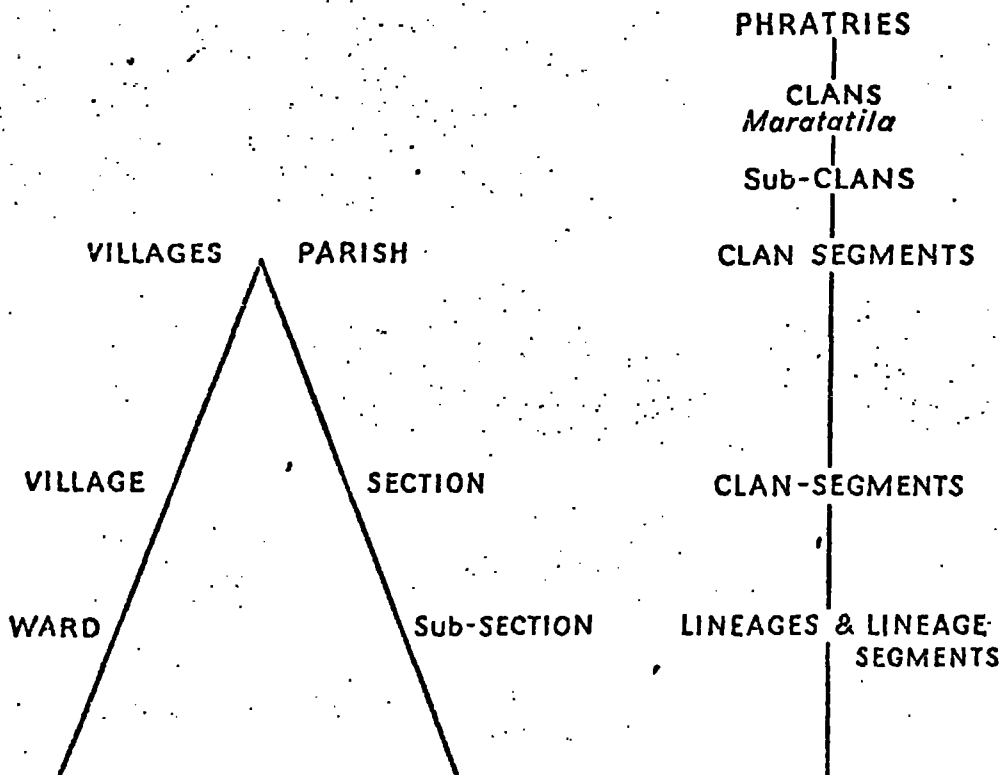
Unit for contests, net-fishing, hunting pigs, building.

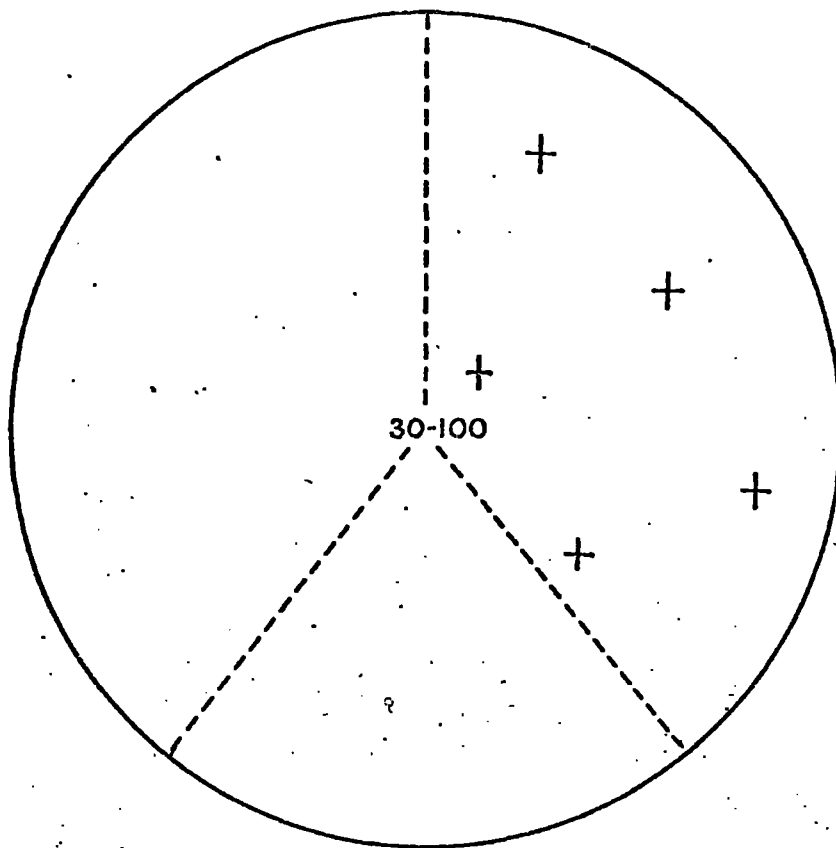
Lineage:

Controlling unit for clan land.



LAKALAI





Confederacy:

Shifting alliances.
 Entity for war and Pig
 feast (Kaiko).
 Rights in non-domestic-
 ated resources.
 Feud (Ura aman/Gui Bamp)
 occurs.

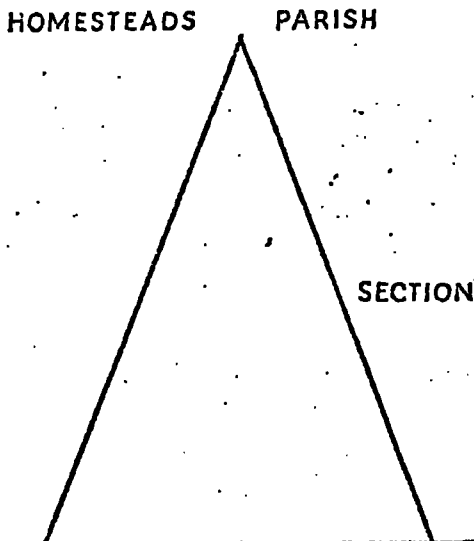
Clan:

Exogamous - Land owning
 Fight Magic House.
 Specific knowledge (Noman)

Sub-Clan:

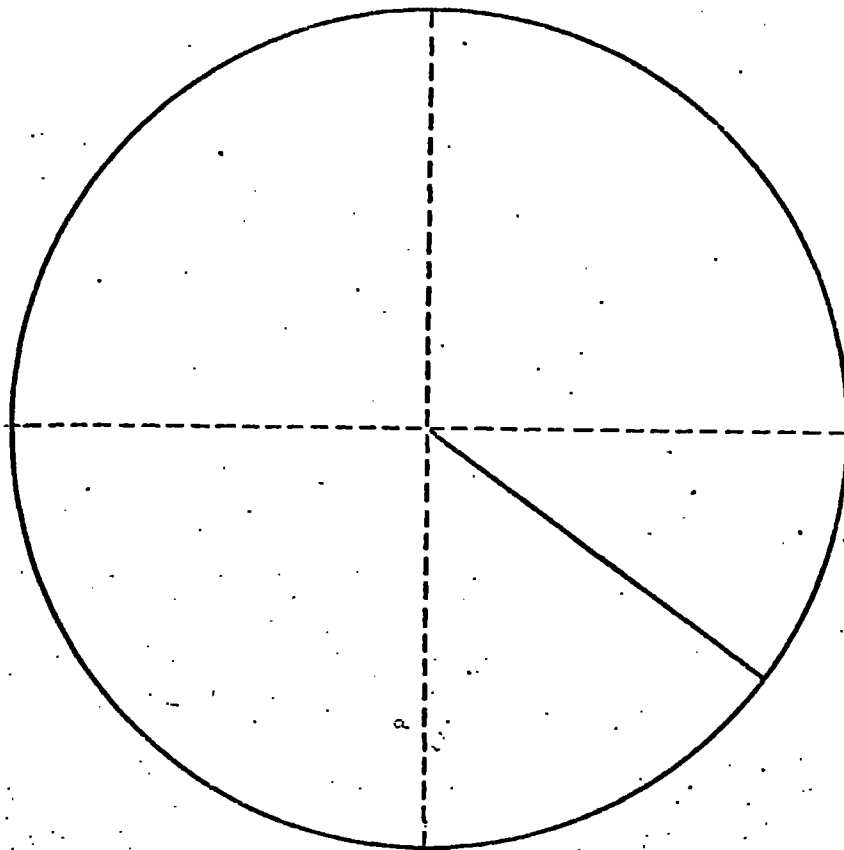
Communal land rights.
 Unit for recruiting
 allies, bride-wealth,
 gardening, and food
 distribution.

MARING



PHRATRIES





Confederacy:

Temporary Alliance

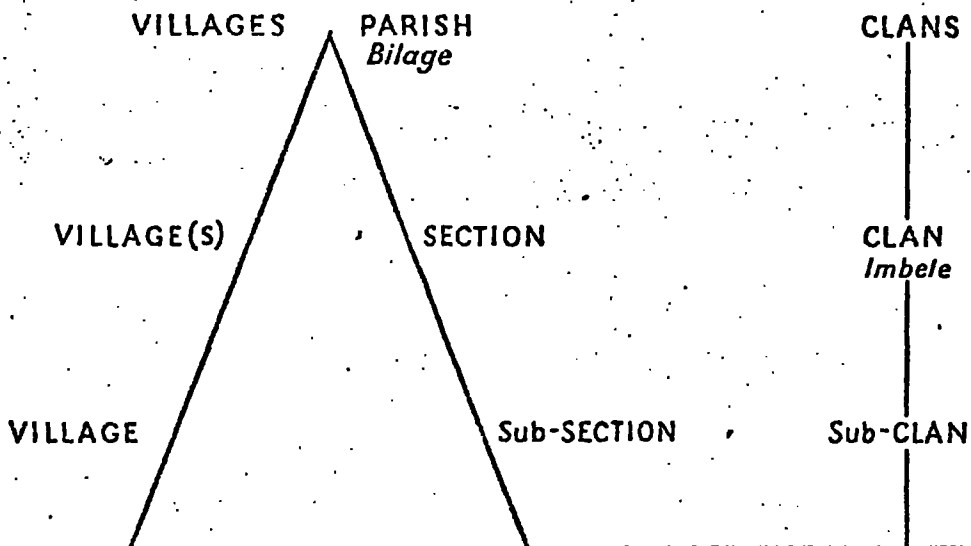
Parish:

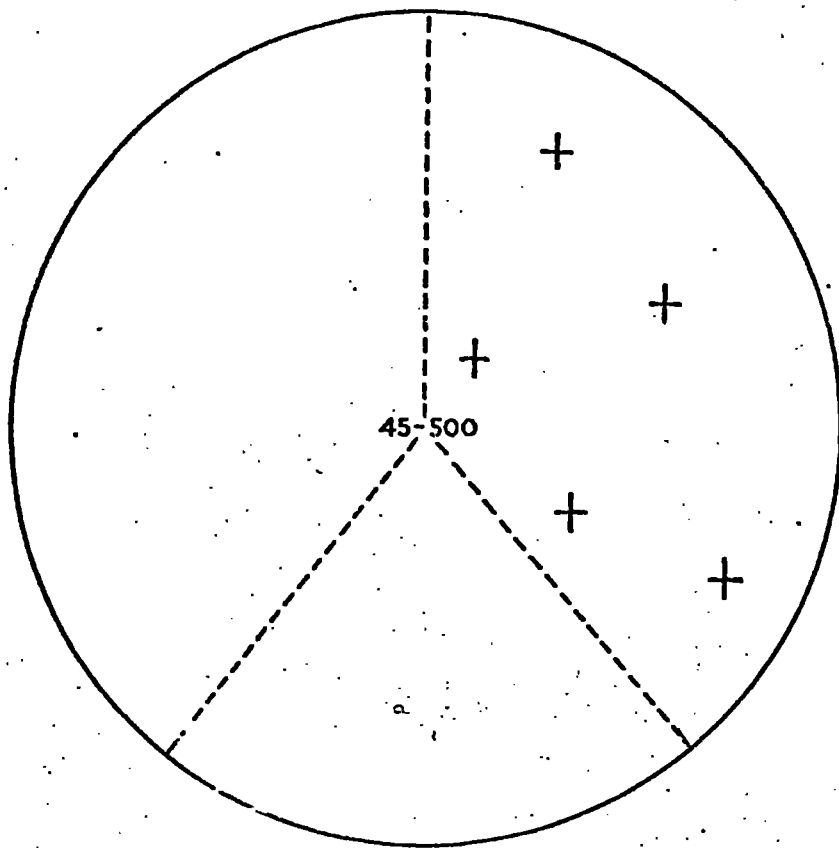
Communal hunting and fishing rights.
Unit for feasts.

Clan:

Exogamous.
Unit for war.
Club House (Emone)

MAFULU





Confederacy:

Fixed alliance against traditional enemies (el parka wamb).

Unit for Pig feast.
Common origin symbolized in 'MI' divination substance and creation place (Kona winyndi)

Clan:

Exogamous - may be paired
Own ceremonial ground.

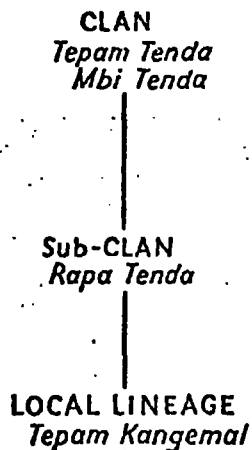
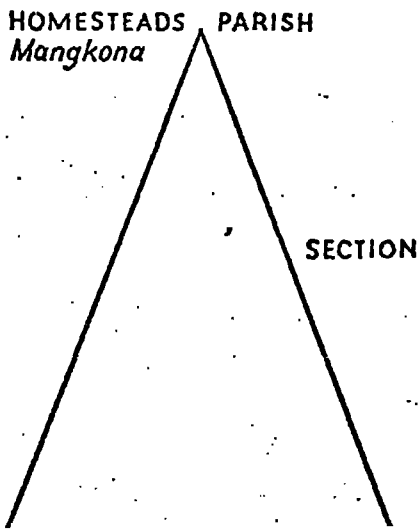
Sub-Clan:

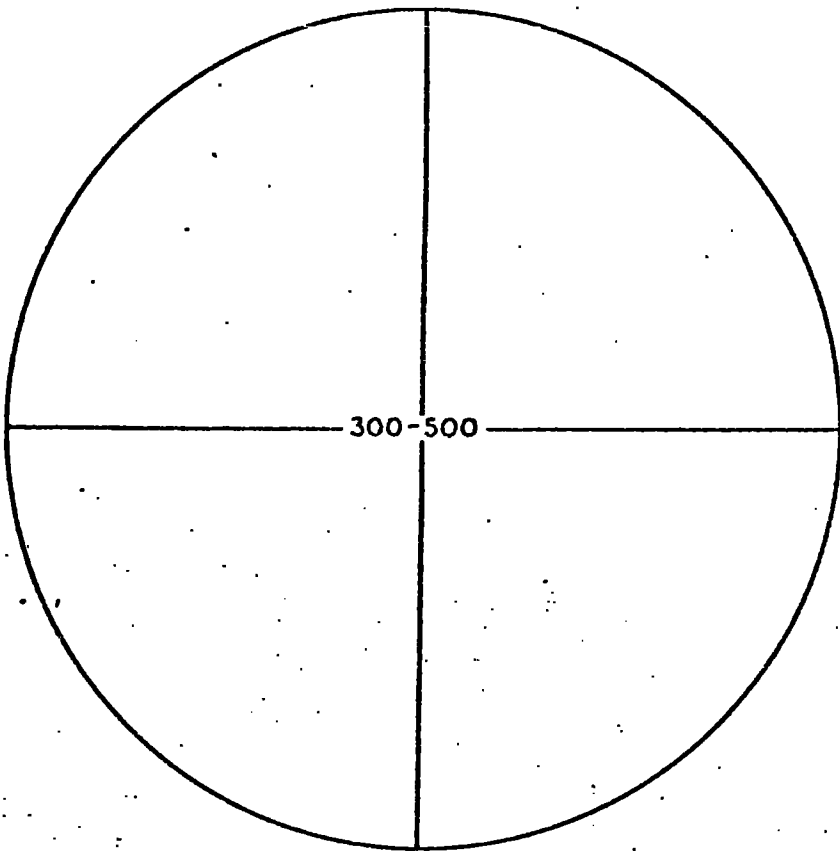
Men's house (Rapa).
Unit for Moka and stick fights.

Lineage:

May have own ceremonial ground (Pena)
Unit for raising bride-wealth, and garden work.

MELPA





Confederacy:

Traditional enemies and allies for war (Garaa)
Co-operate in annual feasts and sago-swamp activities.

Parish:

Unit for offence & defence.
Communal fishing and land rights.
Feud (Leko) occurs.
Acts as hosts in Maduna festival.

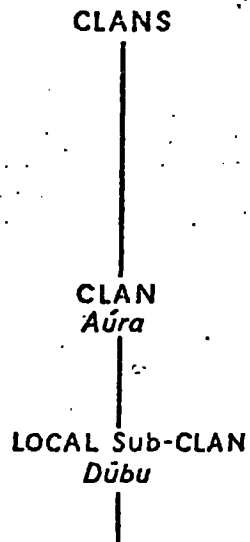
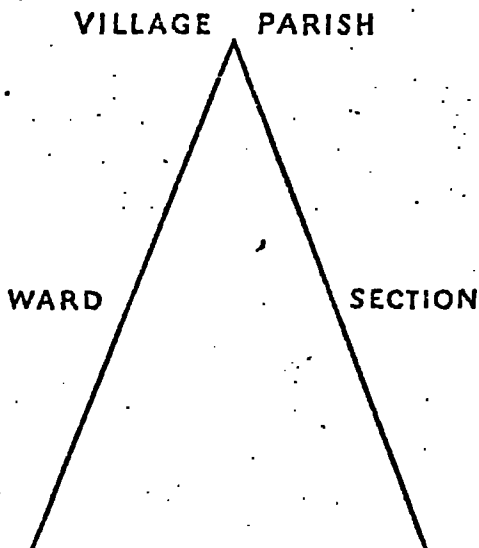
Clan:

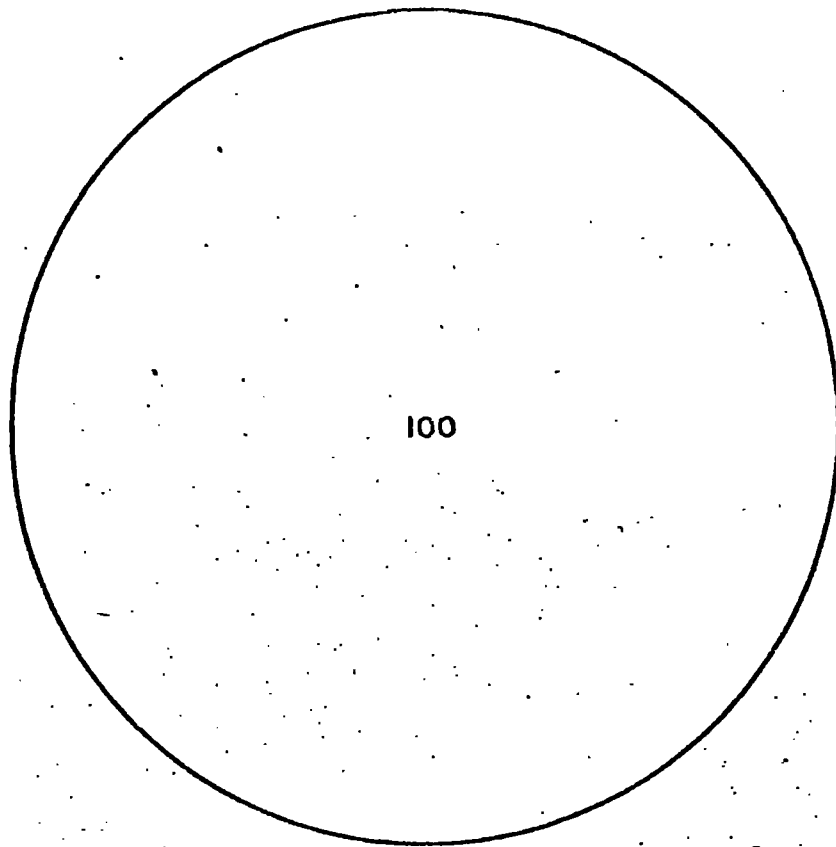
Exogamous
Men's house (Dubu)
Communal hunting & land rights.
Owns War canoes (Bobore)

Sub-Clan:

Owns seafaring canoes & fishing nets (Gauma)

MAILU





Parish:

Men's Club House
Unit for Ausan feast.
Co-operates with other
Parishes in ceremonial
& enonomic activities.

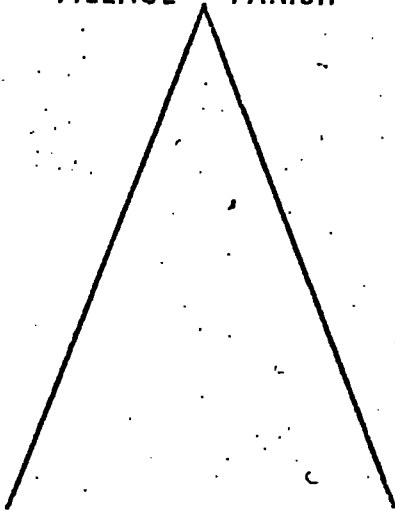
Cognatic Group:

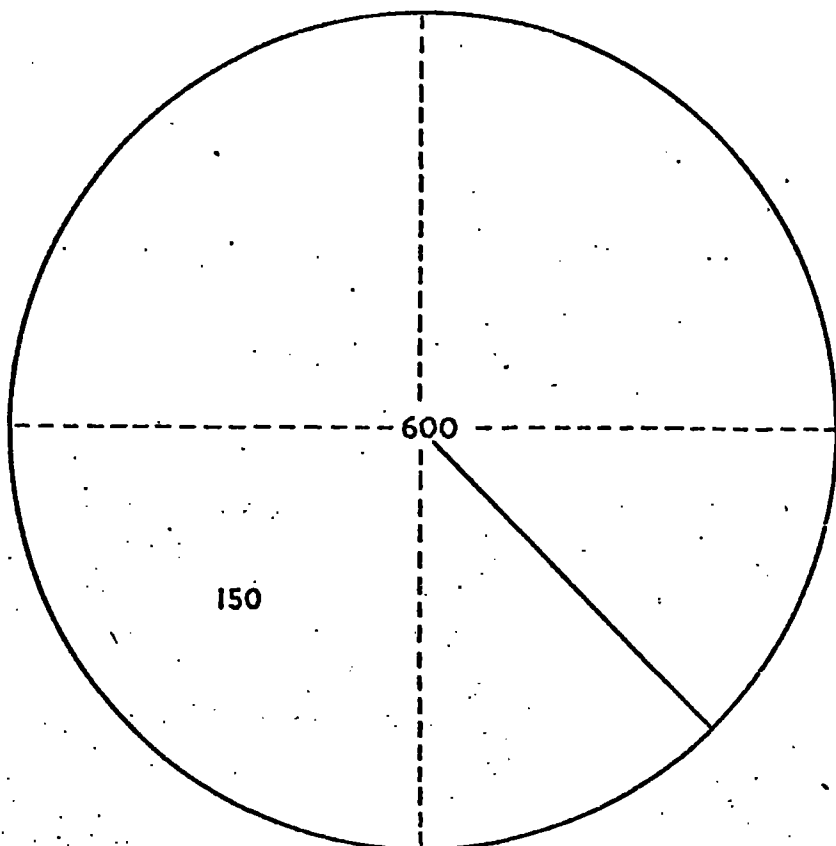
Totemic
Land-holding

MÖWEHAFEN

VILLAGE PARISH

COGNATIC GROUP
Endit





Parish:

Ceremonial burning of kunai grass.

Section:

Unit for Yam gardening and mugus festival. Linked to another section for mutual aid. Communal hunting and gathering rights. Offence and defence group contracting alliances outside parish.

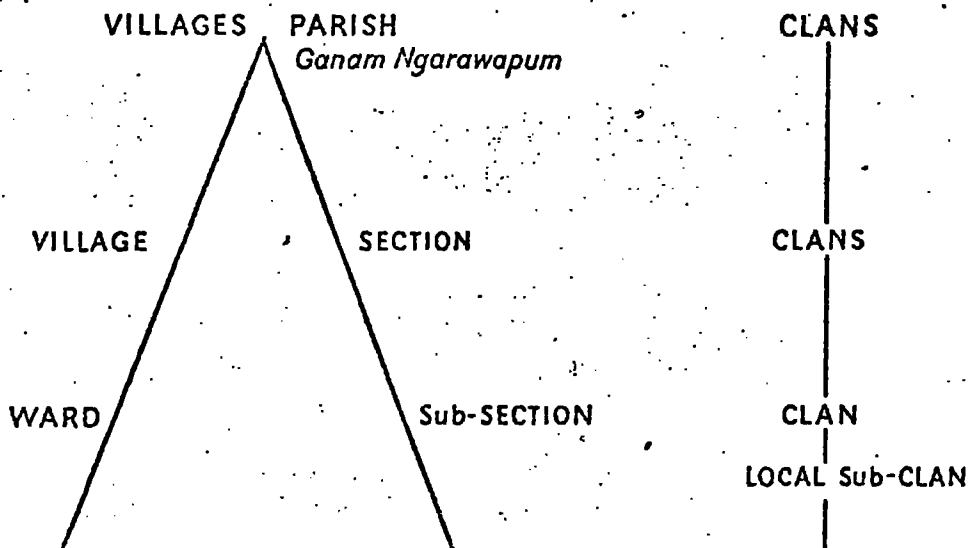
Sub-Section:

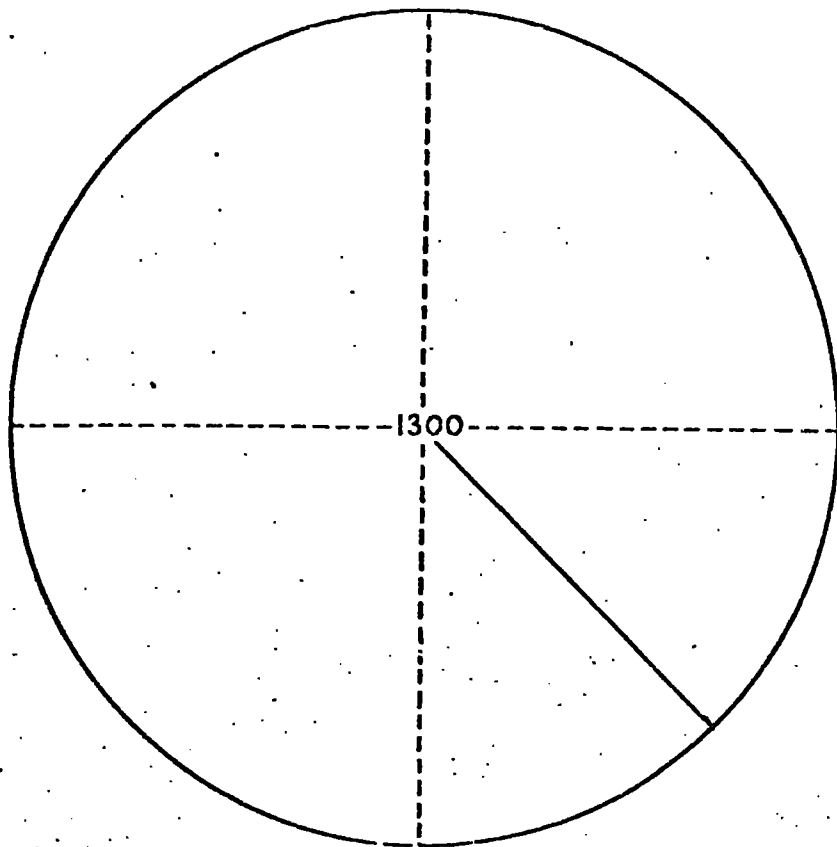
Exogamous Communal land rights Linked to other like units for reciprocal aid in raids and Mugus feasts

Sub-Clan:

Communal land rights. Unit for Yam cultivation and making gardens.

NGARAWAPUM





Confederacy:

Temporary alliances for war (Isoro)

Parish:

Feud (Embogi) occurs.

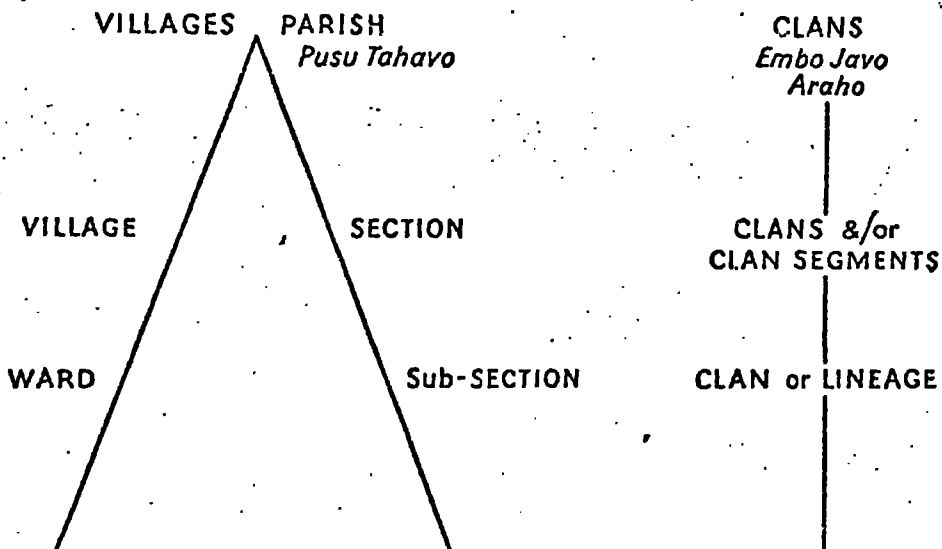
Section:

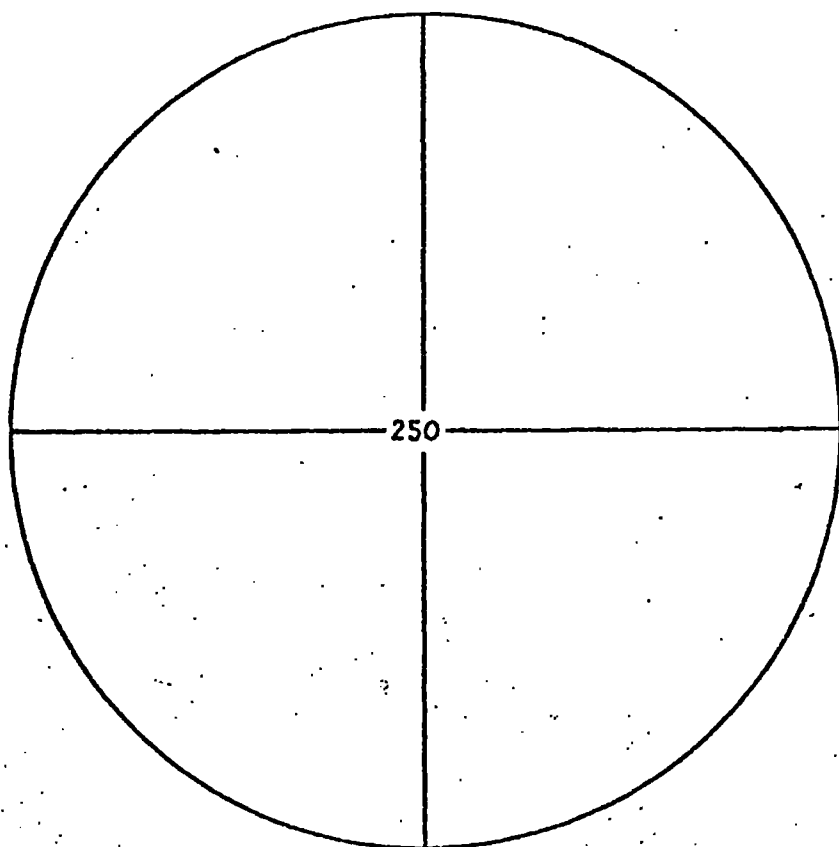
Men's house (Arijo)
Bachelor's house (Oro)
Unit for initiation.

Clan:

Exogamous - Totemic
Communal land rights.

OROKAIVA





Confederacy:

Fluctuating enemy/ally relationships in war (Rowa).

Phratry:

Exogamous
Feuding (Fine) occurs.
Pig feast (Yafo Koiya)
War prohibited.

Clan:

Main fight unit.
Unit in Pig feast, and
for "First Fruit ceremony

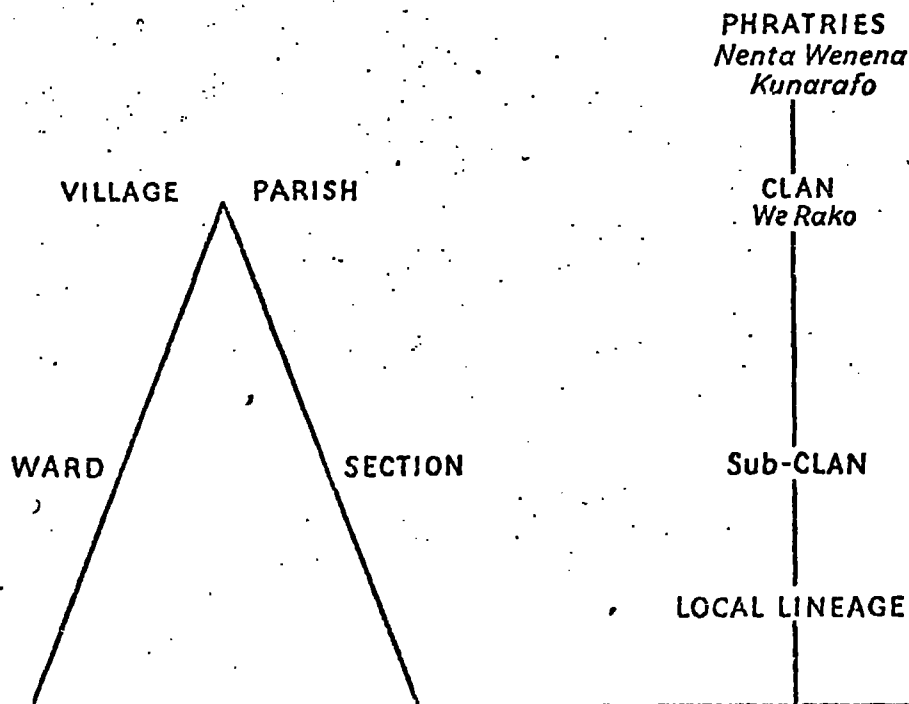
Sub-Clan:

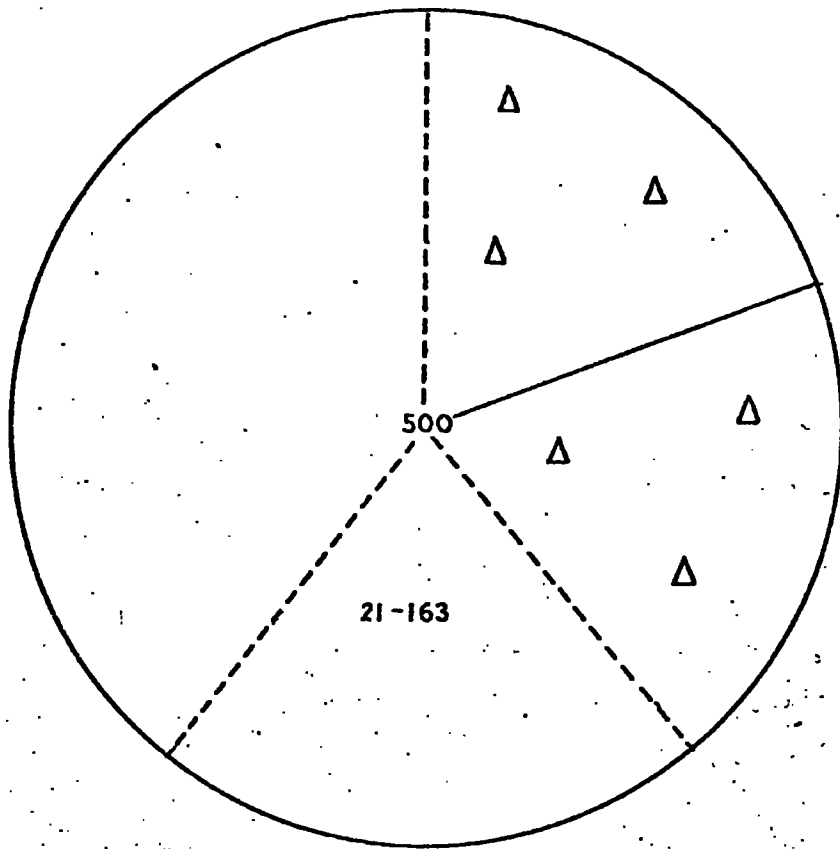
Men's house (Hovanum)
Unit for initiation.

Lineage:

Owns Gerua designs,
flutes, ritual speeches,
and post in men's house.
Work group for women's
houses and garden plots
Communal land rights.

SIANE





Confederacy:

Temporary alliance for war (Noogwe Mbanggwe)

Parish:

Unit for Pig feast.

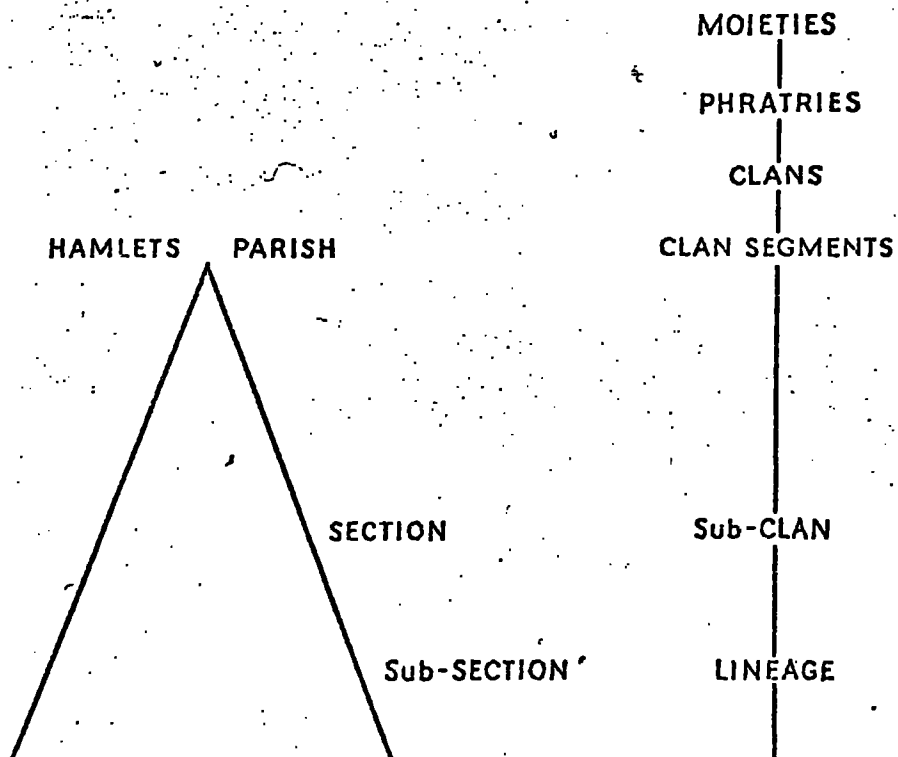
Clan:

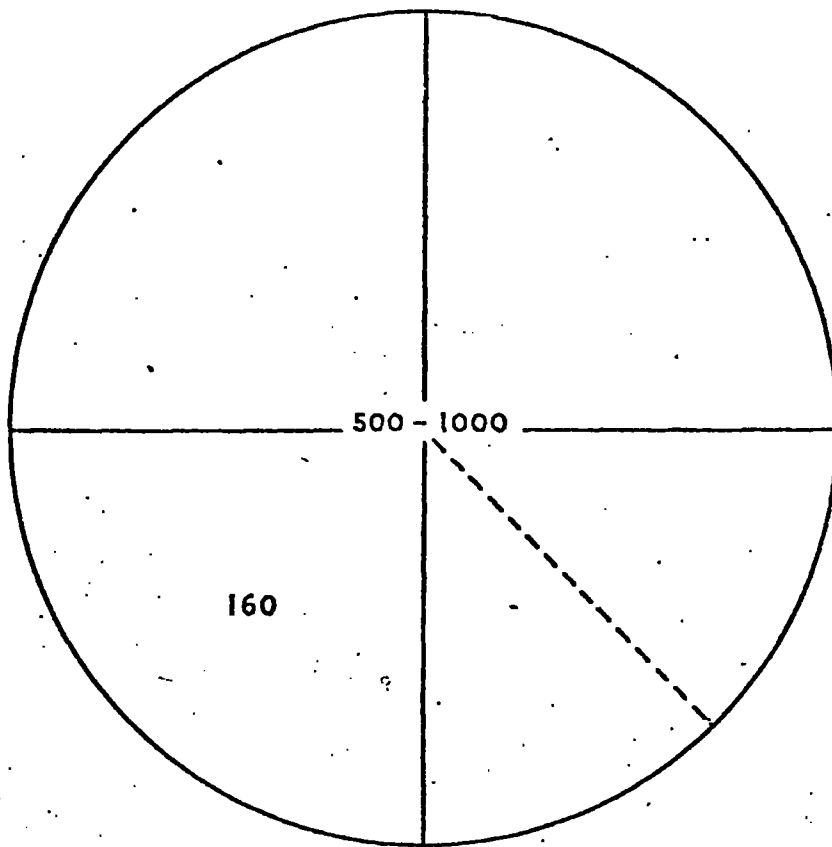
Exogamous-Dispersed.

Sub-Clan:

Linked for inter-marriage
Unit for Pandanus feast.

WANGGULAM





Confederacy:

Temporary alliances for raids (Da)

Parish:

Feuding occurs

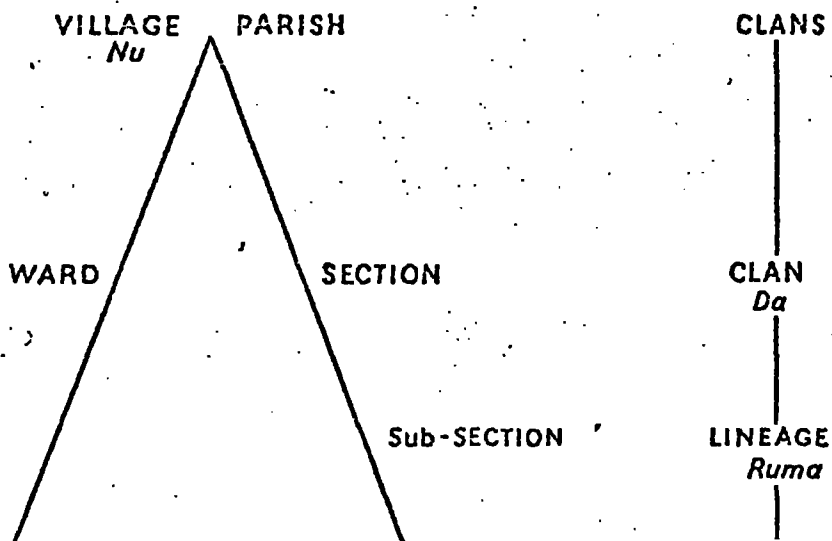
Clan:

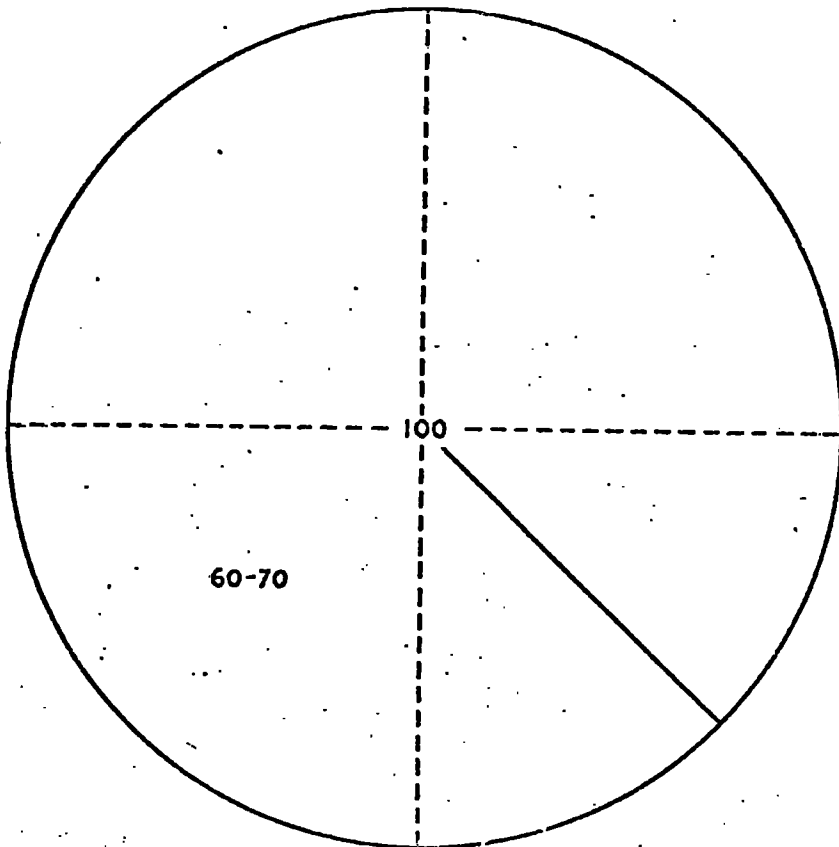
Unit for feud, and Saira ceremony.
Men's house (Dama)
Linked ceremonially with another clan for ritual co-operation.
Communal land rights.

Lineage:

Exogamous
Unit for funary feasts (Munaba), and contracting marriages.

WAROPEN





Confederacy:

Traditional allies and enemies.
Unit for Warabwa ceremony

Moieties:

Matrilineal - Exogamous
"One blood" (Dara Ta) group.

Parish:

Communal hunting, felling and collecting rights.

Village:

Men's house (Niabwa)
Unit for exchanges and Walage feast.

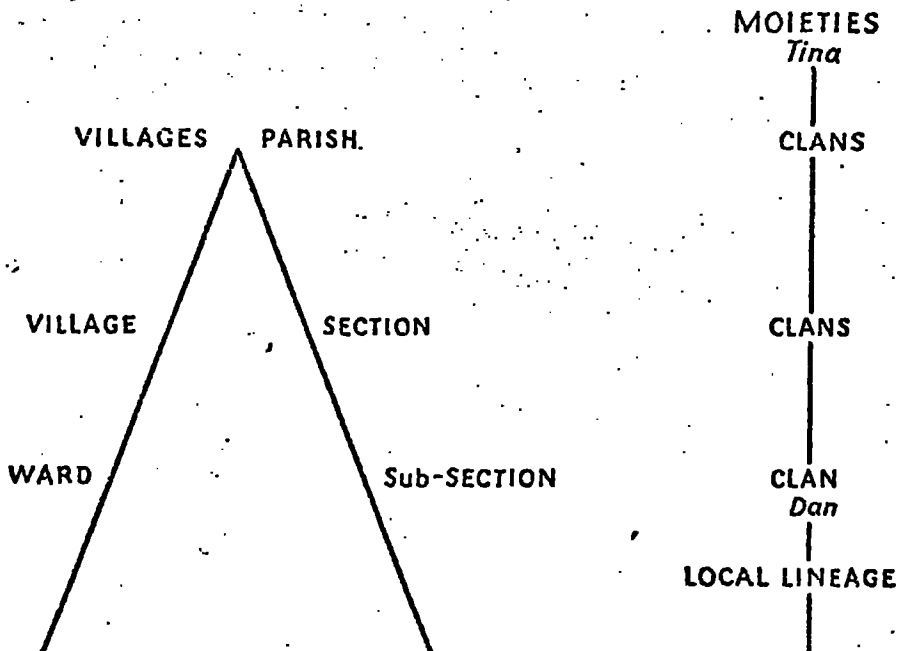
Clan:

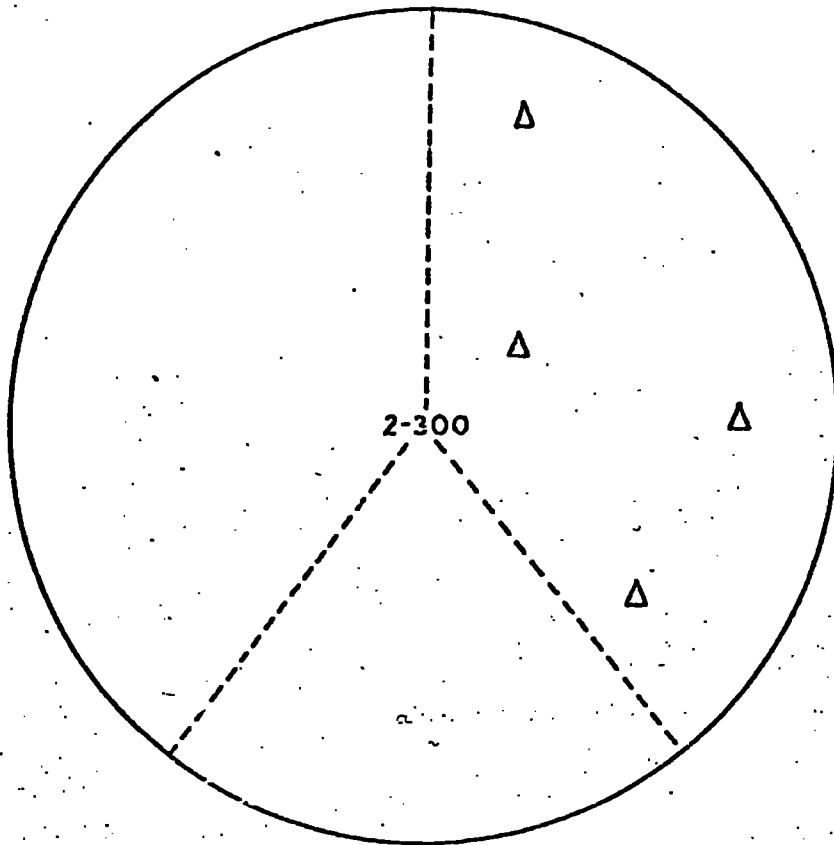
Unit for Pig-hunting, fishing, clearing, fencing and gardening.
Principal war unit.

Sub-Clan:

Acts as a unit in food preparation.

WOGEO





Confederacy:

Temporary alliance.

Moieties:

Exogamous.

Parish:

Communal rights for hunting, collecting, and to the egg lands.

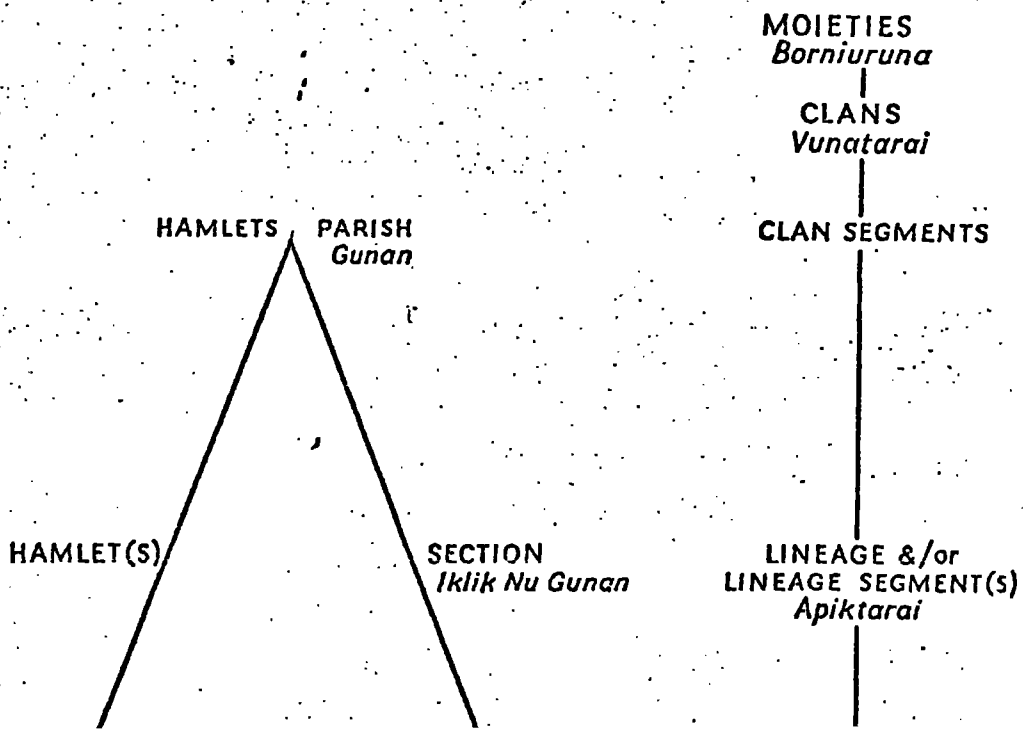
Clan:

Unit for large scale mortuary rites, Tubuan, and Balaguan ceremonies.

Lineage:

Communal land rights, and unit for bride-wealth.

TOLAI



APPENDIX 2. Cases

JALE

1. Type: Intra-Lineage
Cause: Unauthorised harvesting of crops
Place: Pasikini Parish - Nelelum Ward
Date: April 30th 1966
Ref: Koch 1967, Case 52, p.416

Parion's younger brother Enebo, had informed his father Seiekmangke of the fact that Parion had harvested some yams belonging to him without permission, whereupon Seiekmangke immediately began shouting complaints from his adjunct jousei towards the main mens house where Parion resided. There was further abuse between the two which culminated in Parion entering his father's house, and wounding him. In retaliation Enebo and Avele (Seiekmangke F+Bs) proceeded to assault Parion; other men of the same ward then intervened to separate the disputants, whereupon Parion and his father entered into a heteroxo relationship.

2. Type: Inter-Ward
Cause: Alleged Adultery
Place: Pasikini Parish
Date: March 9th 1966
Ref: Koch 1967, Case 51, p.414

Joulimo (Nelelum Ward) had acquired Arpentel (Womika) by courtship, but the latter had continued to reside in her natal ward. While preparations were taking place for the wedding in Arpentel's father's shed, she went to Nela Spring to wash some potatoes but was there accosted by Tilip (Arpentel's + SH-B, -Womika), who sneaked up behind her and attempted to have intercourse. During the quarrel which ensued Tilip answered the accusations of Arpentel with the retort that Joulimo had not provided the requisite pig for

Wamelek's (Arpentat's -B) initiation.

When Joulimo heard of this incident, he returned to his Jouei where, with the other men of the ward, the events were discussed, during which Joulimo stated that he had been searching for Tilip's wife in order to copulate with her, a decision which received approving comments. Joulimo's father Aloat, then proceeded to Tilio's Jouei in Womika where an altercation followed, but with no apparent settlement.

3. Type: Inter-Ward
Cause: Refusal to pay Compensation
Place: Pasikini Parish
Date: 1963
Ref: Koch 1967, Case 34, p.387

Nengbisa (Masaxavil) had induced his sister's husband Fovole (Saveapini) to accompany him on a trip to acquire some new vines for a rattan dress. However, when subsequent to the journey, Fovole died, his death was attributed to an attack by a female ghost of the Vine, and Nengbisa was held responsible. Fovole's younger brother Namne demanded a guilt-pig which Nengbisa refused to pay, and a suaxal followed, after which both parties entered into a heteroxo relationship.

4. Type: Inter-Ward
Cause: Accusation of Adultery
Place: Pasikini Parish
Date: May 24th 1965
Ref: Koch 1967, Case 41, p.373

During the night someone had tried to enter Namovak's (Wife of Leveng-Seraxanpini) house, and had attempted to have intercourse with her. Following this unsuccessful attempt Namovak and her mother Sue (Halepini) discovered footprints leading to the Nelelum Ward and a brief suaxal occurred between

these wards, in which charges were made against Oukmo.

In fact the identity of the real culprit became known later (see Case 46) when Ysaxon (Nelelum) made a specific charge against Leveng Seraxanpini),

"Leveng, you man over there, your wife was copulated with by Oloveng (Masaxavil) at night but it was us whom you have spoken to".

5. Type: Inter-Ward
Cause: Child's defecation
Place: Pasikini Parish
Date: December 16 - 17th 1965
Ref: Koch 1967, Case 43, p.375

Malaxe, wife of Avesu (Kenangheiomomo), had moved to the house of her brother Wali (Nelelum). That night Molaxe's son defecated on the sleeping floor, and Esaven (Wali's W), on discovering it, scolded Malaxe:

"Come here, look yourself the faeces your son has dropped in my house; come take them away."

Malaxe then returned to Kenangheiomomo in the middle of the night, despite the fact that Esaven's own father had admonished his daughter for her actions in sending them away. Wali put an end to the matter by providing his wife with a pig to take to Malaxe to restore amity.

6. Type: Inter-Ward
Cause: Unauthorised clearing of Land
Place: Pasikini Parish
Date: 17th-18th March 1965
Ref: Koch 1967, Case 39

Selelemangke (Nelelum) began clearing a stretch of land outside the confines of the Seraxanpini Ward, a small part of which area belonged to Isonu (Seraxanpini). A few days later

Herin (Seraxanpini) started work on the lands belonging to Isonu, but Selelemangke claimed that he was clearing brushwood on his soil, and a Suaxal commenced. However, next morning Herin again started work on the disputed piece of land, and a brawl ensued in which the elder men tried to calm the younger fighters of both wards. During the Suaxal which followed this fight, it soon became apparent that the real issue between the parties concerned a pig which had been given to Selelemangke by a man from his ward, and which had never been returned. Herin now claimed this pig as a brother-in-law to this man, and agreed to leave the disputed area if the pig was repaid. Selelemangke rejected this proposal and himself claimed the pig in regard to Herin's unlawful intercourse with a woman of his ward. The Suaxal ended with a compromise solution when Selelemangke retracted his claim for a pig, in return for which Herin agreed to harvest for only one season on the land.

7. Type: Inter-Ward
Cause: Attempted intercourse
Place: Pasikini Parish
Date: 9th Jan, 1966
Ref: Koch 1967, Case 46, pp.397/8

Lilen (Nelelum) wife of Ongliolilo (Seraxanpini), was weeding beds in her father's garden, when Weak (Kenangheiom) attempted to have intercourse with her. After the men of Seraxanpini had been informed of the incident a Suaxal followed against the men of the ¹Ovolukmo Wards, and various

1. Ovolukmo was the term used for all the wards of the Village with the exception of Seraxanpini, which was geographically separated from the others.

people of Nelelum, Halepini, and Womikna gathered together in the jouei of Kenangheiomo ward to answer the charges. The first accusations made by the men of Seraxanpini were directed against Weak, but soon other complaints and charges were made against other Ovolukmo Men who had in the past made similar advances to their women. These accusations were countered by men of the Ovolukmo side who made disparaging remarks concerning the weakness of Seraxanpini men who neither fought, nor took revenge. However, as the Suaxal began to fade Savulaxe (Big Man of Halepini) made a speech which halted the recriminations.

"Seraxanpini is just fine; you in Pasikini, Ovolukmo are just fine;.....all are fine.....women.....you Seraxanpini men don't abuse the Ovolukmo Women, you of Ovolukmo men don't abuse the Seraxanpini women. Just stop it!"

This ended the Suaxal, and an informal avoidance between the two parties followed for a short time.

IATMUL

8. Type: Intra Clan
Cause: Adultery
Place: Palimbai
Date: 1932
Ref: Bateson 1958, Case 4, pp.102-105

When Koulavwan had returned from a trading expedition, he was informed by his mother Kapma-Tshat-Tagwa, and other resident woman of his house, that Membi-Awan (Koulavwan's KB) had made a visit to his wife during the night and put his hand inside her mosquito bag. Koulavwan decided to take Membi-Awan before the village Tultul, in front of whom the offender claimed in his defence that he had seen Kaindshi-

mboli-agwi giving a betel leaf to her sister's husband Wompur-Ndemi, and that he had visited her later to check that she was not having an affair with the man. The Tultul heard the evidence from both parties but took no action.

In addition to his quarrel with Membi-Awan, Koulavwan also beat his wife, "because she had not herself come and told him, but had waited till Kapma-Tshat-Tagwa told"; a course of action in which he was encouraged by Kandam-Nowe, his wife's KB.

This last quarrel had repercussions on the relationship between Kili-Mali (Koulavwan's F), and his wife, the former beating her because she had slept while the offender entered the house, and committed the offence.

The following night Koulavwan, still angry, began to brawl with Membi-Awan, after which he again beat his wife who shouted for Kandem-Nowe to come to her aid. The latter came, exclaiming that,

"We are both of the same nggwail-nggu", and was soon joined by Woli-yimbang and Kwoshimba, both of whom scolded Koulavwan for beating his wife and themselves "made a show of beating" him. However, Kili-mali then entered the dispute with an angry tirade against Woli-yimbang and Kwoshimba for interfering, stating that "Kaindshi-mboli-agwi is no longer your daughter. She belongs to us." In reply to these remarks the two men complained about the bride price which had been paid to them for Koulavwan's wife, to which Koulavwan replied with similar disparaging remarks on their return payment, i.e. the "nggwat keranda". The argument continued with accusations

and counter accusations concerning their mutual indebtedness, in which Kwoshimba even referred back to the time when he had let Kili-mali take the credit for a homicide which he was in fact really responsible for.

Koulavwan then intervened between his father and Kwoshimba, following which an exchange of areca nuts took place as a formal sign of reconciliation between the disputants.

MOWEHAFEN

9. Type: Inter-Parish
Cause: Breach of Contract
Place: Magien Village
Date: 1934
Ref: Todd 1936, p.415

Langga (Aviklo), had requested Mangki (Magien:- cross cousin of Langga) to purchase some red ochre when he went on a trading voyage. Mangki acquired the ochre and asked for payment amounting to 4s. Langga, however, refused to pay alleging that Mangki had borrowed a dog of his, and had neither returned nor paid for it. Mangki denied the allegation asserting that the dog had run off into the bush and failed to return. However, after further arguments, Langga paid the 4s.

The dispute continued when Langga next alleged that he had not received a return for the pig given when Mangki's father had died, a charge refuted by Mangki who insisted he was away at the time, and knew nothing of the matter. Kraveng (Mangki's ZH) in order to balance the debts, killed one of his own pigs and presented it to Langga.

However, it was Mangki who next argued that he had not been paid for a pig owned by Raño and Akrek (Half-brother of

Langga) which he had both paid for and looked after on their behalf. Rario's brother Slan heard of this matter and sent for both Akrek and Rario who denied the allegations of Mangki with the argument that he had never handed over the pig and through his mistreatment of it, the pig had died. Once again Kraveng intervened placing a gold lip shell on the first pig and presented both to Akrek.

WANGGULAM

10. Type: Intra section
Cause: Disputed land claim
Place: Karoba
Date: 1961
Ref: Ploeg 1969, Case 14, pp.139-140

When some men of Karoba II attempted to make a swidden in Agarah, people from Karoba I claimed that the land was theirs as they had opened it some time before; since there were no clear boundries, Karoba II claimed that the land of Karoba I was further to the east. This dispute had repercussions on the relationship between a Karoba I individual and his MKZDS (Karoba III) who was at the time residing with him, and who had helped the Karoba II open the disputed land. The man of Karoba I now requested the return of a shell band he had previously lent the other man, partly because of the latters alliance with the opposing sub-section Karoba II. However, Karoba II was not prevented from opening the garden, for a number of Karoba I denied the claims of their own sub-section and acknowledged those of Karoba II.

"The opposing parties were mostly referred to by the names of the constituent men, sometimes by the names of the

sub-sections."

Both parties to the dispute initiated a prohibition on visiting each other.

11. Type: Intra section
Cause: Pig theft
Place: Penggu
Date: 1942
Ref: Ploeg 1969, Case 17, pp.149-150

Ngwembanik (Penggu B) had stolen a pig from Wunika's father (Penggu B) to help pay the bride price for his wife, and steadfastly refused to compensate the offended party for the theft. Some time later, Pubugarit's father died, as the result, it was presumed, of sorcery used in retaliation for the pig theft. This interpretation was subsequently verified when Ndegaligwe (Pubugarit's FB) cut the ears of both Wunika's and Mbilumu's mothers, killing them afterwards. Following these events a fight took place between the Penggu sub-sections but no casualties were sustained. When Mbilumu's father died shortly afterwards, suspicion was cast on Amianongga's daughter who, it was thought, had used 'Mum' because of the death of her FKZ. Her ears were cut and blood drawn, but Amianongga promised jowam to Mbilumu in order to avert his daughter's death.

The compensation transactions took place between the years 1953-1958 during which time Ngwembanik gave jowam to Anarek (Pubugarit's F-B), thus acknowledging the fact that it was his theft which was responsible for the death of Pubugarit.

12. Type: Intra section
Cause: Theft of a dog
Place: Penggu
Date: 1962?
Ref: Ploeg 1969, Case 5, p.91

Following the disappearance of his dog, Mbabuarek (Penggu-Lineage A) suspected Wandin (Penggu Lineage-C), a big-man of the Wanggulam parish. At the time Mbabuarek was residing with Ngabengga, Erimawe, Taukanet (Ngabengga's- B), and Wuran (Mbabuarek's -B). In retaliation for the theft, Erimawe, Wuran and Taukanet stole a pandus fruit from Wandin's hamlet, steamed it, and shared it with Mbabuarek. However, some time later Wandin discovered the theft and after some investigation found the remains of the stolen article in Mbabuarek's garden. Wandin waited until a favourable opportunity presented itself later that year before retaliating and, following a small brawl, Mbabuarek offered him compensation of a few cowrie shells.

13. Type: Intra section
Cause: Pig theft
Place: Karoba
Date: 1962
Ref: Ploeg 1969, Case 6, p.92

After they had discovered the disappearance of some of their pig's fat, three Karoba II men killed and ate Wogogi's dog, assuming it to be the culprit. The next day, in retaliation, Wogogi burnt down a small hamlet where one of the offenders had formerly lived, destroying also some of the surrounding garden, and then prepared himself for the expected counter attack. Awiamaga (Karoba I), who was on a visit to his elder brother who was living near Wogogi, decided to settle the dispute, and went to the offender's hamlet (they

were his KB's) and collected 30 cowrie shells as compensation. However, Wogogi refused this, and Awiambaga collected a further 30 shells, which was eventually accepted.

14. Type: Intra Parish
Cause: Sorcery Accusation
Place: Penggu
Date: 1960
Ref: Ploeg 1969, Case I, pp.54-56

Ngerenggaligne's son Ajumatnarak fell ill and died, whereupon Perenatmendek immediately began to suspect his other wife Tilubagatlak of having worked 'mum' against his son. Nginarek subsequently went on a hunting expedition, successfully killing several pigs which were prepared for cooking by him and Pembén (Nginarek's MKBS). While Pembén was thus engaged in this process, Nginarek saw from afar that he was helped by Tilubagatlak, and when her ears were later cut, the evidence confirmed that she was the agent responsible for 'mum'. A compensation payment was then assembled with the following people making contributions: Perenatmendek, Nginarek, Malimbanak (MKBS), Ngabengga (Tilubagatlak KB), and classificatory brothers, Arigunik receiving a share as one of her agnatic relatives. A few days later Ngerenggaligne, who had been living in the same house as her co-wife, left to live with Nginarek's wife.

15. Type: Intra Parish
Cause: Disputed land claims
Place: Penggu
Date: 1960-1961
Ref: Ploeg 1969, Case 9, pp.95-105

Relations between Jiwaru (Penggu) and Arigunik (Jiwaru's ZS) were somewhat hostile after the latter's father Manggambini

had refused Jiwaru a further pig following the death of one of his sons; Manggambini moved to another hamlet subsequent to this dispute. (When Ploeg first arrived both Jiwaru and Arigunik were living in the same hamlet, but after both had moved away Jiwaru returned when it became evident that Ploeg did not wish to live alone).

However, when Arigunik returned to his former hamlet to dig cassava, Jiwaru claimed that he was trespassing on his land, and began to argue vehemently. The following day the two parties were in conflict again when Namungwe (Arigunik's wife) was accused of preventing others from selling Ploeg vegetables, but this time Arigunik was supported by his father and brother.

Some days later Arigunik's -Z committed suicide, and when Kweratlek (Jiwaru's wife) left to visit her parents at Mbogondini, this was interpreted as proof that she had worked 'mum' against Watmbulukwe for Arigunik's failure to repay a pig given by her for the cremation payment of his -B. The next day Arigunik, Tionggen, Lembiagop and three FKZS's made an unsuccessful attempt to abduct Jigangganugwe (Jiwaru's other wife), for all three were now held responsible for the sorcery. After Wandin (Penggu), who openly supported Jiwaru, had endeavoured to dissuade Arigunik from fighting, the latter went to Jiwaru's hamlet in order to discuss the dispute;

"but only Komak, Jiwaru's +B, made a feeble effort to intervene by saying that the afternoon meal was almost cooked and inviting the quarrellers to come to eat."

The next day a fight took place in which Arigunik was

supported by his brother, Lembiagop, his WF, Komak and some Ngopare men, but there were no casualties and both Arigunik and Lembiagop were urged back by a KB of Arigunik's WF. It seems that the opposition of Komak to his brother Jiwaru, stemmed partly from an earlier dispute when their father was injured while fighting for Komak, but the latter refused to acknowledge Jiwaru's claim for compensation. Arigunik's failure to kill Jiwaru was interpreted by the latter as evidence of the fact that the sorcery accusations had been invented, and both parties avoided each other despite the friendly relations which still existed between the wives of Komak and Jiwaru.

"During these quarrels intervention occurred sparingly. There was no attempt by anybody, not even a big-man, to sit as the holder of a superordinate or impartial office".

16. Type: Inter Parish
Cause: Adultery
Place: Near Mbogoga
Date: 1956-1960
Ref: Ploeg 1969, Case 19, pp.154-156

Both Karoba I and Karoba III sections were at one time living together in another parish, but relations with their host had become strained when Enggawarek (Karoba III) committed adultery with the host's wife. In order to revenge himself for this crime the outraged husband contacted a neighbouring parish who were hostile to the Karoba on account of an unpaid debt for a killing they had committed. In addition to this last offence there had been an abduction by Luobarak (Karoba I) of a girl of their parish which both caused

a fight, and the subsequent seizure of pigs belonging to Mbaganarek and Wogogi (Karoba I) in revenge. Loubarak fled to another parish after these events, because of threats to kill him by Wogogi.

The offended host thus informed the neighbouring parish of Mbaganarek's whereabouts, and he was duly killed, an action which provoked the dead man's younger brothers Wogogi, and Ngunduarek, to retaliate by killing four people from the offending parish. A war then broke out between the two parishes in which Nawak (Karoba III), was killed, following which the Karoba, and later Loubarek, returned to Wanggulam.

Some time later Loubarek paid compensation to Wogogi and Ngunduarek to avert the possible retaliation for the death of their brother for which he was initially responsible. Enggawarek then asked the brothers for jowam on account of Nawak's death, and despite the fact that it was really Enggawarek's adultery which caused Mbaganarek's death, they feared the possible resort to mum sorcery by Karoba III women, and so fulfilled the request. However, one Karoba I individual was still angry with Enggawarek and split the tail of one of his pigs which was to be included in the compensation payment.

WOGEO

17. Type: Intra-clan
Cause: Adultery
Place: Wonevaro parish
Date: August 1933
Authority: Fandum (Headman of Bariat)
Ref: Hogbin 1938, pp.241-242

Samara suspected his wife of adultery and so decided to find out whether his suspicions were correct, by hiding outside

the village, having informed his wife that he was going into the bush. From his hiding place he saw his wife meet Karabase (Samara's BS), and having confronted them, they both fled, Karabase to Takul parish, and Samara's wife to relatives in Mwarok. Samara then returned to his village, beat the slit gong, and "gave vent to his grievance, describing the events and giving the names of the guilty parties."

After a few days, Fandum (kokwal of Bariat) who was related to both Samara and Karabase, persuaded the latter to return and when both parties had been located, took them to Job and proceeded to question the disputants in public. However, each party attempted to shift the blame on the other, Fandum having finally to settle the matter by ordering Karabase to pay compensation to Samara. Both Karabase's brother and brother-in-law contributed to the payment, and Fandum returned to Bariat.

18. Type: Inter-Village
Cause: Wrongful appropriation of land
Place: Wonevaro parish
Date: unstated
Ref: Hogbin 1938, p.147

Kulbob, kokwal of Bariat, took over cultivation rights of a set of allotments belonging to a man from Job village. The offended individual sought assistance from his clan headman Morus, and the following morning, accompanied by the rest of the clan, they went to Bariat to state their grievance. Morus, as spokesman for his party, presented the case concluding his speech by flourishing a handful of earth under the nose of Kulbob's son;

"Is this yours? Do you recognize the smell? Did your

grandfather and great grandfather before him make garden with this earth?"

Morus then flung the earth into his face, an action which provoked a brawl, but the land eventually went to the claimant from Job.

19. Type: Intra-clan
Cause: Attempted adultery
Place: Bariat
Date: 1933
Authority: Fandum
Ref: Hogbin 1938, pp.242-243

While fencing part of his garden, Fandum (Kokwal of Bariat) saw his wife Jongotaia and his half brother Kaif pass, overhearing their plans to meet next day. Fandum immediately beat the slit gong, stood in the middle of the village and made an harangue concerning the "faithlessness of wives and the treachery of brothers." That night Kaif fled to Koil Island.

In Dap "the fact that he had broken the clan was mentioned over and over again, and was clearly one of the main reasons why he was so roundly condemned, although this had no practical consequences for anyone outside the group concerned. After a week Fandum sent for KAIAP to return, and a formal reconciliation was arranged by a man of the opposite moiety. Both disputants sat in the centre of the village and following a speech they shared a meal. However three days later Fandum and Jongotaia went away to Mwarok to avoid the possibility of his resorting to violence against Kaiap.

MELPA

20. Type: Intra-sub Clan
Cause: Dispute concerning Bride-wealth
Place: Kawelka
Date: 1964
Ref: Strathern 1972 pp.110-112

The daughter of a Kawelka Membo Oyambo man was marrying into the Kendipi Tribe, and at the "penal kng", the Kendipi brought three pigs one of which was secretly put in the bride's mother's home. Following the distribution of the pig's legs by the bride's father, the men from the Oyambo Sub-clan began complaining that nothing had been given to their wives, and a leg which was intended for two of the bride's mother's sisters was subsequently given to the Oyambo wives. The third pig was then divided equally between people of the two Oyambo sub-sub clans, Oyambo and Roklambo, but the former argued that since they were more numerous an equal distribution was unfair, and a fight then took place in which the bride's mother berated the men for taking the share of meat intended for her sisters.

"However, as often happens, advantage was taken of the fact that so many people were assembled there and the Komiti's (administrative helper) brother brought up an old dispute with a sub-clan mate - each accusing the other of pig theft."

The Komiti's brother answered the charge by eating some of the divination substance Mi.; no one interfered in this dispute which was considered solely the concern of the parties involved.

21. Type: Intra-Parish
Cause: Default of payment
Place: Tipuka
Date: unstated
Ref: M.Strathern 1972, p.49

"A Tipuka man, Nami, had two wives, one from Minembi and one from Maplke. He made moka with the brother of his Minembi wife, receiving two sets of pearl shells for two pigs, which he took from the Mapike woman's stalls. Later he sent the shells off and made moka with another man; the two pigs gained from this he divided equally between the wives. Then the Maplke wife protested that she had provided two pigs in the first place, and why had she received only one now? Nami promised her another later, but she maintained that the second pig belonged to her, pulled at the pig rope and lashed out at her cowife. The quarrelling was broken up by a big-man who said that the husband was wrong: the Maplke woman should receive both pigs, since she provided them in the first place, although it was true that the shells were from the Minembi brother-in-law. The Minembi wife was not at all pleased but had to acquiesce. Later comment on the case was that Nami's initial error was to make moka from the pigs of one wife with the brother of another."

KAPAUKU

22. Type: Intra-sub-clan
Cause: Homicide
Place: Kojogeepa Village
Date: 1938
Authority: Ij Uga of Kojogeepa
Ref: Pospisil 1958, Case I, pp.146-147

During a war between the Ijaaj-Pigome parish and the Goo people, Ij Tid (Kojogeepa) ambushed and shot Ij Ina (Obajbegaa),

collecting afterwards the requisite 'dabe uwo' payment from the enemy. In addition to his reputation as a thief, this latest action of his brought considerable shame on the parish and both Ij Uga and Ij Ina's son wished to execute Ij Tid. However, because of a plea for leniency by the latter's brothers, Ij Tid was subjected to a beating and public reprimand, the punishment being executed by Ij Uga and Ij Tid's brothers.

23. Type: Inter-Parish
Cause: Homicide
Place: Kego (South Kamu)
Date: 1948
Authority: Ed Pai of Dege
Ref: Posposol 1958, Case 2, p.147

Iw Gek (Kego) had accused Ed Tun (Dege) of destroying his crops whereupon a stickfight ensued, and a few days later the latter shot Iw Gek. In order to avert a possible war with the parish of the dead man, Ed Pai decided that the culprit should be sent to the Iw people for punishment. However, Ed Tun escaped into the jungle and after several months Iw Gek's younger brother killed Ed Tod (Dege- FBS of Ed Tun). While this killing was regarded as balancing the dead on both sides, Ed Tun had nevertheless to pay compensation to the elder brother of Ed Tod for the latter's death.

24. Type: Intra-lineage
Cause: Disputed strip of land
Place: Kojogeepea Village
Date: 1948
Authority: Ij Eke of Aigii (Parish Headman)
Ref: Pospisil 1958, Case 48, p.177

A dispute within the IjaaJ Jamaina lineage was precipitated by Ij Uga (headman of Kojogeepea), when he included in his new garden a piece of land claimed by Ij Aik (Jagawaugii).

In retaliation the latter destroyed some sugar cane growing on another of Ij Uga's gardens, an action which had the immediate effect of starting a stickfight between the two disputants. The following day Ij Uga went to Jagawaugii and challenged Ij Aik to a duel, but very soon many other parish males became embroiled in the fight which continued for three days. However, when some people from Botukebo village began using war arrows, Ij Eke sent the headmen of Itod and Botukebo to their respective opponents to argue for peace. After peace had been restored, Ij Eke declared that Ij Aik had the right to the disputed strip of land.

25. Type: Intra-lineage
Cause: Boundary dispute between brothers
Place: Aigii Village
Date: 1950
Authority: Ij Ekajewaijokaip of Aigii (village headman)
Ref: Pospisil 1958, Case 6, p.149

Ij Deg (Aigii) and his older brother Ij Utu (Aigii) quarrelled over the boundaries between their fields, and in anger the latter shot his brother. However, Ij Dek survived this attack, and Ij Ekajewaijokaip decided that Ij Amo (Aigii: -B of Ij Utu) should be responsible for similarly wounding the offender. The punishment was duly executed, and the injuries sustained were regarded as "balanced" on both sides.

26. Type: Intra-section
Cause: Accidental manslaughter
Place: Aigii Village
Date: 1950
Authority: Ij Ekajewaijokaip of Aigii (Sub-clan and Parish Headman) Ij Jokagaibo of Itoda
Ref: Pospisil 1958, Case 8, pp.150-151

While playing around a fire at night, Go Mab (Aigii)

accidentally pushed Ij Dou (Obajbegaa) into the fire, and she died the following day of the burns. Go Mab was mildly beaten by Ij Jokagaibo and Go Deg (Tugu: +B of Go Mab), but was assisted in the payment of the requisite indemnity by both authorities.

27. Type: Intra-village
Cause: Dispute over boundaries
Place: Botukebo village
Date: 1952
Authority: Ij Ekajewaijokaip of Aigii (Sub-clan and Parish Head)
Ref: Pospisil 1958, Case 50, p.178

Ij Uma (Botukebo) and Ij Taj (Botukebo) owned lands contiguous to each other, the boundary line of which had disappeared in the jungle overgrowth. No one living knew the precise demarcation lines, and both disputants attempted to make lines which were to their own advantage.

Following a fight in which Ij Awitigaaj (headman of Botukebo) was involved, Ij Ekajewaijokaip decided the issue by establishing a new boundary line halfway between those lines claimed by both disputants. This decision settled the dispute.

28. Type: Intra-Village
Cause: Battery
Place: Kojogeepea Village
Date: 1954
Authorities: Ij Ekajewaijokaip (Section and Parish Leader)
Ij Awitigaaj (Headman of Botukebo Village)
Ij Jokagaibo (Headman of Itoda Village)
Pi Pegabii (Headman of Obajbegga Village)
Ref: Pospisil 1958, Case 13, p.153

Ij Amojepa (Headman of Kojogeepea), a man with a reputation as a trouble maker, attempted to purchase a pig from his younger brother Ij Ema (Kojogeepea) for the somewhat low price of 5Km. Ij Ema refused to sell the pig and a fight ensued in which Ij Ema suffered serious head wounds. All the authorities

decided on a public reprimand of Ij Amojepa which lasted for a day.

29. Type: Intra-Village
Cause: Theft of a Pig
Place: Botukebo Village
Date: 1953
Ref: Pospisil 1958, Case 143, p.234

Ij Awiitigaaj (Botukebo Headman) killed a large sow belonging to Ij Obi (Botukebo). However several witnesses reported the deed to Ij Obi who charged the Headman with theft. Nevertheless, because Ij Obi was now an old man, he did not take the case any further and Ij Awiitigaaj, relying on the strength of his following, both denied the charge and refused to pay for the pig.

30. Type: Intra-Parish
Cause: Breach of Sale Contract
Place: Bibi (South Kamu Valley)
Date: 1952
Authority: Ij Jokagaibo of Itoda
Ref: Pospisil 1958, Case 107, p.213

When Go Beg's (Ij Jokagibo's Wf) pig fell ill he decided to return it to Go Edo (Ij Jokagibo's Mb) who had sold it to him for fifty Tm, but the latter refused to acknowledge his liability to return Go Beg's money. Ij Jokagaibo was brought to the place of the dispute by the loud arguments of the disputants, and decided that since it could not be proved that the pig had been ill at the time of the sale each party should keep half the pig, and Go Edo should pay twenty Km because of his liability. This decision was accepted by both defendant and plaintiff.

31. Type: Intra-village
Cause: Refusal to comply with authority's request
Place: Aigii village
Date: 1953
Authority: Ij Ekajewaijokaip of Aigii (Village and Parish headman)
Ref: Pospisil 1958, Case 145, pp.234-235

Ij Nak (Aigii) and his brother Ij Iib (Aigii) had been fighting each other for several days when Ij Ekajewaijokaip intervened requesting them to stop. However, Ij Nak refused, and the authority asked for the return of a previous loan of 120 Km; in this action he was joined by Ij Jok (Aigii) who similarly asked for the return of his loan of 10 Km. Despite the defendant's pleas to be excused, they both insisted on payment which was duly returned.

32. Type: Intra-village
Cause: Accusation of neglect of marital duty
Place: Jaga
Date: January 1955
Authority: Ij Auw of Jaga
Ref: Pospisil 1958, Case 42, p.173

Go Pet (Tugu) "declared to Ij Auw that she would leave her husband (Ij Aik of Jaga) because the latter did not give enough food to her two children from her first marriage. Since Ij Auw helped to buy the woman, he became alarmed by this statement, and questioned the husband, who denied the charge. They both reprimanded the woman for lying and she promised not to leave. The authority, who had paid part of the bride price which the husband still owed him, in case of a divorce resulting from the husband's guilt, would have lost that part of his money which the woman's relatives might refuse to return."

33. Type: Intra-village
Cause: Unmarried girl is forced into sexual intercourse.
Place: Boga
Date: 1951
Authority: Do One of Boga
Ref: Pospisil 1958, Case 41, p.172

Do Amo (Boga) accosted Do Epa (Boga) on a path and proceeded to rape her twice. Although Do One had pronounced the culprit guilty, and fixed the indemnity at 7 Km, Do Epa's father asked for 10 Km which he duly received. In an attempt to restore friendly relations with Do Epa's family, Do Amo added an extra 4Km to the payment.

34. Type: Intra-sub-clan
Cause: Rival claims over land
Place: Obajbegaa village
Date: 1954
Authority: Pi Pegabii
Ref: Pospisil 1958, Case 54, pp.180-181

Pi Wed (Obajbegaa) had began clearing a plot of land inherited from his father, when his younger half brother Pi Imo (Obajbegaa) disputed his right to the land. A stick fight ensued in which Pi Pegabii participated on the side of Pi Wed. However, Pi Pegabii soon entreated both parties to make peace when it became evident that his own side could not prevail against Pi Imo's contingent. "The authority conceded the land ownership to the young victor...".

35. Type: Inter-Parish
Cause: Theft of a pig
Place: Botukebo village
Date: 1951
Ref: Pospisil 1958, Case 77, p.193

Go Teg Pit (Tugu) stole a pig belonging to Ij Jik (Botukebo) which he brought back to his own parish where he killed and ate it with his family. Go Teg (Tugu: FBS of

Go Teg Pit), who was angry with the culprit for some other reason, revealed the theft to Ij Jik for which he duly received a reward. In retaliation, a contingent from Botukebo captured a pig belonging to Go Ken (Tugu: -B of Go Teg Pit) as indemnity.

36. Type: Intra-section
Cause: Dispute over ownership of land
Place: Kojogeepea village
Date: May 3 1955
Authority: Ij Ekajewaijokaip (Aigii: Lineage and Parish headman)
Ref: Pospisil 1958, Case 51, pp.178-179

Ad Gip (Botukebo) was clearing a new garden for Ij Jokagaibo (headman of Itoda village), when Ij Amojepa (headman of Kojogeepea) claimed that the worker had cut part of his forest. Ij Jokagaibo arrived on the scene, which seemed to have attracted a small audience, and an argument followed. Both parties put forward evidence that the disputed plot was theirs, Ij Amojepa remarking that his father had worked the land, a point which was reiterated by his mother. After witnesses had spoken on both sides, and Ij Jokagaibo had admitted the truth of Ij Amojepa's statements, the dispute took a new turn. Ij Jokagaibo now asserted that the father of Ij Amojepa had cheated his own father in the past, and that he was now claiming land which really belonged to him. However, as the debate was beginning to become heated, Ij Ekajewaijokaip intervened by rebuking each party in turn, after which the disputants dispersed, "promising each other a fight the next day." In the meantime Ij Ekajewaijokaip had decided in favour of Ij Jokagaibo, and went himself to Ij Amojepa to "persuade him to give in." The latter accepted this decision.

37. Type: Indeterminable
Cause: Dispute concerning marital choice
Place: Bibi
Date: 1953
Ref: Pospisil 1958, Case 14, p.154

Go Ama (Bibi) was being forced to marry Ti Eto (Mogo), instead of Ij Jok (Ito), the person whom she wished to marry. In order to prevent the marriage she made repeated attempts to commit suicide, but each time Go Ama was stopped and beaten severely. Nevertheless, eventually her brother and father consented to the marriage with Ij Jok.

38. Type: Intra-village
Cause: Accusation of rape
Place: Boob (South Kamu Valley)
Date: 1950
Authority: Ko Ija of Boob
Ref: Pospisil 1958, Case 22, pp.159-160

Ko Imo (Boob) accused Ko Peg (Boob) of having raped his wife, which charge was denied by both parties. Since there existed no evidence to support the allegation, and Ko Imo had somewhat of a reputation as a liar, Ko Ija dismissed the charge. However, this did not settle the matter to the satisfaction of Ko Imo who continued with his accusations eventually goading Ko Peg into starting a duel. Ko Ija restrained other people from interfering, but no punishment of Ko Imo was possible because Ko Peg had started the duel.

39. Type: Intra-section
Cause: Accusation of illicit sexual intercourse
Place: Itoda village
Date: January 5, 1955
Authority: Ij Jokagaibo of Itoda
Ref: Pospisil 1958, Case 23, p.160

In response to the accusation that an Itoda boy had approached Go Ama (Botukebo) and asked for sexual intercourse

ten boys of Botukebo immediately requested a public trial. Both the defendant's husband and Ij Awitigaaj (headman of Botukebo) agreed to let the trial take place at Itoda.

"A great gathering of people watched the event. Jok, the authority of Itod, asked the woman to present her case. She told her story in vague terms and could not identify the seducer. Her talk was interrupted on several occasions by the boys shouting, "Lie, lies, she is lying....". The authority, however, stopped them saying; "Let's hear what she has to say, then it will be your turn to speak."

The boys denied the charge, pointing out, during their defence, that Go Ama's failure to identify anyone was proof of her lies.

"The authority agreed with the boys, ridiculed, and cross-examined the woman, and finally charged her with lying and gave the boys permission to punish her."

Every offended person had the right to assist in the execution of the punishment.

N.Fore

40 Type: Intra-clan
Cause: Adultery
Place: Ora
Date: unstated
Ref.: R.M. Berndt 1962, pp. 155-156

Following the death of one of his pigs, Ape decided to give it to some of his younger lineage mates and his wife Mara'muga to share among themselves. When the meat had been prepared Asiwa (Ape's ZS) was invited to attend, but when Ape returned to his village his wife seduced Asiwa. This followed for several days despite Asiwa's constant reference to his fear of Ape's wrath, but Mara'muga was relentless in her demands and even threatened Asiwa with public exposure should he refuse her attentions. Eventually Asiwa did reject her, and Mara'muga carried out her threat implicating Asiwa as the guilty party, whereupon Ape confronted him and a fight followed. Other clan members intervened pointing out that it was Mara'muga who was to blame, a point which Asiwa had repeatedly voiced and which Ape finally accepted.

Jate

41 Type: Marital
Cause: Refusal to have intercourse
Place: Ke'jagana
Date: unstated
Ref.: R.M. Berndt 1962, p. 189

Owajaga quarreled with his wife Ema (Kemiju) because she refused to have intercourse with him and despite suffering severe mutilation at her husband's hands she abused her him with the retort that she was "no malignant spirit: a human being bore me. You burnt me and my belly is hot." That night she decorated herself with shells and strings of bush beads, rubbed herself with grease and committed suicide in her husband's garden. Kokogi (Ema's FZS) reported her death to Mato'o (Ema's B) who proceeded to wound Owajaga and burn down his house. However Ajakiwa (Owajaga's F) prevented further conflict by presenting compensatory gifts to Ema's brothers.

Usurufa

42 Type: Intra-lineage
Cause: Wrongful appropriation of property.
Place: Kogu
Date: unstated
Ref.: R.M. Berndt 1962, p. 134

The father of Jasona had taken one of Konu's (Jasona's -B) pigs without his permission, in order to pay for his son's marriage to Ativio (Ke' jagana). When Konu eventually became aware of the theft he copulated with Ativio in retaliation, thus provoking a serious quarrel with his brother Jasona. However, in order to avoid possible conflict within the lineage, Jasona acknowledged that Konu had retaliated for the theft in a legitimate manner, and Ativio was blamed for the whole matter as well as beaten by her husband and his lineage mates.

43 Type: Intra-parish
Cause: Adultery
Place: Moiffe
Date: unstated
Ref.: R.M. Berndt 1962, pp. 160-161

On returning from her garden Ketu'na (Kogu-Wario's wife) was attacked by Manigu (cross-cousin of Wario), but in the ensuing struggle she managed to break off a piece of his shredded bark waist-fringe. While Ketu'na was busy informing her husband of the attempted rape on her, Manigu prepared himself for the retaliation he knew would come. The following morning Wario endeavoured to trace the owner of the waist-fringe, and after exhaustive enquiries it was Keremi (cross-cousin to Wario and Manigu) who answered, "You have shown it to all the women! I am ashamed. I look at the piece of bark and I am ashamed!" Keremi then accompanied Wario to the culprit's house where after shooting at Manigu, Keremi was himself wounded by Magori (+B of Keremi, cross-cousin to Manigu and Wario). The resultant brawl soon embroiled other people as some Kogu brothers of Ketu'na supported Manigu, while some men of Moiffe aided Wario, but the "fight was then called to a halt", and a reconciliation meal followed.

44 Type: Marital
Cause: Disobedience leading to assault
Place: Kogu
Date: unstated
Ref.: R.M. Berndt 1962, pp. 299-300

While out collecting pandanus nuts, I'iva told his wife Inaguja (Kogu) to return to the village in case the garden spirits harm her by terminating her pregnancy. However, she refused to obey him and struck her husband on the head. When I'iva's mother Egasi then began reprimanding Inaguja she was herself assaulted. Egina (cross-cousin to I'iva) had witnessed all these events and called Ko'uja (I'iva's -B) to aid his brother which he duly did by shooting Inaguja and carrying his wounded brother and mother back to their village. Inaguja was carried back by her brother Viagupa. Anoja (cross-cousin to I'iva and Inaguja) meanwhile informed Juta (I'iva's F) that Ko'uja had shot his daughter-in-law; whereupon the father rebuked his two sons for their actions, remarking that he had "worked hard to buy this woman." I'iva then assaulted his father but was shot while he attempted to flee by Ko'uja, but managed to seek sanctuary with his nenafu (i.e. cross-cousin) O'zjura. A fight then ensued between the latter two and Ko'uja and Anoja, but ended when I'iva offered a pig as compensation to his father.

* * *

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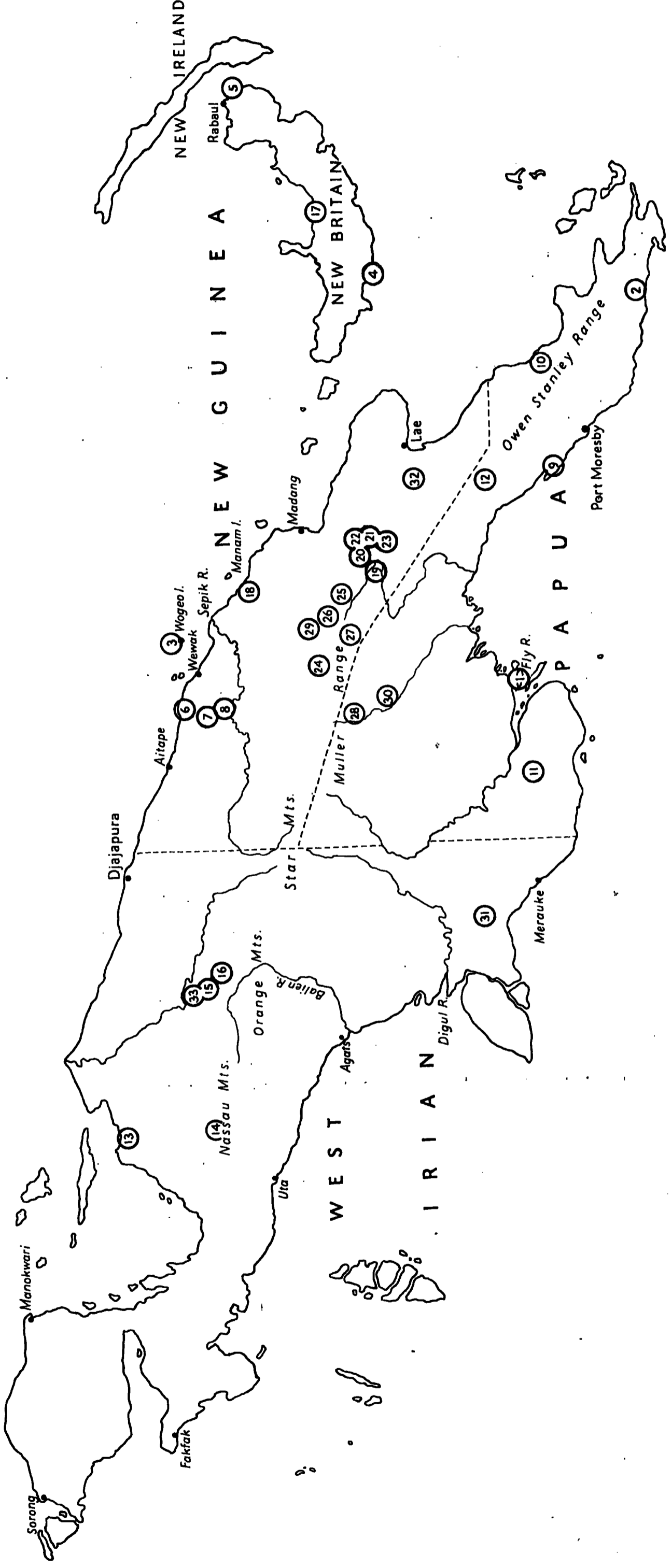
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- 26 Kuma
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- 28 Huli
- 29 Maring
- 30 Kutubu
- 31 Marind
- 32 Ngarawapum
- 33 Wangulam