

LAW REFORM COMMISSION OF PAPUA NEW GUINEA
WORKING PAPER NO. 27, 1997

ATTITUDES TOWARDS
LAND COMPENSATION AND DEVELOPMENT
IN
PAPUA NEW GUINEA

by

Susan Toft and Yaw Saffu

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IN
PAPUA NEW GUINEA**

Working Paper No. 27

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LAW REFORM COMMISSION
TERMS OF REFERENCE
COMPENSATION

I, N. Ebia Olewale, M.H.A., Minister for Justice, by virtue of the powers conferred on me by Section 9 of the Law Reform Commission Act 1975 and all other powers me enabling, refer the following matter to the Law Reform Commission for enquiry and report:

Having regard to:

- (a) the fact that in Papua New Guinea societies compensation is used as a means of settling disputes and making peace between groups who were in conflict; and
- (b) the fact that the introduced law has given little regard to the value of informal dispute settlement structures and the value of compensation negotiations and payments as a means of settling disputes whether analysed as civil or criminal by the introduced law,

enquire into and report on ways that the legal system can give:

- (a) support to the informal dispute settlement structures; and
- (b) greater recognition to compensation arrangements made during negotiations and made by informal dispute settlement structures.

When you report on the matters the subject of this reference, you will attach drafts of any legislation required to give effect to any of the recommendations in the report.

DATED this day of 1975

.....
N. Ebia Olewale
Minister for Justice

LAW REFORM COMMISSION
TERMS OF REFERENCE
NATURAL RESOURCES

I, **Bernard M Narokobi**, LLB. M.P., Minister for Justice, by virtue of the power conferred on me by Section 9 of the **Law Reform Commission Act Chapter 18** and all other powers me enabling, refer the following matter to the Law Reform Commission for enquiry and report:

Because -

1. the Constitution calls for -
 - (a) a fundamental re-orientation of attitudes and institutions of government and commerce towards Papua New Guinean forms of participation, consultation, consensus, and a continuous renewal of the responsiveness of those institutions to the needs and attitudes of the people; and
 - (b) particular emphasis on small-scale artisan, service and business activity in economic development; and
 - (c) recognition that Papua New Guinean cultural values are a positive strength and are to be applied dynamically and creatively for the purposes of development; and
 - (d) every effort to be made to achieve an equitable distribution of the benefits of development among individuals and throughout the various parts of the country; and
 - (e) citizens and government bodies to have the control of the major part of economic enterprise and production; and
 - (f) strict control of foreign investment capital; and
 - (g) the State to take effective measures to control major enterprises engaged in the exploitation of natural resources; and
 - (h) economic development to take place primarily by the use of skills and resources available in the country; and
 - (i) the wise use of natural resources and the environment and their conservation and replenishment in the interests of the People's development and in trust for future generations; and
2. there has been a rapid, large-scale expansion of development activity in the harvesting of mineral, forests and fisheries resources; and
3. the expansion of resources extraction has resulted in social and political disturbances in different parts of the country; and

iv

4. the scale and method of resource extraction, in some parts of the country, have already given rise to environmental damage, including the destruction of river systems, forests and marine life, and the disruption of social and cultural patterns of life; and
5. despite National Goal Three of the Constitution, which calls for national self-reliance and economic independence, Papua New Guinea is a net importer of capital, commodities and technology within the global economy, and in raw materials is at present a price-taker and not a price-setter; and
6. Papua New Guinea is bound by its international undertakings to conserve the environment, and certain species of plant and animal life,

I direct you to enquire into and report to me on:

1. the current state of the law regarding mining, petroleum extraction, fishing, forestry, and other natural resource development; and
2. the current state of the laws which protect and conserve the environment, eco-systems, plant life, animal life, and which prevent or control pollution; and
3. the changes needed to these laws to ensure -
 - (a) the just, equitable and peaceful development and conservation of natural resources; and
 - (b) the replenishment of renewable resources for future generations; and
 - (c) the exploitation of non-renewable resources so as to conserve the resource and minimise the effects of extraction on the physical, biological, social and cultural characteristics of the affected environment.

When making your report on this subject you will -

1. make proposals to eliminate defects in the laws and to modernise and simplify them; and
2. consider whether any of the laws should be re-arranged or combined to simplify their understanding; and
3. attach drafts of any legislation required to give effect to the recommendations in your report.

Dated this day of 1989.

.....
Bernard M Narokobi, LL.B. M.P.
Minister for Justice

PREFACE

In response to concern about the increase in claims for compensation made against agents involved in economic resource and other community based development, the escalating nature of these demands and the associated threats, the Law Reform Commission decided to reactivate the References it holds on Compensation (initiated by Minister for Justice Ebia Olewale in 1975) and Natural Resources (initiated by Minister for Justice Bernard Narokobi in 1989).

This Working Paper No. 27 is one of the results of the ensuing project, researched by the Law Reform Commission and sponsored by the Chamber of Mining and Petroleum. Without the support of the Chamber and its members the basic information needed for the study would not have been accessible or available. The spirit with which the Chamber entered into the project represented a genuine desire to assist government in addressing the serious problems surrounding compensation for land needed for development purposes.

This paper contains the results of three surveys, the objectives of which were to uncover basic public attitudes on the issue. These qualitative data are complemented by Monograph No. 6 (co-published with the Australian National University, Canberra, as Pacific Policy Paper 24) which presents a series of papers containing qualitative analysis. The authors have contributed their knowledge and experience to support our purpose. They are all people who have had extensive field-work experience in Papua New Guinea including (with one exception) firsthand experience in one or more of three major development sectors: mining, petroleum and forestry.

The Commission is extremely grateful to AusAID for providing the funds to print both the Monograph and Working Paper. Many thanks also go to Ari Ephraim and Foa Opa for help in preparing the data and manuscript.

Susan Toft
Port Moresby
July 1997

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INTRODUCTION

In 1994 the Law Reform Commission reactivated two established References: 'Compensation', made by Minister for Justice Bbia Olewale in 1975, and 'Natural Resources', made by Minister for Justice Bernard Narokobi in 1989. This was in response to concern that compensation claims against agents involved in economic resource development are an increasing problem because of the nature of the demands and the associated threats which may lead to violence. Both elements of the problem are believed to be escalating.

Compensation claims are engendered by what may be described broadly as environmental presence on the part of developers. The extent of disturbance caused by this environmental presence ranges from permanent destruction of an area, as in most mining activities, to temporary intrusion as when burying a telecommunications cable.

The deterioration of Law and Order in urban Papua New Guinea has been evident and acknowledged for well over a decade. More recently serious eruptions of violence have arisen in rural areas, particularly when triggered by dissatisfaction with compensation claims connected with resource development. If Papua New Guinea is to attract international investors, indeed to benefit from economic growth, for instance, build roads, schools and hospitals with money obtained from exploiting natural resources, this trend must be checked. There are existing laws and regulations to assist in handling the deteriorating situation but these are difficult to enforce.

As part of the Law Reform Commission's attempt to shed light on the issues in the reactivated References, it was decided to conduct a survey to explore attitudes towards the use of land for development. This is because cases involving menacing compensation claims often seemed to be against what outsiders might think were the best interests of the claimants. The claims could be seen as self-destructive. An example would be when landowners close a school which their own children attend, to claim money against the site bought many years before when title was transferred. A well known case is that of Sogeri National High School, a premier institution which has been responsible for educating a sizeable portion of today's Papua New Guinea elite. Which was most important to these people: education, land or money? Similarly, seemingly senseless damage to Electricity Commission (ELCOM) equipment has attended landowner compensation demands, depriving communities of power and disrupting services and businesses such as hospitals, bakeries and other 'essential' aspects of modern life. What were the priorities of such groups?

Landownership

In order to appreciate Papua New Guinea attitudes to land and development it is first necessary to understand the system of landownership. Papua New Guinea's land mass is estimated to be 46.3 million hectares of which 600,000 hectares, only about 1 per cent, have been alienated (Turtle 1991), initially acquired by the colonial government and early missionaries for 'development' purposes. The other 99 per cent is owned according to custom and is referred to as 'customary land'. Traditional practice regarding land tenure varies among ethnic groups, of which it is believed there are over 800 in a Papua New Guinea population verging today on four and a half million (National Statistical Office), but the basic ideology is that land is held by groups whose membership is based on kinship. People trace their descent from a common ancestor and the diverging lines of descent from that ancestor are represented as clans, sub-clans and lineages down to the extended family. Methods of recruitment to these kin groups, basically through birth, marriage or adoption, vary from one part of the country to another.

Ethnic groups occupied and used specific territorial areas which, like the people, are subdivided on descent lines. So clans own discrete territorial segments of an area occupied by their ethnic group. All clan members are co-landowners, which gives individuals the right to use land but not to alienate it. Thus land ownership is part of the identity of a group. It is felt to be an inalienable right, passed from the ancestors into the guardianship of successive generations.

Land may be lent to someone from outside the landowning group (often a relative-in-law). The borrower uses the land, often over a prolonged period whilst acknowledging the favour according to custom, and the land eventually reverts to the owners. In many areas, as on Lihir Island (Jacklyn Membup with others 1994, pers. comm.) and Misima Island (Poate Edoni and Peter Sailoia 1996, pers. comm.) custom occasionally allows the complete transfer of land ownership, for instance as part of a homicide compensation agreement or in return for certain types of mortuary payments, but this is not the norm. In pre-colonial times territorial disputes were, and still can be, a major, constant source of trouble, and traditionally land alienation only occurred through victory and defeat in tribal fights.

The colonial administration, steeped in a tradition where freehold land purchase was the norm, and certainly for key government facilities, gave itself title to land it bought, perhaps without appreciating that, in the minds of the landowners with whom it dealt, the land was only on loan, on lease. Maybe the colonial officers decided freehold title was for the best anyway and that, if they did realise the conflicting ideologies, things would change. How wrong they were.

Today traditional owners find that their property, previously affected only by their own subsistence activities, is sought by others for various uses ranging from aircraft landing strips to logging, plantation and mining ventures. The property is alienated in a way which at least removes it from previous personal use, and at worst destroys it. The property is usually changed so that it can never be returned to its original state or revert to customary use.

Other Aspects of Tradition

Another aspect of traditional culture which is important in the context of this study is the egalitarian yet competitive social ideology. These contradictory values form a dichotomy which goes through Papua New Guinea society engendering stress through other cultural traits such as jealousy and fear of magic.

This dichotomy is expressed, for instance, in the traditional leadership system. Papua New Guinea leaders emerge through achieving success in the competitive acquisition of status according to cultural values. Most commonly in traditional times, these were men who were brave warriors, skilful orators and successful entrepreneurs in acquiring traditional wealth and exchange partners; and variations of those qualities are found in modern political leaders. A crucial aspect of traditional leadership was that, having acquired wealth, a person gained prestige by sharing, that is distributing it, rather than by holding it for long. There was in fact an obligation, upheld by traditional moral sanctions, for all people to share benefits and wealth, in keeping with egalitarian principles.

Examples of this can be seen in competitive feasting in the highlands where men strive to amass a considerable wealth in pigs, becoming indebted for years ahead to those who contribute to help, then slaughter them for a feast. The loss when the pigs are all destroyed, is more than compensated for by status that derives from the grandeur and glory of the feast (Strathern, 1979).

Another example, also well known, is the Kula trade among the Trobriand Islanders of Milne Bay where men compete for traditional 'regalia' which is passed from man to man. The status comes from having held, 'owned', the shell necklace or armband temporarily, before bestowing it on a trade partner after a 'decent' interval, and from the relationship formed between giver and recipient (Malinowski 1922; J.P. Singh Uberoi 1962). Both examples include elements of reciprocity and exchange along with the competitive quest for status.

For these prestige seeking 'big-men', indeed for everyone, a further incentive to share was to avoid making people jealous. Jealousy is an acceptable, justifiable emotion and a general cause for grievance in Papua New Guinea. A trite but useful way to illustrate the social context of jealousy is with the allegory of a cake which is limited in size but which is cut into equal slices so that everyone has a fair share. If it is clear that someone has more than others, there is suspicion that he or she must be 'eating', stealing, someone else's share. The response of the aggrieved party is to attack the 'greedy' person who is better off, either through sorcery or physically, depending on which of those methods is appropriate or dominant within the cultural context of specific ethnic groups. In most parts of the country the belief in magic thus served (and still does) as a social sanction to perpetuate egalitarian principles.

The 'wealthy' achiever is well aware of the resentment and, whilst he or she will probably be flamboyant in displaying achievements, will also be concerned about the jealousy that is being aroused and will fear becoming a victim of sorcery or violence. So, having proved an ability to achieve success in acquiring wealth, the remedy for the wealthy is to placate those who are jealous by sharing it. The way this is done varies but the distribution of the wealth will be according to customary norms. It is this sharing and the manner of distribution which earns a person status and it is crucial to the egalitarian ethos of cultures in Papua New Guinea. In the old traditional times when everyone lived in small scale societies they had a good idea of the cake's size and they knew how it should be distributed. In the nation state of today, people cannot tell the size of the cake but they can see conspicuous consumption of wealth around them and feel deprived. A further aspect of the difference in scale is that, traditionally, the group within which general sharing took place was limited to people personally known to each other; group exchanges were also mainly on personal levels. Such sharing continues today within the same type of groups, kin groups, with limited prescribed membership. Brideprice payments are a good example of this, especially in patrilineal societies, where members of the groom's extended kin group will contribute, in cash or in kind, to the total payment - and usually strive to raise a large amount to show they are both affluent and generous and can compete with brideprice payments made by other groups, so gaining social status. On receiving the contributions, the bride's family will distribute them within their own larger kin group. These procedures not only reinforce relationships within each of the bride's and groom's kin groups, binding each contributor or recipient in a chain of reciprocal obligations, they also forge a relationship between the two groups, not only through blood ties, but through principles of exchange. Further, brideprice can itself be seen as a form of compensation. It compensates the bride's family for her physical loss as an economic resource and for the loss, in a patrilineal society where brideprice payments are usually high, of the children she will bear

'Compensation' describes what is given to a person (or group) by another (or others) having caused loss, injury or damage of some sort. It is a method of dispute settlement or reparation worldwide and is a well entrenched cultural feature in Papua New Guinea where its traditional application is best described by Andrew Strathern:

Compensation, properly defined in ethnographic terms, refers to a pattern or principle which is self-evidently important in the indigenous culture of Papua New Guinea

Typically, and centrally, it has to do with the settlement of disputes between litigant parties, not by violence or imposed punishment but by a voluntary payment or gift which is seen as providing a substitute or replacement in wealth goods for that which was lost or damaged in an earlier phase of a dispute. (Strathern 1993 p. 57)

Compensation today still operates in exclusively traditional contexts where it successfully helps to order relationships between people. However, the concept has been expanded beyond the confines of traditional arenas which by their nature automatically prescribe the range of payments, and is applied today in an ad hoc, often random manner, in modern situations where the sky, rather than the standard size of the cake, is the limit. This Working Paper attempts to explore modern attitudes behind the transposition of the compensation mechanism as it operates today, hindering development.

THE SURVEY

The philosophical justification for the choice of the survey method, for a piece of research which essentially involves an attempt to uncover the opinions, attitudes, beliefs and knowledge which an identified group of people have, is simple. The most direct way to obtain information of this kind is to ask, especially when working in a society where people are open and forthright when discussing issues surrounding land or compensation. However, as methodologists know (e.g. de Vaus 1991), and as anybody who has undertaken social survey research in a socially fragmented, predominantly pre-literate society will confirm, the methodological obstacles astride this path are usually daunting (O'Barr et.al. 1973). Thus it is not surprising that survey-based studies on Papua New Guinea are so thin on the ground. But we know from experience that such studies can serve usefully to verify elaborate impressions and hunches harboured by academic observers and other commentators on Papua New Guinea politics and society (Toft 1986; Saffu 1989). The survey research reported here, then, was undertaken with a view to providing empirical evidence for hypotheses about aspects of compensation demands on governments and resource developers in Papua New Guinea. Could we perhaps discover through a survey what might be triggering excessive compensation demands? When and how do compensation demands arise and might there be some deep, underlying cultural factors that prompt and sustain such demands, or are they perhaps merely the imitative exploitation of opportunities afforded by the weak state (Migdal 1986) and an economic boom which is based almost entirely on an extractive mineral and forestry sector? What do Papua New Guineans think of these compensation demands? Mining and logging have an obvious need for, and almost always a devastating impact on, land which, in essentially subsistence economies, is a priceless asset.

The Sample

It is notoriously difficult to study people's attitudes. But it was decided that a survey based on a carefully constructed questionnaire would yield the most comprehensive results. Approximately 86 per cent of the Papua New Guinea population is rural and it is in rural areas where the acquisition of traditionally owned land for development projects is perhaps most vexed. It would therefore have been ideal to have arranged a survey drawing on grassroot villagers and rurally based business people and administrators from each province, to ensure nation-wide representation. Unfortunately funds were not available for travel and an alternative had to be found. It was decided to run three separate survey segments in the national capital Port Moresby: of market vendors, senior public-servants and university students.

The total sample of 853 respondents obtained from these different groups came from all over Papua New Guinea (Table 1). Sandaun, or West Sepik Province, was the least represented province in the sample (seven respondents or 0.8 per cent of the total). Central Province had the largest representation (with 179 respondents or 21.0 per cent). This was not surprising, given its proximity to the National Capital District.

The fact that men were clearly over-represented in the total sample (74.2 per cent) reflects the demographic realities of tertiary education and employment in the higher echelons of the public service, as well as the social realities which prevent young male interviewers in market situations in Papua New Guinea from approaching female respondents anywhere like a half of the time. It is men, however, who initiate, sustain and are the main force behind compensation claims, and whilst it would have been desirable and informative to have compared women's views on many of the survey questions with those of men, it was not considered essential in order to validate a survey on this particular topic - compensation for the use of land.

TABLE 1: CHARACTERISTICS OF THE SAMPLE: SEX, AGE AND PROVINCE

Province	MALES					FEMALES					TOTAL		
	Years Under 30	30-50	Over 50	NR	Sub Total	Years Under 30	30-50	Over 50	NR	Sub Total	Sex not indicated	Total No.	%
Western	3	4	-	-	7	3	1	-	-	4	-	11	1.3
Gulf	20	17	-	1	38	15	1	-	2	18	-	56	6.6
Central	82	49	3	2	136	31	3	-	-	34	9	179	21.0
Milne Bay	11	16	2	-	29	2	2	-	-	4	2	35	4.1
Oro	3	6	-	-	9	3	1	-	-	4	1	14	1.6
S/Highlands	31	8	-	-	39	12	-	-	-	12	8	59	7.0
Enga	27	6	-	2	35	8	-	-	-	8	4	47	5.5
W/Highlands	13	19	-	-	32	9	2	-	-	11	3	46	5.4
Simbu	23	9	1	1	34	9	-	-	-	9	7	50	5.9
E/Highlands	29	5	-	-	34	10	-	-	-	10	1	45	5.3
Morobe	9	6	1	-	16	-	2	-	-	2	1	19	2.2
Madang	13	8	-	-	21	2	1	-	-	3	2	26	3.0
East Sepik	15	27	-	2	44	2	1	-	-	3	4	51	6.0
Sandaun	2	4	-	-	6	1	-	-	-	1	-	7	0.8
Manus	5	12	3	-	20	3	7	-	-	10	-	30	3.5
New Ireland	2	6	1	1	10	1	2	-	-	3	1	14	1.6
E/New Britain	12	14	2	-	28	-	4	-	-	4	-	32	3.8
W/New Britain	1	6	-	-	7	-	-	-	-	-	1	8	0.9
N/Solomons	2	13	4	-	19	3	1	-	-	4	2	29	2.9
No Response	11	53	5	-	29	1	6	-	-	7	23	99	11.6
TOTAL					633					151	69	853	100

TABLE 2: EDUCATION LEVEL OF THE MARKET SUB-SAMPLE

Highest level of education	MALE				FEMALE				SEX NOT INDICATED				Sub Total	TOTAL No. %			
	Under 30	30-50	Over 50	NR	Sub Total	Under 30	30-50	Over 50	NR	Sub Total	Under 30	30-50			Over 50	NR	
Less than grade 6	18	38	12	2	70	7	18	2	1	28	1	4	-	1	6	104	30.3
Grade 6	30	34	2	-	66	16	13	-	-	29	4	3	1	-	8	103	30.0
Grade 10	44	20	3	1	68	23	9	-	-	32	3	6	-	-	9	109	31.8
Grade 12	3	2	-	-	5	2	-	-	-	2	-	-	-	-	0	7	2.0
Tertiary level	6	2	-	1	9	-	2	-	-	2	2	1	-	-	3	14	4.1
Not response	3	-	2	-	5	-	-	-	-	0	-	-	-	1	1	6	1.8
TOTAL	104	96	19	4	223	48	42	2	1	93	10	14	1	2	27	343	100

Given that over a half of the total sample were either university students or senior public servants, the unrepresentativeness of the sample on the education variable would be abundantly clear, as the literacy rate in Papua New Guinea is only around 40 per cent. However, the over-representation of the better educated was the effect of a deliberate sampling decision which was based on the knowledge that the key agitators behind landowner compensation demands are usually far better educated than the average Papua New Guinea citizen. The sampling strategy was also intended to facilitate analysis of the influence, if any, of education (the market vendors compared with the university students or with the senior public servants) and age (the university students versus the senior public servants) on attitudes, beliefs and knowledge about landowner compensation demands.

Market Vendors Segment

Rural dwellers come into the capital Port Moresby to sell their surplus produce in the various city markets. There is a tendency for sellers from the same rural area to converge on the same market, so by covering all the major markets the survey would draw on rural villagers from as wide a range as possible. This inevitably meant that the majority of interviewees would be from Central Province, in which the national capital sits, but a proportion of market sellers are enterprising highlanders who ship their *kau-kau* (sweet potato) staple crop down to the capital, and visitors from other areas also converge on the market places. The markets visited on Wednesday afternoons between 10 May and 31 May 1995 were: Gerehu, Waigani, Tokarara, Hohola, Gordons, Six Mile, Erima, Boroiko, Manu Autoport, Sabama and Koki. A total of 343 questionnaires were completed.

It was assumed, correctly, that the educational level of market people would not be high enough for self-administered questionnaires (Table 2). So fourth year students at the University of Papua New Guinea who were enrolled in a course on Research Methods in the Department of Political and Administrative Studies were trained as interviewers and played a major role in the construction of questions. They administered the questionnaires in the market survey segment as a field exercise within the course on which they were being marked and which contributed to their final degree. Unfortunately there were no women attending the course and the only lady interviewer was a member of the Law Reform Commission research staff who, with two male staff members, assisted students in the collection of data. This seriously affected the number of women who were interviewed because, although women are numerous in market places, cultural constraints make it difficult for men to approach and converse with unknown women. However Table 1, illustrating the characteristics of survey respondents, shows that in fact the highest proportion of women surveyed came from the market segment and were 27.1 per cent of market respondents.

Senior Public Servants Segment

Senior public servants (Clerk Class 10 and above or the equivalent) represent a geographical cross-section of the national population. They are also people who by virtue of their administrative roles at work could be expected to have an informed view on the issues being investigated. Out of a total number of 824 questionnaires mailed out to the senior public servants, 346 were returned, making a response rate of 42.0 per cent. Unfortunately, despite the fact that the questionnaires were clearly anonymous, 22.8 per cent of the respondents did not state their province of origin. It is impossible to know if this was because they feared there was some way of identifying them through this (which might have been the case had we asked for the department in which they work) or because they wanted to avoid the possibility of stereotyped answers being tied to different regions of the country.

The distribution of questionnaires was authorised by Mr Tau Peruka, Secretary of the Department of Personal Management, and took place in September 1995 after various uncontrollable

delays. (It was originally intended to coincide with the other two survey segments in May). With each questionnaire an addressed return envelope was enclosed.

As might have been expected in such a group, the majority of respondents, 86.7 per cent, were in the 30-50 year old age category, and only 8.7 per cent were women (as stated earlier, it is a fact that women are a small minority both in the Public Service and the student body at the University). They represent a select and mature section of the population and could be classed as the educated elite who, whilst not leaders in the traditional style, have achieved a level of success which brings status and respect which can, if they choose, be converted into considerable influence among their country cousins. Although they are outside the flamboyant political arena the senior public servants are leaders both in the community and administration.

University Students Segment

Port Moresby based students, in their fourth and final undergraduate year at the University of Papua New Guinea were also surveyed. Questionnaires were sent to them in the same manner as the senior public servants. This group represented the young educated elite, people who would perhaps reflect less traditional attitudes than the older group in the two other survey segments, who are drawn from all parts of the country and who can be expected to be the leaders of tomorrow. There were 164 respondents from 526 questionnaires which is a response rate of 31.2 per cent. Female respondents were 17.1 per cent of the total, compared with 8.7 per cent among the Senior Public Servants and 27.1 per cent in the market segment. Considering that the student lists were not up to date - some names were missing, some names were 'old' in which case questionnaires did not reach addressees - this was not an unreasonable rate of return. The questionnaires were sent out early in May to coincide with the market segment but many were delayed in the delivery system and by the time they were received students could have been preoccupied by end of semester June examinations.

Results

Access to Land and the Importance of Maintaining Village Ties

In view of the landowning system, as described in the Introduction, it is not surprising that 91.1 per cent of all respondents claimed to have the use of clan land (Table 3). This means they are either a co-owner of customary land or are the spouse of an owner, or both. It is perhaps surprising in the Papua New Guinea context that 7 per cent of the respondents actually stated they did not have such access to land. These would be people who either live in city areas where land has been alienated during the colonial period by the State, or 'displaced' people who are the off-spring of inter-ethnic (termed 'mixed') marriages and who have not established clear roots in either of their parents' villages, or one of a small number who have decided to opt out of traditional obligations because it suits them: they can afford to feel independent but would be described as selfish by other Papua New Guineans. The latter two groups would be very small and are probably contained within the 2.5 per cent who said they did not keep up their village ties. We have a population therefore, surveyed in the capital city, 97.2 per cent of whom maintain ties with their rural roots.

Respondents were consistent when 97 per cent stated that they consider it *important* to maintain village ties. The reasons for this were expressed in different ways in an encoded, open answer and some people (17.4 per cent) gave two reasons, but they fell into the following categories.

1. To maintain relationships with people.
2. It is 'home', invoking personal identity plus future security and support.
3. To maintain traditional and social values.
4. To maintain an interest in their land.
5. For the benefit of their children.

TABLE 3: ACCESS TO USE OF CLAN LAND AND MAINTENANCE OF VILLAGE TIES

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Do you have the use of clan land?								
YES	777	91.1	322	93.9	309	89.3	146	89.1
NO	60	7.0	13	3.8	33	9.5	14	8.5
Don't know/No response	16	1.9	8	2.3	4	1.2	4	2.4
Total	853	100	346	100	346	100	164	100
Do you keep up your village ties?								
YES	829	97.2	325	94.8	345	99.7	159	97.0
NO	21	2.5	16	4.7	1	0.3	4	2.4
Don't know/No response	3	0.3	2	0.5	0	0.0	1	0.6
Total	853	100	343	100	346	100	164	100
Is it <i>important</i> to maintain village ties?								
YES	827	97.0	327	95.4	343	99.1	157	95.8
NO	13	1.5	8	2.3	2	0.6	3	1.8
Don't know/No response	13	1.5	8	2.3	1	0.3	4	2.4
TOTAL	853	100	343	100	346	100	164	100

Table 4 shows that the largest group of people, 38.2 per cent, plus 3.3 per cent who gave it as a second answer, making 41.5 per cent altogether, were drawn to 'home' where they feel they belong and where they see their future, if only in old age. Although land, as a specific reason for maintaining village ties was mentioned by only 14 per cent (5.6 per cent as their sole response and 8.3 per cent as a second response) it would appear reasonable to suggest that land is probably conceptually incorporated in some of the other response categories, especially the main one which deals with future security and support.

TABLE 4 : REASONS FOR MAINTAINING VILLAGE TIES

Total Sample

Reason	FIRST RESPONSE		SECOND RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	%
Relationship with people	161	18.9	-	-	161	9.4	18.9
It is home	326	38.2	28	3.3	354	20.8	41.5
Traditional and social values	79	9.3	34	4.0	113	6.6	13.3
Interest in land	48	5.6	71	8.3	119	7.0	13.9
Benefit of children	8	0.9	9	1.1	17	1.0	2.0
Don't know/No response	231	27.1	711	83.3	942	55.2	110.4
TOTAL	853	100	853	100	1,706	100	

Market Vendors

Relationship with people	89	25.8	-	-	89	13.0	25.8
It is home	110	32.0	12	3.5	122	17.8	35.5
Traditional and social values	18	5.2	6	1.7	24	3.5	6.9
Interest in land	18	5.2	20	5.8	38	5.5	11.0
Benefit of children	4	1.6	1	0.3	5	0.7	1.9
Don't know/No response	104	30.2	304	88.7	408	59.5	118.9
TOTAL	343	100	343	100	686	100	

Public Servants

Relationship with people	49	14.2	-	-	49	7.1	14.2
It is home	139	40.2	9	2.6	148	21.4	42.8
Traditional and social values	36	10.4	15	4.3	51	7.4	14.7
Interest in land	21	6.0	38	11.0	59	8.5	17.0
Benefit of children	4	1.2	8	2.3	12	1.7	3.5
Don't know/No response	97	28.0	276	79.8	373	53.9	107.8
TOTAL	346	100	346	100	692	100	

University Students

Relationship with people	23	14.0	-	-	23	7.0	14.0
It is home	77	47.1	7	4.3	84	25.6	51.4
Traditional and social values	25	15.2	13	7.9	38	11.6	23.1
Interest in land	9	5.5	13	7.9	22	6.7	13.4
Benefit of children	-	-	-	-	-	-	-
Don't know/No response	30	18.2	131	79.9	161	49.1	98.1
TOTAL	164	100	164	100	328	100	

Knowledge of Compensation Claims and Sympathies

Nearly half the respondents, 48.0 per cent, said they had special knowledge of a particular land compensation claim in their home area (Table 5A), which is evidence that the problem is widespread

TABLE 5A: RESPONDENTS WITH PERSONAL KNOWLEDGE OF A PARTICULAR LAND COMPENSATION CLAIM IN THEIR HOME AREA

Knowledge of claim	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
YES	408	47.9	138	40.2	170	49.1	100	61.0
NO	444	52.0	205	59.8	175	50.6	64	39.0
Don't know/No response	1	0.1	-	-	1	0.3	-	-
TOTAL	853	100	343	100	346	100	164	100
Type of claim known by 'YES' respondents								
New claim for alienated land	144	35.3	41	29.7	71	41.8	32	32.0
Land for a road	64	15.7	20	14.5	26	15.3	18	18.0
Land for services (e.g. ELCOM)	59	14.4	15	10.9	25	14.7	19	19.0
Land for resource development	55	13.5	32	23.2	15	8.8	8	8.0
Land for a school	42	10.3	13	9.4	18	10.6	11	11.0
Environmental damage	17	4.2	4	2.9	6	3.5	7	7.0
Other	9	2.2	2	1.4	3	1.8	4	4.0
Don't know/No response	18	4.4	11	8.0	6	3.5	1	1.0
TOTAL	408	100	138	100	170	100	100	100

and many people are familiar with compensation issues. Of that group 35.3 per cent said that the claim was over land which had previously been alienated and for which the original payment was today thought to be inadequate. Of the claims made, 69.3 per cent were against government agencies, in whole or in part, that is on their own or as co-respondent with other development agents; 20.2 per cent were against foreign companies, in whole or in part (Table 5B). Table 5A also illustrates the basis of the claims. A high percentage (67.4 per cent) of respondents who had special knowledge of a claim said that they agreed with the landowner claimants; 20.3 per cent took the government side. The different segment samples supporting the landowners recorded: market vendors 73.2 per cent, students 66.0 per cent and even among senior public servants 63.5 per cent were pro-landowner.

Although landowners clearly enjoy massive support when they press compensation claims, some of their methods do not receive the same level of approval. When asked if they agreed with aggressive action, 59.3 per cent of the total number of respondents said they did not (Table 6). However, among the less educated market respondents, a simple majority of 47.2 per cent approved of aggressive action, as opposed to 42.3 per cent who did not. Far fewer of the students, 28.6 per cent, favoured aggression

and fewer still of the senior public servants, 20.2 per cent. There are three possible explanations for this difference. Does this mean that the rural dwellers feel *powerless* to deal with matters in any other way and that their only hope of asserting their claim is through force? Or does it imply that more educated, worldly people are more understanding and tolerant of bureaucratic procedures? Or, without education, is land the only asset rural people feel they possess?

TABLE 5B: AGENT AGAINST WHOM THE CLAIM WAS BEING MADE
(Some respondents gave more than one response)

Agent	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Government	302	69.3	81	57.8	146	76.9	75	70.8
National company	18	4.1	12	8.6	4	2.1	2	1.9
Foreign company	88	20.2	40	28.6	28	14.7	20	18.8
Other	28	6.4	7	5.0	12	6.3	9	8.5
TOTAL	436	100	140	100	190	100	106	100
Respondents supported								
Landowners	275	67.4	101	73.2	108	63.5	66	66.0
Development agent	83	20.3	22	15.9	40	23.5	21	21.0
Don't know/No response	50	12.3	15	10.9	22	12.9	13	13.0
TOTAL	408	100	138	100	170	100	100	100
Reasons for supporting								
Landowners:								
Rights of landowners	102	25.0	50	36.2	39	22.9	13	13.0
Loss of land/income	55	13.5	14	10.1	24	14.1	17	17.0
Original agreement unfair	36	8.8	10	7.3	14	8.2	12	12.0
Unfair compensation distribution	35	8.6	18	13.0	11	6.5	6	6.0
Environmental damage	22	5.4	5	3.6	5	2.9	12	12.0
Lack of consultation	16	3.9	4	2.9	8	4.7	4	4.0
Development agent:								
Unjustified claim	40	9.8	9	6.5	22	12.9	9	9.0
Need for development	39	9.6	7	5.1	19	11.2	13	13.0
Other	4	0.9	2	1.5	1	0.6	1	1.0
Don't know/No response	59	14.5	19	13.8	27	15.9	13	13.0
TOTAL	408	100	138	100	170	100	100	100

TABLE 6: DO YOU AGREE WITH AGRESSIVE ACTION?

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
YES	279	32.7	162	47.2	70	20.2	47	28.6
NO	506	59.3	145	42.3	257	74.3	104	63.4
Don't know/No response	68	8.0	36	10.5	19	5.5	13	8.0
TOTAL	853	100	343	100	346	100	164	100

The reasons respondents give for their support of landowner compensation claims are also shown in Table 5B: 25.0 per cent of the relevant respondents said it is a landowners 'right', while 19.4 per cent supported government agents on the basis that the claim was unjustified or that the development project justified the land use. This introduces a fundamental belief that land title is never really transferred. Although what was considered to be a fair price might have been paid at the time of 'purchase', the landowners have seen this as a 'rent' or 'lease' payment, giving temporary rights to the use of their land. Several respondents stated that their forefathers were 'cheated' by the colonial administrators and were only paid in kind rather than cash. The fact that cash was of no use at the time of purchase to most Papua New Guineans, because neither the material goods nor the other desired attributes of modern life, such as education, were available and that landowners *wanted* payment in the form of axes, cloth, *bilas* (ornaments) etc., is not seen a justification for what happened. It does not seem 'fair' today.

Attitudes to Contracts

In order to pursue this concept of 'unfair' payments a question was asked to test respondents' appreciation of inflation. The question gave the price of a tin of fish in 1985 and showed that this had more than double in ten years by 1995, and then asked if a land contract agreed in 1985 should be open to renegotiation on account of the fact that general prices had increased. Would such increases in the price of land warrant claim for extra payment? A large 70.1 per cent of all respondents felt additional payment was in order and the difference between the three survey segments was negligible: market vendors 73.5 per cent, students 69.

TABLE 7: WHETHER CONTRACTS SHOULD BE OPEN TO RENEGOTIATION

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
YES	598	70.1	252	73.5	232	67.1	114	69.5
NO	173	20.3	43	12.5	96	27.7	34	20.7
Don't know/No response	82	9.6	48	14.0	18	5.2	16	9.8
TOTAL	853	100	343	100	346	100	164	100

per cent and senior public servants 67.1 per cent (Table 7). There is clearly a large majority of the population who do not agree that there is a parallel between a tin of fish which has been consumed, and therefore no longer exists to haggle over, and a parcel of land which is still 'alive'. It is clear that land is not seen simply as a commodity by a large proportion of the community.

The concept was approached more directly when respondents were asked specifically what landowners should do if a contract made some years ago with a developer seems unfair today because prices have changed. The results are consistent with those for the tinned fish question and Table 8 shows that 73.1 per cent of the respondents gave answers to this open question which when categorised recommended that the contract should be broken and renegotiated.

TABLE 8: ACTION LANDOWNERS SHOULD TAKE IF AN ESTABLISHED CONTRACT SEEMS UNFAIR

Action	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Renegotiate (i.e. break contract)	624	73.1	269	78.4	248	71.7	107	65.2
Honour contract	96	11.3	24	6.9	48	13.8	24	14.6
Put renegotiation clause in 1st contract	46	5.4	3	0.9	28	8.1	15	9.1
Cancel/restrict development	23	2.7	15	4.4	2	0.6	6	3.7
Appeal for government action	7	0.8	2	0.6	3	0.9	2	1.2
Ensure participation in development	7	0.8	2	0.6	2	0.6	3	1.9
Don't know/No response	50	5.9	28	8.2	15	4.3	7	4.3
TOTAL	853	100	343	100	346	100	164	100

Differences between the three sample groups ranged from 78.4 per cent, for market vendors, to 71.7 per cent for senior public servants and 65.2 per cent for students. A category of answers which stated that there should have been a renegotiation clause in the original contract is not a valid answer to the question (because it was not stated that a renegotiation clause existed in the original contract) but those respondents, 5.4 per cent of the total, would appear to support the bulk of respondents in the first category, as do the 2.7 per cent who recommend the termination of the development project. Only 11.3 per cent of the interviewees said the contract should be honoured. The market vendors differed markedly within that small group with just 6.9 per cent of them supporting the idea that a contract should be honoured whereas 13.8 per cent of the public servants and 14.6 per cent of the students did.

The concept was also tested and made specific when respondents were asked in the case presented to explain why they held their view. An example of an airstrip was cited, clearly of benefit to the landowners as well as the greater community, bought at the market price in colonial times and for which landowners are today demanding compensation, further payment. Did respondents agree with such claims? A majority, 53.7 per cent, did agree (Table 9). This is a smaller percentage group than for the two more general questions just described, but it is consistent with the general indication that a contract is not thought to be binding by the majority. It is worth noting the difference between the three sample groups. Of the market vendors 61.2 per cent agreed with such claims whereas fewer, 49.4 per cent, of the senior public servants and, 46.9 per cent, of the students agreed. These figures are lower than in Table 8 and would seem to indicate that the

community facility for which the land was acquired, an airstrip, might have weighed more heavily with respondents, whereas in the more general questions this was not a consideration, though the pattern of answers is the same and market vendors were consistently the least committed to observing contractual obligations.

TABLE 9: WHETHER LANDOWNERS SHOULD MAKE NEW CLAIMS FOR LAND PREVIOUSLY BOUGHT IN COLONIAL TIMES

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No	%	No.	%	No.	%	No.	%
YES	458	53.7	210	61.2	171	49.4	77	46.9
NO	330	38.7	97	28.3	155	44.8	78	47.6
Don't know/No response	65	7.6	36	10.5	20	5.8	9	5.5
TOTAL	853	100	343	100	346	100	164	100
Why?								
'YES' Responses								
Original agreement probably unfair	178	38.9	92	43.8	56	32.7	30	39.0
Justified by inflation etc.	142	31.0	52	24.8	56	32.7	34	44.1
Loss of land use	41	9.0	22	10.4	12	7.0	7	9.1
Other people benefit	25	5.4	5	2.4	16	9.4	4	5.2
Other	6	1.3	3	1.4	2	1.2	1	1.3
Don't know/No response	66	14.4	36	17.2	29	17.0	1	1.3
SUB-TOTAL	458	100	210	100	171	100	77	100
'NO' Responses								
Must honour original agreement	165	50.0	48	49.5	80	51.6	37	47.4
The money should benefit state	68	20.6	14	14.4	26	16.8	28	35.9
Other	12	3.6	6	6.2	4	2.6	2	2.6
Don't know/No response	85	25.8	29	29.9	45	29.0	11	14.1
SUB-TOTAL	330	100	97	100	155	100	78	100

The second part of the question about the airstrip, asking why respondents answered as they did, had a 25.3 per cent no response rate. People could not explain their stand. Of those who agreed with new claims, 38.9 per cent said the original agreement was probably unfair (feeling their forefathers had been cheated) and 31.0 per cent said, in as many words, that inflation justifies more compensation. The loss of land use was given by 9.0 per cent as a reason to justify new claims. A small group, 5.4 per cent, introduced an explanatory element which becomes more obvious later, namely the belief that people are not entitled to benefit from others' assets.

On the other hand, of those (38.7 per cent) who disagreed with a new claim for the airstrip 50.0 per cent of them maintained that the original agreement should be honoured, but that is only 19.3 per cent of the total number of respondents, most of them coming from the senior public servants and the students. An interestingly larger group of students, than from the other two survey segments, who disagreed with the idea of a new claim, 35.9 per cent of those students who disagreed (17.1 per cent of the total number of student respondents) compared with 16.8 per cent of the senior public servants and 14.4 per cent of the market vendors who disagreed, stated that the money which would go to landowners should instead benefit the State. This altruistic thought might have been coloured by the fact that free university education, as at that time, was under threat.

TABLE 10: SHOULD LAND BENEFIT OTHERS WITHOUT PAYMENT?

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
YES	365	42.8	136	39.7	150	43.4	79	48.2
NO	403	47.2	161	46.9	173	50.0	69	42.1
Don't know/No response	85	10.0	46	13.4	23	6.6	16	9.7
TOTAL	853	100	343	100	346	100	164	100

The very next question was designed to test the willingness of people to share or support community facilities which must inevitably involve land and land based resources. The question asked, 'Suppose the airstrip serves a small town. Should the landowners allow their land to be used for the benefit of the community without payment?'. The answer 'no' was given by 47.2 per cent of all respondents; 42.8 per cent said 'yes' (with 10 per cent 'don't knows' or 'no responses') as in Table 10. Only among the student sample group did more people answer 'yes': 48.2 per cent as opposed to 42.1 per cent who said 'no'. This would seem to indicate that a majority of people are not prepared to 'sacrifice' for the sake of development.

Explanations of Compensation Demands

A straight question asking what influences landowners to demand more compensation introduces a series of categories which recur consistently in the survey. To facilitate the presentation of material they will be explained now (not in order of importance) and abbreviations, shown in bold print, will be used in the Tables.

1. People wanting 'easy money'. Words used described people who were: greedy, lazy, hungry for cash and jealous of others who appear to have easy money (the 'band wagon' syndrome). Jealousy is a potent basis for action in traditional Papua New Guinea society, on account of the pervasive egalitarian ideology.
2. Landowners not fully understanding the ramifications of development projects, and a **lack of awareness** due to the absence of consultation and public education efforts by the government.
3. **High landowner expectations** from development projects, leading to disappointments with the sharing of benefits, and a belief that others (including developers) are benefitting more at their expense.

4. An aspect associated with points 2 and 3 above, but specifically expressed, is landowners' perception that they are **not fully participating** in the project. This includes levels of local employment, business opportunities and other 'spin-off' benefits of an economic nature.
5. A perceived **lack of government action** both in providing services such as education and health, and in not discharging its responsibilities regarding agreements with developers.
6. 'Economic needs' expresses the sentiment that people are victims of: unemployment, inflation and social pressures which require money (e.g. funerals and flying bodies to the home province for burial, school fees). It includes respondents who cited 'social change due to Westernisation' and 'the influence of the cash economy'.
7. A **need for land**, due to: population growth, loss of land for subsistence activities and loss of income from surplus crops; this category also includes the loss of traditional rights such as hunting, and an individual's right to subsist.
8. The **present cash value of land** in the economy.
9. The fact that people come under **outside influences** - from politicians and their potential rivals, and from what is learnt from the media regarding compensation claims elsewhere (the 'copy-cat' syndrome).
10. **Environmental damage** and other negative aspects of development projects.

Respondents were asked for three factors, given in order of importance, which in their opinion prompted compensation demands. The increased 'no response' category in the three responses in Table 11

TABLE 11: FACTORS INFLUENCING LANDOWNERS TO DEMAND MORE COMPENSATION
(Respondents were asked to name three factors in order of importance)

Total Sample

	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Easy money	70	8.2	37	4.3	49	5.7	156	6.1	18.2
Lack of awareness	14	1.6	18	2.1	29	3.4	61	2.4	7.1
High expectations	138	16.2	154	18.1	119	14.0	411	16.1	48.3
Lack of participation	19	2.2	29	3.4	31	3.6	79	3.1	9.2
Lack of government action	57	6.7	117	13.7	101	11.8	275	10.7	32.2
Economic needs	154	18.1	84	9.9	99	11.6	33	13.2	39.6
Need for land	129	15.1	111	13.0	90	10.6	330	12.9	38.7
Present land values	147	17.2	99	11.6	57	6.7	303	11.8	35.5
Outside influences	76	9.0	99	11.6	133	15.6	308	12.0	36.2
Environmental damage	29	3.4	40	4.7	28	3.3	97	3.8	11.4
Don't know/No response	20	2.3	65	7.6	117	13.7	202	7.9	23.6
TOTAL	853	100	853	100	853	100	2,559	100	

TABLE 11 continued: Factors influencing landowners to demand more compensation

Market Vendors

	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Easy money	1	0.3	3	0.9	1	0.3	5	0.5	1.5
Lack of awareness	1	0.3	3	0.9	9	2.6	13	1.3	3.8
High expectations	56	16.3	66	19.2	55	16.0	177	17.2	51.5
Lack of participation	-	-	-	-	1	0.3	1	0.1	0.3
Lack of government action	37	10.8	74	21.6	62	18.1	173	16.8	50.4
Economic needs	81	23.7	32	9.3	46	13.4	159	15.5	46.4
Need for land	22	6.4	4	1.2	4	1.2	30	2.9	8.7
Present land values	98	28.6	66	19.2	30	8.7	194	18.9	56.5
Outside influences	30	8.7	44	12.9	60	17.5	134	13.0	39.1
Environmental damage	8	2.3	9	2.6	4	1.2	21	2.0	6.1
Don't know/No response	9	2.6	42	12.2	71	20.7	122	11.8	35.5
TOTAL	343	100	343	100	343	100	1,029	100	

Public Servants

Easy money	50	14.5	22	6.4	29	8.4	101	9.7	29.3
Lack of awareness	9	2.6	13	3.7	17	5.0	39	3.8	11.3
High expectations	50	14.5	65	18.8	40	11.5	155	14.9	44.8
Lack of participation	18	5.2	25	7.2	22	6.4	65	6.3	18.8
Lack of government action	13	3.7	30	8.7	30	8.6	73	7.0	21.0
Economic needs	57	16.5	28	8.1	31	8.9	116	11.2	33.5
Need for land	65	18.8	71	20.5	58	16.8	194	18.7	56.1
Present land values	32	9.2	24	6.9	19	5.5	75	7.2	21.6
Outside influences	35	10.1	38	11.0	52	15.0	125	12.0	36.1
Environmental damage	8	2.3	11	3.2	12	3.5	31	3.0	9.0
Don't know/No response	9	2.6	19	5.5	36	10.4	64	6.2	18.5
TOTAL	346	100	346	100	346	100	1,038	100	

University Students

Easy money	19	11.6	12	7.3	19	11.6	50	10.2	30.5
Lack of awareness	4	2.4	2	1.2	3	1.8	9	1.8	5.4
High expectations	32	19.5	23	14.0	24	14.6	79	16.1	48.1
Lack of participation	1	0.6	4	2.4	8	4.9	13	2.6	7.9
Lack of government action	7	4.3	13	7.9	9	5.5	29	5.9	17.7
Economic needs	16	9.7	24	14.6	22	13.4	62	12.6	37.7
Need for land	42	25.6	36	22.1	28	17.1	106	21.5	64.8
Present land values	17	10.4	9	5.5	8	4.9	34	6.9	20.8
Outside influences	11	6.7	17	10.4	21	12.8	49	10.0	29.9
Environmental damage	13	8.0	20	12.2	12	7.3	45	9.1	27.4
Don't know/No response	2	1.2	4	2.4	10	6.1	16	3.3	9.7
TOTAL	164	100	164	100	164	100	492	100	

indicates that some people only gave one or two replies. The idea that the present cash value of land should be reflected in the level of benefit, or return, which landowners themselves are entitled to receive (mentioned by 35.5 per cent of respondents), coupled with the actual removal of land use entailed by development projects (mentioned by 38.7 per cent of respondents) was given as a major reason for claims. It should be noted though, that events have shown that landowners usually place a much higher value on their land and its vegetation than the government officers whose job it is to assess values.

The two other major reasons given for claims relate to a sense of economic deprivation. There are two sides to this represented by the difference between 'want' and 'need'. 'Want' is explained by the fact that landowners feel they are not receiving a fair slice of the cake and have disappointed expectations (the 'high landowner expectations' Category three, page 17, of 48.3 per cent of respondents, whereas 'need', relate to the fact that landowners feel unable to meet the financial demands of modern life (the 'economic need' Category 6 page 18 of 39.6 per cent of respondents). The largest percentage of respondents to identify single category, 48.3 per cent, named the 'want' factor, implying that landowners feel they have a right to optimise any benefits coming from their land.

A problem with this concept, however, is that it is virtually impossible for landowners to be able to assess, or developers for that matter, at the negotiation phase before a project commences, what a fair share of benefits is likely to amount to (Jackson 1997). The definition of what is 'fair' is itself another stumbling block. Papua New Guineans can claim to be fair minded egalitarian people, but it is what they themselves assess as fair, which may not coincide with what others think. When land is used for a service rather than a revenue producing activity, such as a school, a compensation claim, against the Government, is perhaps another expression of dissatisfaction with what development has so far brought them.

Landowners want their slice of the national cake and suspect they are not receiving it. Table 12 illustrates the same thing asked in a different way. And once again the 'high landowner expectations' 'want

TABLE 12: REASONS FOR HIGH COMPENSATION DEMANDS BY LANDOWNERS
(Some respondents gave more than one answer)

Total Sample

Reasons	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Easy money	87	10.2	17	2.0	6	0.7	110	4.3	12.9
Lack of awareness	61	7.2	7	0.8	1	0.1	69	2.7	8.1
High expectations	197	23.1	33	3.9	2	0.2	232	9.1	27.2
Lack of participation	9	1.1	3	0.4	-	-	12	0.5	1.5
Lack of government action	104	12.2	40	4.7	2	0.2	146	5.7	17.1
Economic needs	56	6.5	13	1.5	1	0.1	70	2.7	8.1
Need for land	165	19.3	15	1.7	-	-	180	7.0	21.0
Present land values	34	4.0	6	0.7	3	0.4	43	1.7	5.1
Outside influences	66	7.7	23	2.7	3	0.4	92	3.6	10.8
Environmental damage	34	4.0	10	1.2	2	0.2	46	1.8	5.4
Don't know/No response	40	4.7	686	80.4	833	97.7	1559	60.9	182.8
TOTAL	853	100	853	100	853	100	2559	100	

TABLE 12 continued: Reasons for high compensation demands by landowners

Market Vendors

Reasons	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Easy money	29	8.5	1	0.3	1	0.3	31	3.0	9.1
Lack of awareness	-	-	-	-	-	-	-	-	-
High expectations	83	24.2	7	2.0	1	0.3	91	8.8	26.5
Lack of participation	1	0.3	1	0.3	1	0.3	3	0.3	0.9
Lack of government action	26	7.6	2	0.6	1	0.3	29	2.8	8.5
Economic needs	33	9.6	6	1.8	-	-	39	3.8	11.4
Need for land	91	26.5	6	1.8	1	0.3	98	9.5	28.6
Present land values	16	4.7	1	0.3	-	-	17	1.7	5.0
Outside influences	20	5.8	2	0.6	1	0.3	23	2.2	6.7
Environmental damage	19	5.5	4	1.2	-	-	23	2.2	6.7
Don't know/No response	25	7.3	313	91.1	337	98.2	675	65.7	196.6
TOTAL	343	100	343	100	343	100	1029	100	

Public Servants

Easy money	42	12.1	12	3.5	3	0.9	57	5.5	16.5
Lack of awareness	49	14.2	7	2.0	1	0.3	57	5.5	16.5
High expectations	72	20.8	15	4.3	1	0.3	88	8.5	25.4
Lack of participation	7	2.0	1	0.3	-	-	8	0.8	2.3
Lack of government action	57	16.5	21	6.1	-	-	78	7.5	22.6
Economic needs	16	4.7	5	1.4	-	-	21	2.0	6.1
Need for land	34	9.8	5	1.4	-	-	39	3.7	11.2
Present land values	12	3.5	5	1.4	1	0.3	18	1.7	5.2
Outside influences	40	11.6	12	3.5	2	0.6	54	5.2	15.7
Environmental damage	4	1.2	5	1.4	1	0.3	10	1.0	2.9
Don't know/No response	13	3.6	258	74.7	337	97.3	608	58.6	175.6
TOTAL	346	100	346	100	346	100	1038	100	

University Students

Easy money	16	9.8	4	2.4	2	1.2	22	4.5	13.4
Lack of awareness	12	7.3	-	-	-	-	12	2.4	7.3
High expectations	42	25.6	11	6.7	-	-	53	10.9	23.3
Lack of participation	1	0.6	1	0.6	-	-	2	0.4	1.2
Lack of government action	21	12.8	17	10.4	1	0.6	39	7.9	23.8
Economic needs	7	4.2	2	1.2	-	-	9	1.8	5.4
Need for land	40	24.4	4	2.4	-	-	44	8.9	26.8
Present land values	6	3.7	-	-	1	0.6	7	1.4	4.3
Outside influences	6	3.7	9	5.5	1	0.6	16	3.3	9.8
Environmental damage	11	6.7	1	0.6	-	-	12	2.4	7.3
Don't know/No response	2	1.2	115	70.2	159	97.0	276	56.1	168.4
TOTAL	164	100	164	100	164	100	492	100	

category was easily the leading response given by 27.2 per cent of all respondents. The lower percentage level is due to the fact that respondents were not asked to give three reasons for compensation claims and the vast majority only gave one answer to this question.

Despite the fact that a great deal of publicity was being given, both before and at the time of the survey, to the claim by landowners against the mining giant BHP (previously known as Broken Hill Proprietary Limited) for environmental damage caused by tailings from the Ok Tedi mine, plus previous publicity about environmental damage caused by the mine on Bougainville, concern over environmental damage did not feature significantly as a reason for compensation claims. Nor, surprisingly, did the lack of awareness, consultation and non-participation on the part of landowners constitute a major cause of grievance.

There were interesting differences between the three sample groups, the market vendors' perceptions generally contrasting with those of the senior public servants and the students who were similar in opinion except on two points: 27.4 per cent of the students as opposed to 8.9 per cent of the public servants thought environmental damage an important factor; and 18.8 per cent of the senior public servants thought a lack of landowner participation in projects more significant than 7.9 per cent of the students (0.3 per cent of the market vendors stated this) (Table 11).

The basic differences between market vendors and the other two segments were in Categories 8, 7 and 1 (page 17 and 18). Category 8, the 'present cash value of land', is stated by 56.5 per cent of the vendors but only 21.6 per cent of the public servants and 20.8 per cent of the students. Category 7, the 'need for land', is not perceived by the rural dwelling vendors, of whom only 8.7 per cent mention this against 56.1 per cent of the public servants and 64.8 per cent of the students, who may be theorising on the basis of knowledge they have about population growth etc. rather than knowing what actually motivates rural landowners (who do not perceive a land shortage) to demand compensation. The 56.5 per cent of market vendors who think the market value of land is high cannot be saying this on the basis of a belief that land is in short supply, because only 8.7 per cent of them said the need for land is driving claims; rather, it is a cultural expression that land has a high value (Table 11).

Another difference between market vendors and the other two groups relates to Category 1, the desire for 'easy money'. Only 1.5 per cent of market vendors said this is an issue whereas 29.3 per cent of the senior public servants and 30.5 per cent of the students thought it is an influence. A lack of government services featured highly on 50.4 per cent of the market vendors' reasons for claims, compared with 21.0 per cent of the senior public servants and 17.7 per cent of the students. There is reasonable consensus among the groups regarding the role of 'outside influences', Category 9 page 18, as stimulants to claims: market vendors 39.1 per cent, senior public servants 36.1 per cent and students 29.9 per cent.

Returning to Table 12, and taking the overall figures, results are generally consistent with answers given to a similar question, Table 11 (bearing in mind that only one response was required by the former although some respondents did give more than one answer). An examination of how the three different segments influenced the total figures reveals that once again the public servants and students are closer to each other in their views than they are to the market vendors.

Another question also asked why landowners make compensation demands but specified that the claim was against a mining company and asked for *one* answer only. There were three outstanding reasons given by all three survey segments (Table 13). The overall total of 42.8 per cent of respondents was the highest figure, once more in Category 3 (page 17), people wanting their fair share of benefits; next came environmental damage, 26.5 per cent and third was loss of land, 18.2 per cent. The market vendors, 51.0 per cent of them, felt most strongly about sharing benefits.

**TABLE 13: REASONS WHY LANDOWNERS MAKE COMPENSATION CLAIMS
AGAINST MINING COMPANIES**

Reasons	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Easy money	28	3.3	5	1.5	22	6.4	1	0.6
Lack of awareness	18	2.1	-	-	18	5.2	-	-
High expectations	365	42.8	175	51.0	133	38.4	57	34.8
Lack of participation	9	1.1	-	-	8	2.3	1	0.6
Lack of government action	26	3.0	3	0.9	18	5.2	5	3.0
Economic needs	2	0.2	1	0.3	1	0.3	-	-
Need for land	155	18.2	53	15.4	63	18.2	39	23.8
Present land values	1	0.1	-	-	-	-	1	0.6
Outside influences	13	1.5	2	0.6	10	2.9	1	0.6
Environmental damage	266	26.5	102	29.7	65	18.8	59	36.0
Don't know/No response	10	1.2	2	0.6	8	2.3	-	-
TOTAL	853	100	343	100	346	100	164	100

**TABLE 14: REASONS WHY LANDOWNERS MAKE COMPENSATION DEMANDS
AGAINST LOGGING COMPANIES**

Reasons	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Easy money	22	2.6	3	0.9	19	5.5	-	-
Lack of awareness	11	1.3	1	0.3	10	2.9	-	-
High expectations	297	34.8	139	40.5	119	34.4	39	23.8
Lack of participation	6	0.7	-	-	6	1.7	-	-
Lack of government action	43	5.0	10	2.9	23	6.6	10	6.1
Economic needs	5	0.6	1	0.3	2	0.6	1	0.6
Need for land	145	17.0	13	3.8	77	22.3	56	34.1
Present land values	-	-	-	-	-	-	-	-
Outside influences	7	0.8	1	0.3	5	1.4	1	0.6
Environmental damage	301	35.3	170	49.6	74	21.4	57	34.8
Don't know/No response	16	1.9	5	1.4	11	3.2	-	-
TOTAL	853	100	343	100	346	100	164	100

TABLE 15: REASONS WHY LANDOWNERS MAKE COMPENSATION DEMANDS AGAINST GOVERNMENT AGENCIES

Reasons	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Easy money	92	10.8	7	2.0	58	16.8	27	16.5
Lack of awareness	52	6.1	7	2.0	32	9.2	13	8.0
High expectations	438	51.3	209	60.9	161	46.6	68	41.4
Lack of participation	2	0.2	-	-	1	0.3	1	0.6
Lack of government action	110	12.9	49	14.3	32	9.2	29	17.7
Economic needs	9	1.1	1	0.3	5	1.4	3	1.8
Need for land	57	6.7	13	3.8	27	7.8	17	10.4
Present land values	4	0.5	-	-	4	1.2	-	-
Outside influences	19	2.2	3	0.9	14	4.0	2	1.2
Environmental damage	30	3.5	28	8.2	1	0.3	1	0.6
Don't know/No response	40	4.7	26	7.6	11	3.2	3	1.8
TOTAL	853	100	343	100	346	100	164	100

TABLE 16: THOSE WHO HAVE THE RIGHT TO SHARE THE BENEFITS FROM A DEVELOPMENT PROJECT

(Respondents were asked to give three unranked answers)

Total Sample

Response	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Landowners and community	531	62.3	116	13.6	1	0.1	648	25.3	76.0
Landowners only	165	19.3	1	0.1	-	-	166	6.5	19.4
Everyone in the province	56	6.6	318	37.3	54	6.3	428	16.7	50.2
Everyone in the country	70	8.2	135	15.8	258	30.2	463	18.1	54.2
Provincial government	19	2.2	109	12.8	74	8.7	202	7.9	23.7
National government	2	0.2	88	10.3	149	17.5	239	9.3	28.0
Resource developer	-	-	1	0.1	187	22.0	188	7.3	22.1
Landowners' choice	-	-	-	-	2	0.1	2	0.2	0.2
Future generations	-	-	-	-	1	0.1	1	0.1	0.1
Don't know/No response	10	1.2	85	10.0	127	14.9	222	8.7	26.1
TOTAL	853	100	853	100	853	100	2,559	100	

TABLE 16 continued: Those who have the right to share the benefits from a development project

Market Vendors

Response	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Landowners and community	166	48.4	90	26.2	1	0.3	257	25.0	74.9
Landowners only	129	37.6	-	-	-	-	129	12.5	37.6
Everyone in the province	18	5.2	96	28.0	42	12.2	156	15.2	45.4
Everyone in the country	17	5.0	50	14.6	87	25.3	154	15.0	44.9
Provincial government	7	2.0	33	9.6	27	7.9	67	6.5	19.5
National government	2	0.6	35	10.2	52	15.2	89	8.6	26.0
Resource developer	-	-	1	0.3	63	18.4	64	6.2	18.7
Landowners' choice	-	-	-	-	2	0.6	2	0.2	0.6
Future generations	-	-	-	-	1	0.3	1	0.1	0.3
Don't know/No response	4	1.2	38	11.1	68	19.8	110	10.7	32.1
TOTAL	343	100	343	100	343	100	1,029	100	

Public Servants

Landowners and community	245	70.8	19	5.5	-	-	264	25.4	76.3
Landowners only	27	7.8	1	0.3	-	-	28	2.7	8.1
Everyone in the province	24	6.9	146	42.2	9	2.6	179	17.2	51.7
Everyone in the country	37	10.8	55	15.9	111	32.1	203	19.6	28.8
Provincial government	7	2.0	54	15.6	28	8.1	89	8.6	25.7
National government	-	-	34	9.8	73	21.1	107	10.3	30.9
Resource developer	-	-	-	-	78	22.5	78	7.5	22.5
Landowners' choice	-	-	-	-	-	-	-	-	-
Future Generations	-	-	-	-	-	-	-	-	-
Don't know/No response	6	1.7	37	10.7	47	13.6	90	8.7	26.0
TOTAL	346	100	346	100	346	100	1,038	100	

University Students

Landowners and community	120	73.2	7	4.3	-	-	127	25.9	77.5
Landowners only	9	5.5	-	-	-	-	9	1.8	5.5
Everyone in the province	14	8.5	76	46.3	3	1.8	93	19.0	56.6
Everyone in the country	16	9.8	30	18.3	60	36.7	106	21.5	64.8
Provincial government	5	3.0	22	13.4	19	11.6	46	9.3	28.0
National government	-	-	19	11.6	24	14.6	43	8.7	26.2
Resource developer	-	-	-	-	46	28.0	46	9.3	28.0
Landowners' choice	-	-	-	-	-	-	-	-	-
Future generations	-	-	10	6.1	12	7.3	22	4.5	13.4
TOTAL	164	100	164	100	164	100	492	100	

An identical question but specifying a logging company produced similar results, endorsing the same three reasons for compensation claims, but the order of importance is different (Table 14). The market vendors place a high value on environmental damage and it was mentioned by 49.6 per cent of them. The students ranked the environmental category highest on both these specific questions whilst the public servants ranked the fair share Category 3 (page 17) highest on both questions.

In answering a third question, again the same but specific to claims against government agencies, this time all three survey segments placed Category 3, the fair share element well ahead of other categories and the overall total is 51.3 per cent (Table 15). This was followed by Category 5 (page 18), a 'lack of government action' (services), placed second by the market vendors and students but not by public servants who endorse Category 1, 'easy money', as the second most important factor.

It is interesting that these three more specifically directed questions, on why landowners press claims, produced answers that suggested they had helped respondents to focus more clearly on relevant issues. Environmental damage thus rises in importance as an explanation. It is notable among the students who, regarding these specific questions, have probably been influenced by publicity surrounding logging companies and the previously mentioned BHP Ok Tedi case (36.0 per cent cite mining companies and 34.8 per cent cite logging companies). The market vendors, 49.6 per cent of them, cite logging companies as provoking claims caused by environmental damage whereas 29.7 per cent say the same about mining companies.

The Extent of Traditional Egalitarian Society's Willingness to Share

An aspect of community sharing has already been discussed in the earlier example of the airstrip. Compensation payments imply sharing. Tradition dictates that group recipients should share compensation among themselves according to customary procedures. Compensation demands by landowners against developers and the State also imply sharing in the sense of distributing benefits between landowners and development agents. How far beyond those immediate participants in the development project that benefit should spread is often in dispute. A question asked respondents to give up to three replies regarding who should be able to share in benefits from a profit making project or a government sponsored service. Table 16 shows that 76.0 per cent of all respondents thought that it should be landowners and the surrounding community. If the 'surrounding community' really means only people in the same ethnic group, and we join that category with 'only the landowner' should benefit category (as far as responses not respondents are concerned) then 34.8 per cent, more than a third of responses, maintain that benefits should be limited to the immediate development area. Beyond that 'everyone in the province' and 'everyone in Papua New Guinea' were given entitlement. It is significant that when the same concept was expressed differently, people were not in favour of giving to the State either at national or provincial levels. Neither were they generous towards the resource developer. Unfortunately the question was not well presented. Had respondents been asked to rank their three responses, priorities of entitlement could have been established.

On being asked if it is possible to share benefits from mining companies without anyone being unhappy, 51.8 per cent of the respondents answered 'no' and there was a comparatively high 'no response' rate of 18.3 per cent (Table 17). A further question to test attitudes towards sharing benefits concerned the ownership of natural resources under the soil, which at present legally belong to the State (Mining Act 1992). Of market vendors, 56.0 per cent felt landowners should own those resources and only 6.4 per cent approved of the present situation where the State owns them on behalf of its citizens (Table 18). However fewer of the university students (32.9 per cent) and senior public servants (27.7 per cent) favoured landowners as sole owners. Those two groups also differed from the market vendors interestingly as to State ownership: 22.0 per cent of the students and 16.9 per cent of the senior public servants favoured it. But the majority of public servants (52.3 per cent) think that 'both' State and landowners should own underground resources, and the

largest response category from students, 43.3 per cent, agreed. What the legal relationship of dual ownership would entail was not solicited, but the survey answers suggest that there is a definite wish for landowner participation in negotiation and equity rights. Although this issue has been evident in the media and public demonstrations in recent years, there is also the possibility that people do not trust the Government to share the financial benefits fairly or properly and would rather make sure of their own slice of the cake.

TABLE 17: IS IT POSSIBLE TO SHARE MINING PROFITS WITHOUT UNHAPPINESS?

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
YES	255	29.9	95	27.7	109	31.5	51	31.1
NO	442	51.8	156	45.5	195	56.4	91	55.5
Don't know/No response	156	18.3	92	26.8	42	12.1	22	13.4
TOTAL	853	100	343	100	346	100	164	100

TABLE 18: WHO SHOULD OWN THE NATURAL RESOURCES UNDER THE SOIL?

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Government	116	13.6	22	6.4	58	16.9	36	22.0
Landowners	342	40.1	192	56.0	96	27.7	54	32.9
Both	370	43.3	118	34.4	181	52.3	71	43.3
Don't know/No response	25	3.0	11	3.2	11	3.1	3	1.8
TOTAL	853	100	343	100	346	100	164	100

TABLE 19: WHEN SHOULD NON-RENEWABLE RESOURCES BE EXPLOITED?

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Use now	228	26.7	66	19.2	124	35.9	38	23.2
Save	387	45.4	159	46.4	142	41.0	86	52.5
Use and save	144	16.9	85	24.8	44	12.7	15	9.1
Don't know/No response	94	11.0	33	9.6	36	10.4	25	15.2
TOTAL	853	100	343	100	346	100	164	100

A further question dealt with sharing between generations and asked if non-renewable resources should be used now or saved for future generations. There were only three coded answers provided for responses: 'use now', 'save' and 'don't know'. However, 16.9 per cent of all respondents said 'both' (Table 19). The 'save' option is clearly the most popular one and the largest sample group favouring 'use now' was the public servants, perhaps of the three groups composed of people who are most aware of the crucial role of revenue from such resource projects in funding the goods and services which citizens demand and expect today.

In an open question where people gave reasons for maintaining village ties (Table 4) and another where they said who they thought has the right to share benefits from development projects (Table 16), only ten people mentioned concern for the next or future generations. So the idea of saving rather than exploiting resources now could be on short term basis and actually reflect a reluctance to allow outsiders to exploit 'their' resource. In connection with this another question asking how respondents rate the contribution of mining companies to development in Papua New Guinea was interesting. Over a half of the total sample, 53.6 per cent, and in each sample segment (market vendors 51.6 per cent, senior public servants 50.3 per cent and students 66.6 per cent) the replies indicate that people belittle the contribution that the mining companies make, saying 'little', 'no' or a 'bad' contribution was their view (Table 20). The public servants showed the greatest appreciation of the contribution made by mining companies: 40.8 per cent of them rated the contribution as 'great', (as against 30.4 per cent of the students and 29.4 per cent of the market vendors) which is consistent with their earlier reported support for the 'use [resources] now' option in Table 19.

TABLE 20: THE PERCEIVED CONTRIBUTION OF MINING COMPANIES TO PAPUA NEW GUINEA DEVELOPMENT

Level of contribution	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Great	292	34.2	101	29.4	141	40.8	50	30.4
Little	349	40.9	121	35.3	137	39.6	91	55.5
None	35	4.1	30	8.7	2	0.6	3	2.0
Negative	73	8.6	26	7.6	32	9.2	15	9.1
Don't know/No response	104	12.2	65	19.0	34	9.8	5	3.0
TOTAL	853	100	343	100	346	100	164	100

A hypothetical question testing people's attitude towards shared benefits asked how K100 profit made by a mine should be shared between the landowners, the company and the government on behalf of all citizens (Table 21A). Perhaps surprisingly, but also significantly, those respondents who say that more than half the profit should go to the company outnumbered those who choose the landowners by the ratio of 3:1 (13.2 per cent: 4.4 per cent). Even at the next level below half the profits (26-50 per cent of profits) 60.8 per cent of the respondents say that the company should receive profits within that range. Landowners were also included in this range by 50.4 per cent of respondents and the Government received only 36.8 per cent support. In the lowest range, that dealing with 0-25 per cent of the profits, only 18.7 per cent of the sample said this is what the company should receive whereas 38.4 per cent said it was what landowners should be entitled to, while 54.8 per cent, the largest group in this percentage range, said it is what the Government should have.

TABLE 21A: THE DIVISION OF PROFIT FROM A MINE

Total Sample						
% Profit	TO LAND-OWNERS		TO MINING COMPANY		TO GOV'T & PEOPLE	
	No.	%	No.	%	No.	%
0 - 25%	327	38.4	159	18.7	468	54.8
26% - 50%	430	50.4	519	60.8	314	36.8
51% - 75%	36	4.2	101	11.8	9	1.1
76% - 100%	2	0.2	12	1.4	-	-
Don't know/No response	58	6.8	62	7.3	62	7.3
TOTAL	853	100	853	100	853	100
Market Vendors						
0 - 25%	67	19.6	110	32.1	217	63.3
26% - 50%	227	66.1	194	56.5	95	27.1
51% - 75%	27	7.9	15	4.4	6	1.7
76% - 100%	-	-	-	-	-	-
Don't know/No response	22	6.4	24	7.0	25	7.3
TOTAL	343	100	343	100	343	100
Public Servants						
0 - 25%	180	52.0	41	11.9	180	52.0
26% - 50%	127	36.7	192	55.4	130	37.5
51% - 75%	5	1.5	68	19.6	3	0.9
76% - 100%	2	0.6	12	3.5	-	-
Don't know/No response	32	9.2	33	9.6	33	9.6
TOTAL	346	100	346	100	346	100
University Students						
0 - 25%	81	49.5	8	4.8	70	42.8
26% - 50%	76	46.3	133	81.2	87	53.0
51% - 75%	4	2.4	18	11.0	3	1.8
76% - 100%	-	-	-	-	-	-
Don't know/No response	3	1.8	5	3.0	4	2.4
TOTAL	164	100	164	100	164	100

Looking at differences between sample segments the senior public servants are most pro-company: 55.4 per cent place the company in the 26-50 per cent profit range, and 23.1 per cent (19.6 per cent plus 3.5 per cent) of them would give the company over half the profits. In other words 78.5 per cent of the senior public servants would allocate over one quarter of the profits to the company. Only 4.4 per cent of the market vendors and 11.0 per cent of the students would give over half the profit to the company

The final part of the question asked why respondents had allocated profits in the way they did. The 'no response' rate was high at 23.7 per cent, the highest segment being the public servants at 33.2 per cent who perhaps did not want to say why they supported the company, but 30.8 per cent of all respondents said they gave most to the company because it provides the capital and local services and takes a risk in the venture (Table 21B). In justifying the landowner share, 27.1 per cent of all respondents said that they did so, some because it was their land, and some because of the adverse impact of the project on their lives. The relatively low number, 7.6 per cent, of government supporters said they gave this support because the government provides services. This would suggest considerable dissatisfaction with the level of these services, a fact underscored by a very small number, 0.6 per cent, who actually said, uninvited, that the government misuses money.

TABLE 21B: JUSTIFICATION FOR THE DISTRIBUTION

	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Tax	1	0.1	1	0.3	-	-	-	-
Fair share	48	5.6	17	5.0	21	6.1	10	6.1
Landowners own land and are most affected	231	27.1	152	44.3	46	13.3	33	20.1
Company provides capital	245	28.8	73	21.3	111	32.0	61	37.3
Company provides risk	10	1.2	-	-	7	2.0	3	1.8
Company provides services	7	0.8	1	0.3	5	1.4	1	0.6
Government misuses money	5	0.6	1	0.3	3	0.9	1	0.6
Government misuses services	65	7.6	19	5.5	23	6.7	23	14.0
Other	40	4.5	21	6.1	15	4.4	4	2.4
Don't know/No response	201	23.7	58	16.9	115	33.2	28	17.1
TOTAL	853	100	343	100	346	100	164	100

Development

A question bridging the gap between sharing and harnessing the resource benefits for development asked what benefits both the respondent and other people would want from a resource development project. The answers to this open question fall into the following categories:

- 1 Human/social development: services such as education, health, welfare and an improved standard of living.
2. Capital/economic development: infrastructure (roads and transportation are high on the list), housing, water and material benefits for a better living standard.
- 3 Employment: business opportunities and jobs.
4. Money: cash, compensation, income, equity, royalties.
- 5 Government Action: policy, implementation and participation to maximise benefits from resource development (e.g. tax).

TABLE 22: BENEFITS WHICH PEOPLE WANT FROM DEVELOPMENT PROJECTS
(Respondents were asked to give up to three answers)

Total Sample

Respondents' own choices	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Social development	199	23.3	323	37.9	300	35.2	822	32.1	96.4
Capital development	272	31.9	288	33.7	273	32.0	833	32.6	97.6
Employment/Participation	98	11.5	120	14.1	115	13.4	333	13.0	39.0
Money/Income/Royalties	254	29.8	68	8.0	73	8.6	395	15.4	46.4
Government action	3	0.4	6	0.7	18	2.1	27	1.1	3.2
Don't know/No response	27	3.1	48	5.6	74	8.7	149	5.8	17.4
TOTAL	853	100	853	100	853	100	2,559	100	

Respondents' perception of what others want

Social development	162	19.0	274	32.1	255	29.8	691	27.0	80.9
Capital development	232	27.2	262	30.7	246	28.8	740	29.0	86.7
Employment/Participation	128	15.0	126	14.7	104	12.3	358	13.9	42.0
Money/Income/Royalties	234	27.4	61	7.2	63	7.4	358	13.9	42.0
Government action	13	1.6	9	1.1	18	2.1	40	1.7	4.8
Don't know/No response	84	9.8	121	14.2	167	19.6	372	14.5	43.6
TOTAL	853	100	853	100	853	100	2,559	100	

Market Vendors

Respondents' own choices

Social development	85	24.7	142	41.4	140	40.9	367	35.7	107.0
Capital development	123	36.0	131	38.2	116	33.8	370	35.9	108.0
Employment/Participation	27	7.9	29	8.4	28	8.1	84	8.2	24.4
Money/Income/Royalties	99	28.8	17	5.0	21	6.2	137	13.3	40.0
Government action	-	-	1	0.3	2	0.6	3	0.3	0.9
Don't know/No response	9	2.6	23	6.7	36	10.4	68	6.6	19.7
TOTAL	343	100	343	100	343	100	1,029	100	

Respondents' perception of what others want

Social development	84	24.5	132	38.5	138	40.2	354	34.4	103.2
Capital development	112	32.6	110	32.0	86	25.1	308	29.9	89.7
Employment/Participation	33	9.6	22	6.4	23	6.7	78	7.6	22.7
Money/Income/Royalties	72	21.0	15	4.4	9	2.6	96	9.3	28.0
Government action	2	0.6	2	0.6	3	0.9	7	0.7	2.1
Don't know/No response	40	11.7	62	18.1	84	24.5	186	18.1	54.3
TOTAL	343	100	343	100	343	100	1,029	100	

TABLE 22 continued: Benefits which people want from development projects
(Respondents were asked to give up to three answers)

Public Servants

Respondents' own choices	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL RESPONSES		RESPONDENTS
	No.	%	No.	%	No.	%	No.	%	%
Social development	70	20.1	114	32.9	106	30.7	290	28.0	83.7
Capital development	96	27.7	117	33.9	101	29.2	314	30.3	90.8
Employment/Participation	48	14.0	58	16.7	63	18.2	169	16.3	48.9
Money/Income/Royalties	114	33.0	32	9.2	34	9.8	180	17.3	52.0
Government action	1	0.3	3	0.9	11	3.1	15	1.4	4.3
Don't Know/No Response	17	4.9	22	6.4	31	9.0	70	6.7	20.3
TOTAL	346	100	346	100	346	100	1038	100	

Respondents' perception of what others want

Social development	50	14.4	82	23.7	78	22.6	210	20.2	60.7
Capital development	75	21.7	104	30.1	107	30.9	286	27.6	82.7
Employment/Participation	67	19.4	75	21.7	50	14.4	192	18.5	55.5
Money/Income/Royalties	107	30.9	31	8.8	35	10.1	173	16.7	49.8
Government action	8	2.3	4	1.2	10	2.9	22	2.1	6.4
Don't know/No response	39	11.3	50	14.5	66	19.1	155	14.9	44.9
TOTAL	346	100	346	100	346	100	1,038	100	

University Students

Respondents' own choices

Social development	44	26.9	67	40.9	54	33.0	165	33.5	100.8
Capital development	53	32.4	40	24.4	56	34.1	149	30.3	90.9
Employment/Participation	23	13.9	33	20.1	24	14.6	80	16.3	48.6
Money/Income/Royalties	41	25.0	19	11.6	18	11.0	78	15.9	47.6
Government action	2	1.2	2	1.2	5	3.0	9	1.8	5.4
Don't know/No response	1	0.6	3	1.8	7	4.3	11	2.2	6.7
TOTAL	164	100	164	100	164	100	492	100	

Respondents' perception of what others want

Social development	28	17.1	60	36.6	39	23.8	127	25.8	77.5
Capital development	45	27.5	48	29.3	53	32.3	146	29.7	89.1
Employment/Participation	28	17.1	29	17.7	31	18.9	88	17.9	53.7
Money/Income/Royalties	55	33.5	15	9.1	19	11.6	89	18.1	54.2
Government action	3	1.8	3	1.8	5	3.0	11	2.2	6.6
Don't know/No response	5	3.0	9	5.5	17	10.4	31	6.3	18.9
TOTAL	164	100	164	100	164	100	492	100	

An inspection of Table 22 shows clearly that both social and economic development overall are placed well ahead of employment opportunity and cash. It is now standard practice for large revenue producing resource projects to offer landowners a 'benefits package' in addition to straight cash compensation for damage. These packages include the type of development reflected in the answers given in those first two categories. There is a certain amount of overlap between the categories - 'education' was placed in the social development sphere, and the construction of a school by the development agent was therefore not reflected in the economic development category. Also, it is one thing for a company to build a school but 'government action' is required for it to function by providing teachers and other support. This is a small example of the type of failure that government is guilty of regarding its role in resource development projects. It is revealing and surprising that the respondents in the survey did not express specifically their awareness of this. It could however be implied in the sense that they expressed a need for the type of development they feel they are not at present receiving. Had the survey been conducted, as originally intended, in rural areas where resource development projects are situated, responses might well have been different. Law Reform Commission Monograph No. 6, *Compensation for Resource Development*, a companion to this Working Paper, demonstrates very clearly the need for government to play a much more active role in the establishment and monitoring of projects.

The first part of the question, which asked what the respondents themselves want from resource projects, produced answers which placed slightly more emphasis on social and capital development than those answers covering what they thought other people want, which was the second part of the question, but the difference is not enough to be significant. A close examination of respondents' first reply of the triple answer question places 'money' in a very commanding position. The word 'money' is very broad and could include such payments as royalties which may not have been named as such by particular respondents. Similarly the category 'social development' could be boosted by one respondent with three very different replies such as 'education', 'health' and 'improved Law and Order'. So if we now turn to take note of the number of respondents instead of the total responses, we see that of those who gave 'money' as a *first* response, 'money' is the top category, sometimes by as much as double those who named 'social development': only 14.4 per cent of the senior public servants think that other people want social development whereas 30.9 per cent said other people want money first; and the students think similarly: 17.1 per cent said 'social development' while 33.5 per cent said 'money'. The market vendors definitely gave priority to capital development which would include roads and transportation with other infrastructure which they think are crucial for an improvement in the quality of their lives.

To discover respondents' perception of the impact of compensation demands on Papua New Guinea's ability to attract foreign investment, and thus fuel economic growth, respondents were asked whether landowners who make high compensation demands and do not stick to agreements 'obstruct economic growth' or whether the landowners are merely 'fighting exploitation' and to obtain a 'fair share' of the cake. The latter explanation was favoured by 44.7 per cent of the sample (Table 23). However, 9.8 per cent of all respondents marked both answers, indicating either that what occurs is not the same in every case or that both obstruction by landowners and exploitation by developers could be happening in situations which are not always clear-cut; also, there are two sides to every dispute. The 'other' category was comparatively well used, by 8.2 per cent of respondents, and, rather than marking the coded answer for obstruction or exploitation, they were offering reasons or excuses why landowners were motivated to act and their answers fell into the categories used for Table 11. This is a rare occasion when there is virtually complete unanimity among the sample segments. Only around a fifth of all respondents acknowledge that high compensation demands by landowners and their not sticking to agreements have negative effects on economic growth. This is a notable finding because it is contrary to mainstream commentary on Papua New Guinea affairs which suggests that foreign investment is being scared away by high compensation demands, a fact which respondents don't seem either to recognise or acknowledge.

TABLE 23: IMPLICATIONS OF HIGH COMPENSATION DEMANDS

Response	TOTAL SAMPLE		MARKET VENDORS		PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Obstructing economic development	185	21.7	69	20.1	82	23.7	34	20.7
Landowners fighting exploitation	382	44.7	153	44.5	156	45.1	73	44.6
Both the above	84	9.8	22	6.4	39	11.3	23	14.0
Other	103	12.2	21	6.3	59	17.0	23	14.0
Don't know/No response	99	11.6	78	22.7	10	2.9	11	6.7
TOTAL	853	100	343	100	346	100	164	100

What price are Papua New Guineans prepared to pay for development? Respondents were asked to choose between 'development without land compensation' or 'keeping your land but your area missing out on development'. There was again unanimity among sample segments regarding the two stated categories and, overall, 35.0 per cent of respondents opted for development without compensation (Table 24). The idea of keeping land but not developing appears to be endorsed by only a few, 9.5 per cent. However the 'other' category which amounts to 54.0 per cent of all responses indicated that the majority of respondents in fact want to have their cake and eat it: 29.9 per cent said there should be development with 'fair' compensation and 23.2 per cent said development but land must be properly acquired, which amounts to the same thing.

TABLE 24: THE PRICE OF DEVELOPMENT: CHOICES RESPONDENTS MADE

	FIRST RESPONSE		SECOND RESPONSE		THIRD RESPONSE		TOTAL	
	No.	%	No.	%	No.	%	No.	%
Development but no land compensation	298	35.0	117	34.1	123	35.5	58	35.4
Keep land but no development	81	9.5	52	15.2	19	5.5	10	6.1
Other:								
Devpt. only with comp. funds	7	0.8	1	0.3	5	1.4	1	0.6
Development with 'fair' compensation	255	29.9	125	36.4	89	25.7	41	25.0
Land must be properly acquired	198	23.2	37	10.8	107	31.0	54	32.9
Don't know/No response	14	1.6	11	3.2	3	0.9	-	-
TOTAL	853	100	343	100	346	100	164	100

A question was put to discover how people see themselves in terms of personal material well-being within society, which might affect their degree of optimism or pessimism about the future. Asked if they thought their personal finances in recent years are better, worse, or the same as before, 63.0 per cent of the total sample, which is almost two thirds said 'worse', with little difference between survey segments; 21.5 per cent said their finances were the same and only 13.4 per cent said they were better off. The students, who in the main do not earn, had a 29.9 per cent response rate saying there was no change in their personal finances, and this was around 10.0 per cent more than either of the other two groups.

TABLE 25: RESPONDENTS' ASSESSMENT OF PROGRESS

Respondents' personal finances over recent years

Assessment	TOTAL SAMPLE		MARKET VENDORS		SENIOR PUBLIC SERVANTS		UNIVERSITY STUDENTS	
	No.	%	No.	%	No.	%	No.	%
Better	114	13.4	51	14.9	46	13.3	17	10.4
Worse	538	63.0	212	61.8	229	66.1	97	59.1
Same	183	21.5	67	19.5	67	19.4	49	29.9
Don't know/No response	18	2.1	13	3.8	4	1.2	1	0.6
TOTAL	853	100	343	100	346	100	164	100

Respondents' perception of other people's finances over the past ten years

Better off	137	16.1	50	14.6	46	13.3	41	25.0
Worse off	516	60.5	204	59.5	225	65.0	87	53.0
Same	159	18.6	56	16.3	67	19.4	36	22.0
Don't know/No response	41	4.8	33	9.6	8	2.3	-	-
TOTAL	853	100	343	100	346	100	164	100

A similar question but asking about most Papua New Guineans' financial position, rather than respondents' own, over the last ten years, produced a similar result. The students were the only group with a significant percentage who felt other people are better off, 25.0 per cent of them said this; only 16.3 per cent of market vendors and 13.3 per cent of the public servants felt so. The students' assessment of the country's economic progress would appear to be more favourable than that of either the market vendors or public servants. But the overwhelming impression that the responses produce is of a people who feel that their living standard is not improving and is in fact deteriorating.

DISCUSSION

All the major findings of the survey point to one conclusion: the issue of land compensation, and the problems associated with it, will not disappear over the short to medium term. There are cultural and economic factors which shape attitudes towards anything to do with land, to the sharing of benefits and costs and, above all, to the notion of a binding contract. All these appear to legitimise land compensation claims in the minds of the generality of Papua New Guineans. There are also unfavourable perceptions of the State, as represented by governments, which reinforce prevailing supportive beliefs and attitudes towards land compensation claims. A brief highlighting of the principal findings will aid discussion.

Practically every Papua New Guinean is a landowner and claims access to customary land which is estimated to cover 99 per cent of the land area and the immediate coastal waters of the country. Further, over 90 per cent of our respondents say that maintaining village ties is important to them (refer to Tables 3 and 4). As landowners whose sense of identity and security is closely tied to the land and the village, it is understandable that their sympathies lie with landowners in compensation claims.

Almost one half of our respondents know personally of a land compensation demand and they profess solidarity with the claimants (see Table 5). Only a small minority believe in the sanctity of contractual rights and obligations, even those negotiated recently rather than in the dim distant colonial past. For the majority, when sentiments change, largely because the economic situation has changed, mostly as a result of the activity sanctioned by the contract, the preferred option is to break the contract, if it cannot be renegotiated (refer to Tables 8 and 9).

In its quest to explain the increasing incidence of high land compensation demands, the survey uncovered the following. Firstly, a fear, and a feeling, of being exploited appears to be pervasive. There appears to be a deep seated distrust of the intentions and the fairness of the world beyond the kin groups and traditional allies where sharing is customarily mandatory. The desire for a fair share of benefits, an awareness that this is not forthcoming, least of all in the form of government services and, especially, a suspicion that others are benefitting at their expense, are important reasons (Tables 9-12). Secondly, according to our respondents, an enormous gap between landowners' economic needs and wants and what they see the mines, the logging companies and the government as capable of delivering, under pressure from them, is a definite motivation for land compensation claims. What we label as a sense of economic deprivation is heavily endorsed by respondents. This sense of dissatisfaction with their own, personal financial progress and status, which is also projected on to the financial progress and status of the majority of their fellow citizens, is further demonstrated in the responses in Table 25. Thirdly, there seems to be deep ambivalence towards development. This is expressed in reservations about the willingness to make necessary sacrifices by, for instance, giving up land in exchange for modern economic activities and social amenities.

It is possible that what appears as ambivalence toward modernisation and development may also indicate insufficient understanding about the contemporary world. For instance, it is clearly not appreciated how mobile international capital has become, in chasing after profitable opportunities globally. Responses to the question on the probable effects of the high and frequent compensation claims on foreign private investment suggest that possibility. The difficulty respondents had, when they were called upon to explain choices they made, as shown in the large 'no response categories' on the 'Why?' questions, would also lend support to the view that perhaps insufficient awareness or reflection might explain some of the seeming ambivalence.

However, there is also in Papua New Guinea a widespread attitudinal and behavioural phenomenon which may be labelled as 'the kill-joy syndrome'. This syndrome, a reflection of the competitive egalitarianism we refer to earlier, with all its associated phenomena of social jealousy and belief in sorcery allied with notions of exclusivity regarding entitlements and sharing within a traditionally limited group of people, is evident at many levels and can be explained rhetorically as: 'If I cannot benefit as much as another person from an activity, why should anybody benefit at all?'. Another form of expression could be: 'I will go without rather than let others also benefit (at my expense)'. The English saying, 'Cutting off one's nose to spite one's face', is also applicable. The effect of this kind of attitude can be observed in the inability of communities around Port Moresby, for instance, to exploit opportunities for income from opening up beaches and ensuring the safety of paying guests. Compensation demands, and the shutting down of services and economic activities that landowners usually inflict on communities to back their demands, are simply some of the most forceful reminders of the pervasiveness of 'the kill-joy syndrome'.

In a classic demonstration of how the wording of questions can influence responses, we note that the same question, seeking to plumb the reasons for high land compensation demands, involved different shifts of emphasis when it was made specific to the activities of mining companies, logging companies and parastatal agencies (see Tables 13, 14 and 15).

Patterns of Endorsement by Sub-Samples

There are indicators of a remarkable unanimity of views in the findings, for instance in attitudes towards contracts. But, a pattern of differences in the responses of the three sub-samples also emerges from the Tables. The differences would suggest that education is the factor that can, in the long run, account for a significant change in attitudes and, consequently, reduce the incidence and the level of compensation demands. Although there are some differences in the responses of students and public servants, most probably explained by differences in the extent of experience of making policy decisions, these are minor compared to the differences between these two sub-groups, on the one hand, and the market vendors, on the other. Thus, for instance, whereas 47.2 per cent of market vendors approve of the use of violent methods to press compensation claims, only 28.6 per cent of students and even fewer, 20.2 per cent, of public servants do. Such differences recur time and time again in the Tables.

Students are more prepared to accept the logic of sacrifice for the sake of development (Table 10), disagree most with those making new claims for land already paid for in the colonial period (Table 9), and fewer of them favour landowners as sole owners of the minerals under their land compared with members of either of the other two sub-samples. Thus, in this area as in other developmental issue areas, it would appear that investment in education is the best a developing country like Papua New Guinea can make.

Policy Implications

A factor which was clear, and most noticeable in the market vendors survey segment, was that traditional concepts are still a strong influence. Agents of development must not underestimate the need to try to understand the local psyche and behaviour patterns whilst at the same time encouraging Papua New Guinea structures and practices to adapt to the needs of development, in the interests of development, on behalf of the people. Several of the papers in a companion to this survey report, the Law Reform Commission's Monograph No. 6, *Compensation for Resource Development in Papua New Guinea*, contain ethnographic examples illustrating aspects of traditional behaviour which are relevant in this context. Zimmer-Tamakoshi in Chapter Three presents the most encompassing example of the overlaps between past and present, showing how traditional beliefs, ethics, attitudes and practices are applied to modern circumstances. She demonstrates how, among the Gende speakers living in the mountains of southern Madang Province, a failure to live up to traditional goals to achieve a balance in exchange relations, and thereby to prove oneself equal to others of

a similar status, results in the loss of social viability. Yet today Gende men and women must struggle to correct the balance in their exchange relationships and to create new ways of dealing with the inequality which has blighted their lives since the arrival of the cash economy. In describing this, Zimmer-Tamakoshi touches on several traditional values which clash with the realities of today.

Other authors, similarly demonstrate specific aspects of this very important factor of social change, where old traditions are superimposed, consciously or not, on the new order. Banks, for instance, contrasts how the coastal Motu people of the Papuan Region and the Bena in the Highlands Region respond to a sense of injury and states that:

The [traditional] nature of responses to injury, the motivation underpinning those responses and the process of reparation all reflect sanctions on behaviour which these societies emphatically defend and maintain. (Banks p.63)

Bonnell shows how modern wealth, that is compensation money, received by men in the highland area around the Porgera mine, Enga Province, is spent, at least in part, on traditional status building: brideprice for 'extra' wives. She points out, however, that in the modern context the old tradition is ill fitting:

Today highland men still wish to achieve big-man status through the practice of polygyny, but the cash economy has led to the distortion of the practice of polygyny which has had a further adverse impact on women and the family. (Bonnell p.140)

She goes on to describe the social problems created by this inappropriate application of a distorted traditional practice. Kirsch shows how the Yonggom, down stream from the Ok Tedi mine in Western Province, according to tradition blame people (as opposed to any other 'force') when misfortune strikes, using sorcery accusations as a form of social control to hold people accountable for their actions. Now, however, the mine is being held responsible for mishaps which would previously have been attributed to sorcery (although, whilst comparing the effects of sorcery and mining, the Yonggom clearly differentiate between the two):

A sorcery accusation brings two things together like cause and effect: a person who has been behaving inappropriately and some kind of loss or mishap. Similarly, claims against the Ok Tedi Mine pair its destructive environmental impact with specific cases of misfortune. They represent moral assertions about how the mine has affected their lives, and they seek to hold the mine accountable. (Kirsch p. 150)

Toft talks more generally in an ethnographic sense, in demonstrating that the egalitarian ethos of traditional Papua New Guinea culture does not weld well with the culture of most agents of development. The latter usually see the local people they are dealing with as clients, with themselves as patrons, whereas the Papua New Guinea landowners definitely see the reverse. There is a tendency for the developer, in not allowing for traditional practices, to underestimate the attitude, determination and power of the landowners, and a conflict arises due to cultural interpretations regarding patronage. The importance of traditional ties of kinship is a theme within the chapter. And all the other authors in Monograph No. 6 draw on aspects of traditional practices in their commentaries. The ethnographic material found in the monograph reinforces those survey results which indicate that traditional values and behaviour patterns are strong, such as sharing within the extended kin group. They are being adapted and incorporated into current attitudes, but unfortunately, often being distorted or misapplied in the process. The trends which emerge in comparing results from the three sample segments relate to education which in contemporary Papua New Guinea is associated with age: the most educated, youthful and least traditionally oriented sample segment, the university

students, are most in tune with the logic of capitalist development. Education would appear to be the most effective solvent of attitudes and beliefs which might conflict with the demands of modernisation. Long term educational objectives should be established to this end, focussing on the issues involved in the development process. Changes will not occur overnight.

Meanwhile, the findings of the survey also reinforce the immediate need for policy initiatives to deal with difficulties surrounding the use of land for development purposes. Initiatives which will help Papua New Guineans to adapt to changing times, to expand their personal horizons and to develop enough of a sense of nationalism to allow the vehicles of development to succeed and prosper. A basis for such policy initiatives has already been prepared and is reproduced as an appendix to this paper, on page 40.

APPENDIX

Land Compensation Working Committee

A public sector inter-departmental Land Compensation Working Committee was established in February 1995 in response to a particularly excessive compensation demand for four million kina (at that time approximately the equivalent of United States dollars) from landowners in the town of Wewak. The land had been acquired by the Government during the colonial period and subsequently used for the airport, hospital and power station, but the original landowners now decided that they should be entitled to more, and accompanied their demand with threats. This has become an increasing pattern of behaviour across the country. The Committee was instructed to examine the problem of excessive compensation claims and to propose controls for such.

The core committee group was composed of public servants with firsthand field experience, most of them having dealt directly with landowners over the acquisition or status of land, and all committee members had an excellent appreciation of the issues involved. They decided it was necessary to review all procedures for obtaining land use. In so doing, problematic areas would be identified and remedial action proposed. It was agreed that guidelines applicable to both public and private development agencies nationwide would be developed because of the necessity to establish uniform standard procedures in the interests of national stability.

The Committee produced a Position Paper as a framework which it hoped would become the basis for a full Committee with Terms of Reference to expand and refine the proposals. The draft Position Paper has been enthusiastically received by a wide range of public and private bodies, but unfortunately the political will has not yet been there to promote the concept. The proposals represent however the germination of a plan which, if developed, could introduce order into the processes involved in land acquisition for development, something crucial to the nation's future. As such, they are presented in this publication in the hope that they may soon be put to good use.

POSITION PAPER

The Committee has decided that it is necessary to review all *procedures for obtaining the use of land*. In doing this, problematic areas can be identified and remedial action proposed. It is anticipated that guidelines applicable to development agencies nationwide will be produced. This present paper forms a basis for terms of reference for a committee to review land dispute settlement and compensation issues.

Definitions:

Freehold land transfer is the complete and permanent transfer of title to (i.e. ownership of) land, usually by purchase deed;

Leasehold land transfer is by a contract between parties by which the one conveys lands or tenements to the other for a period of years in return for rent or other periodical compensation.

The use of land can be obtained in two different ways, and we recommend:

1. **freehold purchase**, compulsory purchase if necessary, when land is required for an indefinite period for essential government services (e.g. roads, airstrips, educational institutions, repeater stations), and
2. **leasehold purchase**, when land is required for purposes other than in 1. above (e.g. agricultural, industrial, resource and urban development); it should be negotiated under the terms and conditions

of relevant Acts (e.g. Mining Act). Leases will be legally binding but land will eventually revert to the original owners.

Leasehold tenure is entirely consistent and compatible with traditional land tenure systems: land may be lent to someone from outside the land owning group (often a relative-in-law); the borrower uses the land, often over a prolonged period whilst acknowledging the favour according to custom, and the land eventually reverts to the owners. In many areas custom occasionally allows the complete transfer of land ownership, for instance as part of a homicide compensation agreement or in return for certain types of mortuary payments, but this is not the norm. Because of the similarity between the modern leasehold concept of land tenure and the traditional system, it is likely to present fewer problems than freehold land alienation.

To obtain the use of land for development it is necessary to address the following activities:

1. Awareness

It is believed that a great number of problems experienced with land acquisition today are caused by a lack of understanding on the part of landowners. The sharing of information between development agencies and relevant government departments is often badly coordinated and at times these groups pay inadequate attention to the concerns of the group which holds rights over the essential capital commodity, the landowning group.

Therefore, before any activity takes place on any land which is the object of a development project an *awareness campaign* must be conducted. This must be aimed at all three groups involved:

- the landowners
- local government officers and
- employees of the development agency

a) The campaign must be based on the subject and purpose (nature) of the proposed development:

- i) the type of development (mining, logging etc.)
- ii) land requirements - how much, where, when etc.
- iii) environmental considerations
- iv) the role of the agencies involved
- v) relevant policies and legislation must be identified and included in the campaign.

b) The different involved agencies (e.g. Dept. of Mining & Petroleum, PTC, Provincial Affairs) must formulate the awareness programme.

c) There should be a lead agency to co-ordinate the programme. This body would be the umbrella for all land compensation and development issues and would implement the Land Dispute Settlement Act. We recommend the establishment of a statutory body or constitutional commission, the **Land Development Commission**, to incorporate the present functions of the:

- National Lands Commission
- Land Titles Commission
- Land Court Secretariat

- Land Investigation Branch of the Department of Provincial Affairs
- Valuer General(?)

It is essential for the new Land Development Commission to have:

- i) an independent budget: it is proposed that this should be money that would normally be tax from the income of the proposed **Landowners' Compensation National Trust** (LACONAT or LACO?) (see 7 a) below);
- ii) a system for appointing commissioners and other officials must follow criteria which assure impartiality and maintain the integrity of the office.

Some developmental activities (e.g. mining) require detailed exploration prior to development. Exploration should also be preceded by an awareness programme but on a smaller scale and designed to avoid raising false expectations.

2. **Identifications of Land Boundaries**

This is the initial most intrusive activity as far as landowners are concerned. It must be done according to precise instructions (e.g. government officers walking the boundary lines in company with landowners) and should proceed as follows:

- a)
 - i) the total project area must be surveyed (only after full awareness campaign)
 - ii) clan boundaries must be surveyed
- b) the surveyed project area must be delineated on a map which corresponds with pegs on the ground; this must be made available for public scrutiny.

3. **Land Ownership Investigation**

This is usually the most controversial phase when initiating a project. Procedures need to be followed carefully and officers liaising with landowners need to be well trained and of a temperament suited to negotiation and close community relations.

Government officers must call a public meeting, identify clan spokes people and initiate the registration of all landowners with the appropriate authority: the proposed **Land Development Commission** (see 1 c) above).

Problems will vary from area to area according to customary land tenure patterns. It may be necessary to compile genealogies. A method for ownership investigation needs to be developed.

(To facilitate the administrative process of compulsory purchase of land for government use, Section 75 of Chapter 185, the Land Act, should be moved to or replicated in Chapter 357, the National Land Registration Act.)

4. **Mechanism of Land Dispute Settlement**

Land disputes become part of the *land ownership investigation* but they usually become apparent during the *awareness campaign* as different land owning groups begin to compete for a share of the benefits.

At present the formal mechanism for settling disputes is completely uncoordinated. Frustrations are caused by consequent delays and difficulties in handling complicated bureaucratic procedures. There is a need to:

- a) review all provisions of present legislation relating to land disputes and compensation to:
 - i) standardise procedures and
 - ii) explore the need for new legislation to be known as the **Compensation Act** which would cover all aspects of compensation related to land and would incorporate compensation matters dealt with under existing legislation such as the Mining Act, Petroleum Act, Forestry Act, Water Resources Act, Land Act, Land Disputes Settlement Act, National Land Registration Act, Valuation Act and other relevant sections in other Acts;
- b) establish ONE government institution to settle all land disputes and compensation claims i.e. the proposed **Land Development Commission** (see 1c) above); all complainants should be directed to this body; it must be recognised that to seek compensation or settle land disputes by any method other than by due process of law is illegal and should be treated as such, rather than being ignored or condoned.

5. **Compensation Entitlement Criteria**

(Based on the Mining Act 1992)

Calculate cash compensation due to recognised land owning groups based on the following:-

- a) deprivation of possession or use of the land surface (including hunting and gathering)
- b) damage to the land surface
- c) severance of land
- d) loss, or restriction, of Right of Way
- e) damage to quality of water and aquatic life
- f) loss of or damage to "improvements" (buildings, crops and economic trees) on the land surface
- g) loss of earnings where land is cultivated (cash crops)
- h) disruption of subsistence agricultural activities (traditional food gardens)
- i) social disruption, including relocation and damage to sacred sites

Freehold purchase will be a single (one-off) payment assessed by the Valuer General to reflect the permanent alienation of land.

Leasehold purchase will be a single (one-off) payment for items f), g), h) and i) above and annual payments for items a), b), c), d) and e).

The importance of the annual payments cannot be over estimated. They provide:

- a) a public, regular recognition of the landowners as such and
- b) a regular income for landowners which will:
 - i) help them to feel financially secure;
 - ii) help to forestall repeated compensation claims (as happens today with alienated land);

- iii) flow on to the next generation.

The next generation should be publicly identified annually, possibly using the Incorporated Land Group system.

All Compensation agreements must be signed by landowners, developers and government representatives -

- a) on site,
- b) in public,
- c) accompanied by a traditional feast and
- d) on camera, if possible video taped.

6. Compensation Evaluation

- a) review the role and methods of the Valuer General and
- b) ensure the inclusion of anticipated environmental damage.

7. Types of Payments to Landowners

An important characteristic of compensation demands is that successive generations maintain their fathers were cheated and thereby seek to justify another claim. It is essential to ensure that successive generations receive an income from land used for development projects. To achieve this strict guidelines must be developed and adhered to.

- a) **Compensation** (see no. 5 above)
Landowners receive compensation as follows:
 - i) **freehold purchase** - a lump sum of cash (and in some cases an additional package of benefits e.g. Yonki Dam) i.e. a once only payment assessed by the Land Development Commission's valuation system;
 - ii) **leasehold purchase only** - a lump sum of cash for damage as in no. 5, items f) to i), plus annual payments controlled by the government (Valuer General?) as described in no. 5, items a) to e).

Landowners should be encouraged (or obliged?) to place a percentage (how much? 50%?) of any compensation payment over (a certain sum; K5000?) in a specifically established **Landowners Compensation National Trust**. When landowner groups pay compensation into the Trust they will receive shares equivalent to the contribution and will receive an annual dividend (cf. Investment Corporation).

The State should also purchase a large block of shares as seed capital to:

- i) establish the fund and
- ii) earn interest which should be used to settle compensation claims determined solely by the National Lands Commissioner, according to the relevant Act.

It is recommended that:

- i) the capital should be held in perpetuity so that the interest provides an income for

- ii) future generations;
the income should be available if required on an annual basis and should, if over (a certain sum) be divided between cash for spending and community services;
- iii) the Trust must be run by a reputable international investment/accounting group;
- iv) the Trust must be audited annually by a reputable firm;
- v) trustees should be dignitaries such as the Chief Justice, Ombudsman, UPNG Chancellor and executives from the business and financial community.

b) **Royalty payments:**

These payments will vary according to what is negotiated by landowners with the government.

It is recommended that of all Royalty payments:

- 50% should be placed in the Trust,
 - 25% should be spent on community projects,
 - 25% should be for cash spending
- e.g. Tolukuma Mine

c) **Dividends from equity holdings:**

these payments will vary widely from project to project and are not therefore a guaranteed form of "Compensation";

the payments should be treated like Royalty payments in b. above

d) **Premium payments (forestry):**

should be treated like Royalty payments.

e) **Other Benefits:**

This will depend upon the negotiated package between landowners, company and government and should include infrastructure and community projects.

8. **Payment Distribution Techniques**

The distribution of compensation payments to identified landowning groups can be very disruptive. There is a tendency on the part of developers to deal indirectly with the mass of landowners through 'group leaders'. It seems initially more expedient to deal with a small group of 'representatives'. However experience has shown (cf. Bougainville) that these leaders are not always successful in distributing the payments to the satisfaction of all group members.

It is therefore strongly recommended that:

- a) all payments are made in public;
- b) payments should go to the smallest size possible landowner group - to nuclear families or better still to all individuals; if this is done suspicion of misappropriation of cash payments is eliminated;
- c) landowners should be encouraged to place a percentage of payments in the **Landowners Compensation National Trust** (see 7 a) above).

When compensation is paid to landowner companies (e.g. forestry projects) the need for it to be dealt with through the Incorporated Land Group system should be investigated.

9. Future Community Relations

Once compensation has been paid and development starts tension can develop between the project landowners and neighbouring groups. Jealousy is caused by disparities in wealth, general benefits and employment opportunities not available to immediate neighbours and others in the province. This dissatisfaction leads to unrest and incites traditional rivalries.

In order to reduce the perceived inequality, especially where large development projects are concerned, it is essential to disperse the distribution of benefits in ever increasing circles of decreasing intensity to include the rest of the province and, where applicable, the landowners' language group. This strategy will serve to:

- a) reduce tension between the 'haves' and 'have nots' which will in turn -
- b) reduce the use of magic or tribal fights as self-help means of social control;
- c) reduce to some extent the tendency for squatters to converge on the source of wealth and cause social problems.

Not all development projects generate a large income, but in the Mining and Petroleum industry for instance, money for this type of dispersement could come from:

- a) the Special Support Grant (SSG) which at present is equal to one percent of the export value of mine/petroleum products (Freight on Board (FOB)) and is paid into provincial government accounts; funds should be properly managed, utilised and audited under the provisions of the 1995 Organic Law; consideration should be given, especially in the case of large projects, to the idea that the resource developer should be responsible for implementing the construction or introduction of the benefits which have been planned by the provincial government;
- b) the voluntary Tax Credit Scheme (TCS) in which two percent of the developer's assessable (taxable) income may be used for local development; projects are identified by the developer, approved by national government departments, then implemented by the developer;
- c) Royalty payments: to date between twenty and seventy-five percent have been allocated to provincial government accounts; however the distribution of royalties has been altered by the 1995 Organic Law and this source of funding in future will probably flow entirely to landowners.

10. Roles of Government Agencies and Developer

To be detailed and made explicit.

COMMITTEE MEMBERS

The core group of public servants who attended meetings regularly and who created the proposals were:

Clement Samunara, Chairman, Acting Assistant Secretary, Prime Minister's Department.
Allan Bolla, Deputy Chairman, Senior Lands Officer, Dept of Land & Physical Planning.
Natanius Marum, Land Commissioner, National Lands Commission, Dept of Attorney General.
Phillip Aeava, Legal Counsel, Post & Telecommunications Corporation.
Ray Itana, Acting Executive Manager, Post & Telecommunications Corporation.
Livingstone Tabua, Acting Executive Manager, Electricity Commission.
Andrew Kealaua, Development Projects Officer, Electricity Commission.
Ron Gawi, Project Co-ordinator, Mining Division, Dept of Mining & Petroleum.
Michael Baitia, Project Co-ordinator, Petroleum Division, Dept of Mining & Petroleum.
Arai Pula, Dept of Prime Minister.
Susan Toft, Principal Project Officer, Law Reform Commission, Dept of Attorney General.

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