

FORGIVENESS IS MELANESIAN FOR INDIVIDUALISM – AND OTHER BAD TRANSLATIONS

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Melanesia famously has a plethora of languages and cultural groups. A refrain since the various independence dates of Papua New Guinea, Solomon Islands, and Vanuatu has been that the multiplicity of customs frustrates any ambitious effort to legislate or otherwise formally recognise the legal elements of custom. This paper proposes a reconsideration of one of the few unifying customary features said to apply to Melanesia generally, and to distinguish it from "the West", or at least the cultures of the countries which were once colonial powers and remain culturally influential. The peoples of Melanesia are said to be communitarian as distinguished from individualistic peoples. It is here proposed that this distinction is misleading.

Il est d'usage de soutenir que Mélanésie se singularise par la multiplicité des groupes ethniques qui la composent et par l'extrême variété des langues qui y sont parlées. On ajoute bien souvent aussi, que depuis l'accession à l'indépendance de la Papouasie-Nouvelle-Guinée, des îles Solomon et du Vanuatu, la multiplicité des coutumes en vigueur, forment un obstacle à la reconnaissance de celles-ci en tant que normes juridiques à part entière. En fait, des caractéristiques communes à l'ensemble des règles coutumières existent dans toute la Mélanésie. L'un de ces points de convergences est l'opposition que l'on fait entre les cultures traditionnelles et les modèles importés par les anciennes puissances coloniales, modèles dont l'influence reste encore maintenant très forte. Or, si l'organisation sociale du peuple mélanésien est généralement présentée comme fondamentalement communautaire par opposition à une organisation occidentale empreinte d'individualisme, l'auteur soutient qu'une telle assomption est non seulement réductrice, mais aussi infondée.

The peoples of Melanesia are said not to be "individualist", in a sense that creates a distinction between them and the cultures of the developed English-speaking world. The term for what they are

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might be collectivist, or communitarian, or just group-oriented; but in any event, what they are not is what the formerly colonial cultures are, and that is individualist.

The distinction could be and is said to operate across the spectrum of social activities, from work and business to art to law and governance to family life. This paper concerns all of those, but the emphasis will be on matters that the largely adopted formal law of Melanesia treats as public affairs: law and governance.

In this comment, it is proposed that this individualist/communitarian distinction is misleading. This is done not on the ground that it is simplistic or shallow or misses the nuances of lived culture and personality; of course it is open to such critique, as is any other generalisation about culture large enough to be useful. We must be clear when we are discussing patterns of how a population behaves as opposed to characteristics of actual persons or particular relationships.

Rather, I propose that it is misleading because, in the admittedly broad sense of such generalisations, it is backwards. Melanesian peoples, relative to societies in the West, are precisely more individualistic.

Now even in a broad sense, when assertions must tend to the fuzzy, we must allow for two sources of particularly crucial fuzz.

One is on the Melanesian side of the distinction. There is the literal individualism of giving one's personal interests priority, and there is the extended individualism of prioritising one's extended family. It might be fair to treat the latter – *wantokism* – as constituting a kind of individualism. But this would defy received understandings of what these terms mean, and it is not what I mean to argue. I will accept as individualism the desire to gain advantage for oneself and one's immediate household – but not the larger, kin chauvinism referred to as *wantokism*. In public affairs, an orientation to the interests of one's household, as opposed to those of the community or nation, is functional individualism.

The other is on the Western side. The contrary to individual could be associations, or society, or community – or state. State is not like the other terms, being not only structured and empowered by the ultimately coercive legal system, and comprehending the legal system itself, but in being objectified as a single entity. Indeed as a person, in law. It might be fair to treat orientation to the interests of government as compatible with being individualist. In a deep way that carries a valid and important point, to which I will return. But I will accept the deference to state interests as a contrary to individualism, for in societies which have developed their own governments – in form and in function – governments do represent collective interest to members of society.

Of course the state in Melanesia has relatively foreign origins, indeed its continuing characteristics are largely foreign, so here, this representativeness is problematic. It is this that explains much of the apparent paradox of individualism in a village-based society in the early 21st century.

I THE COMPARISON

Even allowing for a certain fuzziness of conceptual definition, this subject, whether Melanesian culture is more or less "individualistic" than the culture of the West, is difficult to analyse. The problem most disconcerting is not in the relevant concepts, nor is it in the fabled diversity behind the convenient term "Melanesian". The key problem is causation. When can we say that this or that phenomenon is due to individualism, or to some contrary?

The problem is not eased much by making it categorical: When can we say that this or that phenomenon is an aspect of individualism or some contrary?

To describe the comparison intended, I will draw out some salient examples.

II CRIME CONTROL

Compared to Western jurisdictions, Melanesia seems "soft on crime". Offences are committed to wide public knowledge and never prosecuted; prisoners are loosely confined and pardons are relatively common. Crimes by men in high political office, in particular, are not only generally unpunished by the criminal justice system, they are unpunished by the electorate too, even when criminal convictions have resulted.

In this sphere the reversed comparison seems undeniable, and simple. The community-oriented purpose of the criminal law is clear in Western societies, among the public and in legal doctrine. Police are visibly and practically present almost everywhere, and policing is a perennially important political issue. Although rehabilitation of the offending individuals is always a legitimate concern, and the interests of individual victims always a matter of debate, the priority of the common good in both directions is unquestioned. Offenders will be removed from the community even when rehabilitation is acknowledged to be unlikely, and prosecutions will be undertaken even without the victims' cooperation if the offenders appear dangerous to the public at large. And of course a great deal of the "crime", drugs prohibition, is not based on individuals' complaints at all.

By contrast, the police are not very apparent in Melanesian societies, and literally absent in most rural areas. Even in towns they are notoriously slow to appear when summoned, and as organisations police have always been underfunded and neglected even in comparison to other government agencies.¹ Prosecution services (primarily police responsibilities in all jurisdictions) are likewise neglected and likewise notoriously slow and unreliable. Sentencing usually features the argument on behalf of the prisoner that he has made some form of custom settlement with the victim, and indeed these are common and effective in reducing sentences. Prosecution of victimless

1 The colloquial complaint is that the police, when contacted, say they have no truck or no petrol to attend the crime scene; and this seems often to be true. Complaints by police of unpaid salaries and benefits, and unfit housing, have been frequently upheld by courts in PNG, the Solomons, and Vanuatu, and constitute an important source of political instability in all three jurisdictions.

crime is rare, although the same range of these is on the books as in Western societies (indeed the "books" are the criminal laws of those societies adopted at independence). And although law and order is a topic of great public discussion, it does not appear as an issue to affect the political career of any leaders or political parties.

But the comparison is not so simple. The criminal justice systems of the West are indeed harsh in principle; offenders are removed from society and assigned to prisons with little regard for their own improvement, the priority clearly being the good of the community. But the process of determining guilt is deeply characterised by regard for the individual accused.

This often works to the accused's benefit, as in the basic presumption of innocence and the constitutional or Common Law rights and privileges concerning the use of evidence against the accused at trial. On some points it does not necessarily benefit the accused, however, as in the acceptance of guilty pleas and plea-bargains and the way procedural rights secure information but not psychological support. Individualism in framing these procedures assists individuals who are capable of asserting their self-interest, but only traps the weak or confused. Rights to information about the charges or to refuse searches and seizures serve some kinds of individuals more than others – indeed, the system's very reliance upon rights that must be asserted, as opposed to rules restricting government action, serves some kinds of individuals more than others. It should be acknowledged that what the law of criminal process respects, in the West, is a value of individualism more than actual individuals.

That individualism is nonetheless undeniable too, complicating the picture of community ruthlessly ridding itself of the actual individuals who trouble it. And that individualism, of course, is also one of the dominant motifs in the celebratory rhetoric of Western liberal liberties. It was thus adopted along with the rest of the constitutional heritage of legal institutions and texts by the independent Melanesian states. So in comparing the West and Melanesia on this score there is a commonality; the contrast appears only in the respective practices.

The contrasting practice in Melanesia relating to crime complicates the picture of tolerant and forgiving individualism on its side, too, just as the individualism of due process complicates the Western picture. For what characterises police powers as actually exercised in Melanesian jurisdictions is not just police inefficacy in apprehending and prosecuting offenders, it is also police brutality with the prisoners they do hold.

Police beatings of suspects are routine in all three countries, even the famously pacific Vanuatu. Prosecution of police officers for this is rare, and there is no public record of discipline within a force for it. The public is uniformly aware; even law students typically find it strange that technically, such violence is unlawful. It has never been a political issue, as though people find it either inevitable or, perhaps regretfully, necessary. The similarity of this attitude to the way public opinion in the West seems to regard the pains of imprisonment is striking.

The ready acceptance, even legitimation, of police brutality could be taken as a sign of orientation away from individual interests, toward a tougher, public-interest stand: the bashing as punishment for deviance. Certainly the rhetoric of discourse both public and private on this issue, when it occurs, features the same "law and order" terms as in the West.

Forgiveness of criminal deviance is not what it appears; it is, rather, an expression of individualism.

III SOCIAL MORES

When we notice that contraceptives are freely available in the West, we will with some confidence say that this is due to – or an aspect of – individualism as a general attitude. People should be allowed to do what they like in such matters of intimate relationship and privacy.² Of course there remain many people opposed to this choice, as is at least one collective manifestation of group identity, but that opposition is relegated, with little debate, to the private sphere.

So when we notice that contraceptives are not freely, or even widely, available in Melanesian societies, to what may we plausibly attribute that – as effect or as aspect? The answer seems to be beliefs, beliefs about the proper place and role of sexual relations. These are almost always expressed in religious terms.³ The beliefs are collective, to be sure, in the sense of embodying collective feeling and in the sense of advocated by collective institutions. But they are also individual. There does not seem a way to attribute a practice so supported to either individualism or to a collectivist impulse, at least not any obvious way.

There is, however, an observation to be made of this example, relevant to the individualism issue. What is different in the West is the private/public distinction.

This distinction is notoriously problematic in legal debates within the West, mostly because there is no objective way to draw the distinction – objective in the sense of compelled by logic, or by factors beyond "contingent" human views. It is unstable, precarious, even incoherent. But these critiques concern the drawing of it in a given application. The very idea of it is universally known and acknowledged. It is characteristic, indeed distinctive, of liberalism, and constitutes the liberal way of dealing with matters morally contentious but within an individual's control; and every strand of Western mainstream values is "liberal" to this extent.

2 This reasoning is formalised as constitutional law in the USA: *Griswold v Connecticut* 381 US 479 (1965), holding that such choices are within the sense of "liberty" as guaranteed in the Bill of Rights. Carried further in the subsequent *Roe v Wade* 410 U.S. 113 (1973), this was the reasoning for holding a choice about abortion to be likewise within constitutional "liberty".

3 That is, formalised in religious terms, as opposed to the American formalisation in constitutional terms. But this opposition is less neat when one takes account of the fact that a basis of the legal order in Christianity is part of each Melanesian (and Polynesian and Micronesian) constitution. Constitutional and religious arguments are not mutually exclusive in the insular Pacific, even in the law.

Intense commitment to a vision of the good – intense enough that opposition seems to be evil – cannot be accommodated by the law, as a source of law, if there is not near-universal agreement on what amounts to "good". This becomes only more pressing in a democratic context. So matters provoking such commitment, where consensus is lacking, are assigned by liberal law to the private sphere. That is, the law does accommodate them, but by expelling them from itself, from the sphere of legal regulation – the "public" sphere.

So the ease of access to contraceptives might indicate widespread individualism – it is a choice like others, which like others should be made by individuals rather than society – or it might be part of the general Western strategy for avoiding the conflict of ideological incompatibles, the Enlightenment heritage, of dealing with intense ideological antagonism by avoidance. And this strategy is a communal impulse.

Why do we do that, in the West? In the contraceptives example, it obviously expands the scope of individual choice, to the benefit of many individuals opting for recreational sex; but by the same token it frustrates individuals whose ideal preference is for a society where fornication, if not absent, is at least formally condemned. That looks individualist, assuming a privilege for individual concerns about one's "own" life. But then it also seems to conduce to social peace, plausibly the point of the private/public strategy. Moreover it is to society's benefit, especially a welfare society's benefit, that unwanted children are prevented from appearing.⁴

So are we being individualist when we allow the sale over the counter, to anyone, of condoms?

And in Melanesia, if the reluctance to allow such open distribution is a consequence of beliefs about sex and religion (or beliefs about sex put in religious terms), and the beliefs are widely held, how can we say this is individualist – individual convictions in the aggregate – or collective – individuals deferring to communities or community leaders? We would have to sort out which religious justifications are genuinely held on an individual scale, widely, and which are asserted by leaders and, perhaps for other reasons, submitted to by the people. We would indeed have to operationalise that concept of "genuine", distinguishing it from submission to authority, in a context where submission to authority is part of even the explicit belief system.

To top it off, it is to society's benefit in at least the short term that such deference be common – to the extent peace is a high social benefit, which it certainly is thought to be in Melanesian cultures (and Pacific culture generally). We might take normative deference to be the Pacific way of dealing with potentially morally intense issues, corresponding to the Enlightenment avoidance strategy of liberal societies.

4 To say nothing of AIDS; note the serious consideration, and growing practice, of distributing condoms in prisons, where promoting individual liberty is assuredly not the point.

Relative social conservatism in Melanesia, that is, does not so clearly reflect a relative communalism.

IV "CIVIL SOCIETY"

Recently adopted by aid and development organisations as the most promising avenue to good governance and effective democracy, the representation of groups and special interests within society in formal, voluntary organisations – "civil society" – does offer a contrast between the West and Melanesia.

The agents of politics in the West include many kinds of such groups, sometimes working with government agencies, sometimes against them, and sometimes quite apart from them. Trade unions, chambers of commerce and more specialised business groups, sports leagues, residents associations, groups with overtly political aims like environmental advocates and anti-corruption groups, educational and charity organisations, churches and church coalitions, youth groups, women's associations, groups promoting the interests of the handicapped or ethnic identities – all operate politically to organise and publicise preferences and issues. They structure how people interact politically beyond the political parties, and interact with government both as lobbies and as ways for government to consult and secure public opinion. Although unions and business groups traditionally tended to associate with political parties of the left and right respectively, even forming the support bases of such parties in some jurisdictions, other "non-state actors" typically maintain a distance from particular parties.

The significance of civil society for the argument here is how it channels individual opinion and preferences into collective action, within the overall collectivity of the polity, and even as it allows particular individuals to provide distinct allegiances to different political agents. Western political leaders outside the state structure are representatives rather than heroes or champions, matching the formal status of politicians as representatives, and bureaucrats as servants of the public. Leadership is a collective quality: the prominent voices of civil society for their memberships like the politicians embodying their parties, and the bureaucrats their powers delegated by legislation. NGOs matter to the extent they draw public support.

Melanesian "civil society" is different from this in three main ways. It is first of all relatively sparse (provoking the plans for its elaboration as a means of development). There are not so many groups, they do not draw support as widely or deeply, and they do not participate as routinely in political developments and debates. Secondly, they are not as stable; indeed they are markedly unstable, characterised much more by the personal relations among their leaders than by the aggregate will of the people they formally represent. Finally, they, or rather their leaders, are typically associated very closely with the leading figures of parliamentary politics.

Overall they do not serve nearly so well as ways of connecting individual citizens to government decisions and actions; they do not mobilise individuals politically, to the extent their counterparts do in the West.

Indeed they tend to be vehicles for particular individuals to mobilise personal support, and to access, for personal use, funds provided by other agencies – governmental and foreign.⁵ In this they are very like statutory bodies and quangos, used in the same way by the leaders of parliamentary politics.

So where Western politics maintains a collectivising tendency even outside the bounds of party politics, Melanesian politics retains its character as an arena for personal careers, within football associations and women's groups as much as within Parliament.

I will suggest that this is due, again, to the institutional forms involved and how they fit with Melanesian culture – for like Parliament, football associations and women's groups are very distinctly "introduced" forms, consciously imported into societies which knew only unitary political forms: families and villages.

This explains the exceptional status of the churches, which are not only much more integrated into popular culture than any other introduced Western organisational form, but – more importantly – are themselves unitary in Melanesia. Churches do not associate people across their other allegiances, as they generally do in the English-speaking West. Rather they are villages at prayer, a given village usually adhering to a single denomination; Melanesian religious allegiance simply tracks the general political allegiances, much as linguistic identity does.

However, it must be acknowledged that this phenomenon, naturally, cannot continue so neatly in Melanesian towns – and that since the 1990s new churches (foreign-based pentecostal for the most part) are splitting religious allegiances even in many villages.

The relative weakness of "civil society" in Melanesia indeed reflects a weak state, but the relatively strong civil society in the West betokens not a greater individualism, but a more comfortable communalism.

V LEADERSHIP

A striking contrast between Western societies and Melanesia is in leadership. In Western political, economic, and social activities – politics and business as well as voluntary associations – institutions are structured so as to promote decision.

Leadership is concentrated, and it is effective, in the sense that people lower in hierarchies both public and private do as they are instructed and, between the points in time constitutionally assigned for the purpose, they generally do not challenge incumbent leadership. One does often not read of, say, litigation concerning the legality of a football league's steering committee's motions, or factions of political parties denying the legitimacy of the party's executive's decisions. And Cabinet members

5 Subscriptions and donations by individual citizens are not important revenues for civil society groups in Melanesia with the notable exception of churches.

amongst themselves, or ministers and their departments, are rarely at public loggerheads (for long). The dissenting or disadvantaged individuals involved seem to defer to the organisation's need for solidarity.

In Melanesia, on the other hand, such splitting disputes are rather common, and generally attributed by participants to personality conflicts. The disputes are sometimes fatal to the organisation, but never to the personalities' careers. The contrast I am proposing – Western communal thinking, Melanesian individualism – seems clear.

But traditional Melanesian leadership operated with objectives intrinsically individual – the success of a particular big man – which did not necessarily have serious consequences for the collectivity. The village would have other big men. With the arrival two or several generations ago of elections to a national parliament,⁶ and the possibility of national "civil society" organisations attracting foreign funds and providing exposure useful for political careers, this changed. The formal objectives became intrinsically collective – indeed national – and the actions of these organisations did have serious consequences for the nation, especially the actions of government. But they are operated, even used, in the traditional individualist style.

Does this manifest a hardy indigenous individualist political culture? Or does it manifest a disconnect between indigenous political culture and the "new" forms of association, still widely considered foreign (or "introduced", or even "white-man's")?

If the latter, then the point is not individualism, it is the failing struggle of real community politics – whatever its position on an individualist-collectivist spectrum – to realise itself in these foreign forms. Perhaps too many people just find it too difficult to understand how to make their preferences felt. Perhaps too little political support is translatable into the terms of the modern government and the modern organisations.

An example to watch in this regard is the push by Vanuatu's President to have the constitution amended to provide for Presidential election. The Solomons and PNG retain a Governor-General, and Vanuatu, like Fiji, has a Presidency which functions like a Westminster monarch and is selected by the legislature. In all the jurisdictions, then, the head of state is essentially a figurehead and does not directly represent the voters' choice. President Mataskelekele is urging that Vanuatu's President be chosen by nation-wide election. He would then be the only government figure elected by the whole nation – the popular mandate of the Prime Minister, as in any Westminster-based system, is only his victory in his own constituency and the support of a majority of other MPs. In a system with very many significant political parties, none ever dominating, this means a voter can never be confident that the leader of the party he or she votes for, even if it does as well as hoped, will

6 In the 1960s in PNG, with a sovereign parliament following in 1975; and 1978 and 1980 respectively for the Solomon Islands and Vanuatu, with independence. Fiji, whose political culture is only tentatively to be placed with these as "Melanesian", began elections in the 1960s and achieved independence in 1970.

become Prime Minister – will lead the country. The same situation obtains in the Solomons and PNG (although not in Fiji, where the party system is relatively very simple).

Such a President could be a leader in a form no other figure has – a simple one, analogous to a chief in most traditions. He would be head of the state, as before, but also head of the nation. Comparison with American and French Presidencies would be unavoidable, whatever the formal limits to his powers set by the constitution. He would be in a real sense above politics, since in Melanesian countries the term "politics" essentially means parliamentary manoeuvring. If the foreign character of formal politics is what allows politicians to behave so individualistically, the course of such a presidency should offer a contrast useful to observers.

What looms in each of these matters is the question of institutional form, the models of organisation, official and unofficial, in which individualist and collectivist impulses express themselves in Melanesia.

VI LOSING IN TRANSLATION

It is hard to say "I like you" in French, when one is learning French. There is no word meaning, simply, *to like*. Nor is there one for *to love*. Instead there is *aimer*, which means either and both, and possibly neither precisely, depending on how and with what modifier it is used. So *je t'aime* is what a lover would say. *Je vous aime* is what a very warm student might say to a teacher (*vous* being more distant than the *tu* in *t'aime*). And *je t'aime bien* is what a friend would say, although its literal meaning is "I love/like you well".

One can appreciate how English-speakers communicating in French might come across in misleading ways. Without making too much of the sheer linguistic difficulties, I would suggest that a difficulty of a similar sort explains much of the seeming individualism in Melanesian politics and society.

The translation is not simply from one culture, or cluster of cultures, to another. It is the way Melanesian peoples are shifting from traditional lives to more modern ones, through the Western-modelled institutions they have adopted, or that have been adopted for them, first by the colonial powers in the transition to independence and then by the successor political elites. Individualist practice is favoured not so much because individualism impregnates the institutions, but because of how those institutions fit with Melanesian cultures.

The central point is ambiguity: ambiguity in what Melanesians do with the institutions their societies have adopted. Where the political culture looks for something meaning "to like" or "to love", it finds only *aimer*, so to speak. The institutions, in particular the forms for doing politics and making law, are inapt for the culture. And they are especially inapt for expressing collective ideas and preferences.

That is, there are few Melanesian communities able to handle the "new" institutions, from the voting franchise to commercial leases, with much facility, whereas there are a great many

Melanesian individuals able to deal very well with them. So the individual-communal tension within Melanesian societies, the social mobility within fixed forms that combines egalitarianism with deference – is broken. Political entrepreneurs, in government and outside it, are able to act freely in ways they could rarely manage in the West, with the same institutional forms, because in the West communities too make themselves felt through these forms. The grasp with which the individual in Melanesia is constrained by his community is loosened, even broken, within the adopted institutions.

Not only is the apparent extent of individualism exaggerated, then, but its reality is promoted, as politics and other interactions carried on within or using these institutions affects the larger culture. And this is not the "individualism" of the Western tradition, which the institutions are meant or acknowledged to promote. That individualism occurs with a community or collective pressure very effective in those institutions and forms. This modern Melanesian individualism has the run of those institutions, very little touched by communal concerns at all.

Individualism, so to speak, escapes the communities, through the modern communal institutions. It does so along three salient channels.

One is what I shall call, crudely enough, "village culture". Its relevant features are the avoidance of confrontation and the low level of information about the outside world. The second is "Christian culture", ideas and practices now largely assimilated into that traditional culture but traceable to Christianity as introduced to Melanesia. The last is "state culture", the general pattern of interaction between communities, including villages, and the state.

All the channels drain the communal pressures on individualism which operate in traditional Melanesian societies, as individuals take up powers and roles offered by the adopted institutions.

VII VILLAGE CULTURE

The external media can suggest a violent picture of Melanesian culture. But the more striking reality is peacefulness. "Harmony" is universally the most highly valued condition, and this is not just rhetoric; even law-school exams are peppered with why-can't-we-all-just-get-along reactions to disputes. People speak softly, compared to Western counterparts, and resentment and even mere disagreement are expressed as gossip and absence far more than to the face.

There is, in short, a marked reluctance to confront – marked in relation to Western ways.

This is reflected in customary law, in which the main sanction is reconciliation: payment by the party in the wrong to the wronged of an amount agreed by both sides. The amounts do not reflect the extent of damage or loss, in the way compensation does in Western law – although the term "compensation" is universally used. This compensation represents a bargain, a level one side is

prepared to pay and the other to accept. The goal is appeasement and harmony, rather than indemnity (as in Western civil law) or deterrence (as in Western criminal law).⁷

In one sense this justice system is collective-oriented. Individual claims or disputes become family ones, and are then dealt with according to collective feelings (and means). The system is capable of disregarding individual interests and preferences, notably where the wronged individual is personally of little influence (rapes often lead to "reconciliation settlements" between families, which notoriously ignore the victim's personal losses and prospects).

However, notice what drives such a system: it is the ability of the wronged "party" to drive a bargain, rather than vindicate a right. Now this in itself need not conduce to individualism, or communalism. But in a social context where modern institutions like schools, businesses, and – especially – government permit people to aggrandise power and wealth, on an individual basis, at levels far higher than any available within the village, it means those individuals can break free of customary law's constraints even within the customary law's terms. That is, to perform acts in violation of custom, the empowered individual need not physically escape the village, nor need he openly defy tradition. He can avoid settlements by refusing offers or demanding payments, without thereby explicitly "breaking the law"; and he can pay off those he wrongs at little effective cost to himself.

In the traditional order, Melanesian society could maintain control of individual deviancy while being rather easy-going, since ultimately the individual could only gain power and collect wealth through the cooperation of others in the village. An individual depended on extended family to pay not only any compensation settlements his activities might make necessary, but the ceremonial payments of a normal life, like those for marriage and the deaths of relatives. And he gained prominence, and power, by organising others to aid him do the same things that everyone did – grow crops, make artefacts, raise pigs.

"Power" and "wealth" meant, essentially, the cooperation and support of neighbours. With the modern institutions this linkage, even identity, is broken. Power may be gained through government; wealth may be gained through schools and government.

In addition, there is a feature of the dynamics of economic activities within the village context. To the traditional system of farming, hunting, fishing, and home manufacture, modernity has added "projects". With them comes a moral hazard which fosters individualism.

Ostensibly community projects like the improvement of aid posts or schools, or the construction of facilities for processing crops or seafood, or the improvement of water supplies, are subject to

7 The "parties" are actually the families of the individuals in the dispute, although for minor disturbances and violations of custom chiefs may fine individual offenders.

what economists call a "moral hazard". Doing the wrong thing does not necessarily result in less reward.

The version of this applicable in Melanesia arises from the way projects are financed.

The money is not clearly from the community. It is either literally from outside, aid in some form, or it is from the government, its character as borrowing on the people's credit or sales revenue from selling the people's resources obscured, indeed disguised, as people do see it as "from" the government. Even the taxes that people do pay are obscured, as they are indirect: duties and sales taxes within the prices of goods.

So the prospect of government money being wasted does not dismay people as much as if it were clearly their money being wasted. The waste is of other people's money – money belonging to the aid donors or to "the government". This lack of anxiety for how public money is spent is part of the moral hazard.

And the money wasted or lost can be replaced almost any time, when for whatever reason the donors or the government decide to spend it. The point is not that the money comes easily or often. The point is that it can come, and at any time, because what makes it come is not the structural needs of the community or the community's political or economic significance to the country, or a communal decision at village level, but the inscrutable decisions of aid agencies and the political fortunes of relevant politicians. This is the other part of the moral hazard, for it cheapens the value of the community undertaking the hard work of pulling together sacrifice to achieve some project: as much can be achieved, at any time, when suddenly a grant or loan or gift comes through from the outside.

The effect is to weaken communal resentment when such money is wasted, even when it is stolen, by deviant individuals. Projects get hijacked to the service of particular individuals; individuals embezzle development funds; opportunities to improve the collective life or prospects are lost, yet little is done about it.

Little is done, most notably, as an aspect of the reluctance to confront. Harmony being so critical to village life, confrontation is avoided whenever possible. For village "projects" in particular, this is fed by three factors making it easier for individuals to get away with anti-social acts.

One is the absence of routine procedures for dealing with misbehaviour which could be effective against resistance from the malefactor. If the individual is prepared to bear up under the gossip, and defy (or pay off) the chief's fines, and the community as a whole is not prepared to resort to the alternative to these measures – violence – then there is little in the way of lawsuits or licence retractions or even police prosecutions to stop him.

Secondly, there is the nature of what the community loses when an individual hijacks a project. This is opportunity – opportunities to improve life, not to preserve it. The village economy is essentially subsistence; villagers grow their own food and build their own homes. They do not need

projects to get by. When a project collapses because an individual has taken its money or individual disputes have derailed the management, the community does not clearly see lost wealth or the threat of destitution; rather, it sees loss of opportunity for improvement. Perhaps that just does not seem bad enough – given the other disincentives to oppose community interest to individual will.

Finally, the ways that agencies of both donor organisations and government make their decisions are opaque to most rural people, who lack even rudimentary media coverage of such things. What seems often to happen is that a particularly energetic, well-connected, or lucky individual brings in a project or subvention. This only reinforces the paradoxically individual-oriented nature of community projects. When the project goes bad, it is often perceived more as a loss for the individual who "brought" it than as a loss for the community.

VIII CHRISTIAN CULTURE

Christianity has been compatible with both strong individualism and strong communitarianism in various contexts. I do not mean to argue here that the conversion of the islands had to favour individualism, but I do suggest that Christianity reinforced the existing tendency to avoid confrontation.

Forgiveness offers a religious approval for seeing good in a person despite the person's actions, for failing to attribute bad conduct to bad character – for, finally, not acting on another's fault.

This aspect of Christianity thus fits well with the established disposition in village social life to deal with aggressive or anti-social individuals peaceably, even to the point of evident failure to stop the anti-social behaviour. When results are not achieved – when the forgiven individual acts badly again – this is, to a significant extent, only what God intends the people to tolerate.

At the village level, this seems compatible with the element of pre-Christian religious thinking that has survived the great conversions: sorcery. A person who repeatedly or emphatically displays serious social aggression is dealt with by classifying him or her as a sorcerer or a victim of sorcery. In this way the reality of people inherently disposed to act anti-socially is denied.

Perhaps Christian forbearance does play an important part in village life, and perhaps it does not. But the natural fit of it does seem to extend to national politics. Based on how people describe their motivations, it is an important element in the way Melanesian politicians' careers seem little affected by allegations, non-judicial findings such as Ombudsman's reports and newspaper investigations, and even criminal convictions, revealing corruption and abuse of powers.

The politicians are forgiven, and allowed another chance. As with sorcery, this obscures the reality of anti-social individuals – here by insisting that, deep down, they are properly social; their anti-social acts are but momentary back-sliding. This makes it difficult, of course, to screen out such people from politics. It also makes it difficult to institute reforms to the procedures and institutions

of politics which would allow for self-aggrandisement⁸ – since reform is generally thought of as primarily a matter of attitudes.

In the result, individuals willing to defy social norms of cooperation and honesty find their way more open than the ubiquitous invocations of harmony and good faith might suggest.

IX STATE CULTURE

The outstanding feature of the state in modern Melanesia is its remoteness from almost all people. The disconnection – or at least lack of connection – between the populace and the government is important for present purposes not by promoting individualism, but by impeding its contrary. The state's remoteness unfits it for embodying or even reflecting community will.

The remoteness is a product of two kinds of factors. One is the history and associated culture of government in Melanesia. The other, partly the consequence of that, is the small and shrinking material capacities of present governments.

The first government of modern form – the first "state" – in these islands was colonial. Like any state it suppressed warfare on the part of the authorities it dominated; unlike most states, it itself engaged in no warfare against other like states. Modern government brought peace to Melanesia, in the sense of an absence of organised political violence pitting community against community. In much of rural Melanesia, this was virtually all that "guvman" brought, but the people of many areas were also introduced to schools, clinics, and road connections – that is, services.

The upshot is that the colonial time did not promote identification with government among the ordinary people. Villages were no longer military units, and so were less demanding as political communities, while the proto-national state was, at most, a source of services. But for individual political entrepreneurs, the colonial regime offered opportunities of advancement and wealth, through the civil service via the education system. Government in colonial times could be used by individuals, and provided services of benefit to communities, but it could not be influenced by communities – except, to limited and not always legitimate extents, by their prominent individuals. It did not engage community feelings or attachment, neither aggregating village identities nor replacing them.

When the franchise came, first for assemblies and then for sovereign parliaments, benefits were attainable by community action – by organising sufficiently to place a local son in Parliament – but these benefits were not essential. They were useful, of course, but they were not necessary, for the economy remained basically subsistence. As described above they represented opportunities for development more than the maintenance of an accustomed standard of living.

8 In the nature of the US Constitution's "checks and balances".

And despite some experiments with poll taxes, the new independent state did not engage communities by imposing taxes either. This was a state unlike the state of Western experience – neither essential nor aggressive. Thus it did not conduce to "national" identification or even community involvement with national politics. The new governments inspired, practically, neither communal commitment nor communal resistance.⁹

In more recent times, since the 1980s, this historical lack of salience in political culture of the state as embodiment of communal sentiment has been reinforced by the material performance of what "state" there is. The educational and health services and the transport infrastructure (and, especially in PNG, law enforcement) have declined, in quality and in extent. More than ever, the state is an entity existing separately from the villages in which people live, located away in the capital town.

Moreover, with independence the structure and operations of the state did not change. Melanesian traditions and ways of doing politics did not inform the organisation of the new governments. Government is organised as it was in colonial times and proceeds as it did then. And although it operates informally in Tok Pisin or Bislama, the *linguae francae*, it continues to operate formally in English, and remains oriented to the metropolitan models. Indeed some of the actual staff are still foreign, especially at the higher levels of legal services. The demands and ways of Melanesian governments are still easier to understand, and use, for foreigners of the anglophone West than they are for the people the governments serve and represent.

X UNACCUSTOMED INDIVIDUALISM

All this goes to show no more than that it is misleading to think of Melanesian cultures as communitarian where the Western "we" are individualist. What distinguishes the political cultures – and general cultures where politics or the law is involved – in the two areas is much more obvious: it is through "our" institutions that Melanesians, both as individuals and as communities, must operate politically. Because of the misfit of these institutions to Melanesian societies, a kind of individualism, taking advantage of unaccustomed institutional openings, thrives.

9 In this the Melanesian states were not like most other post-colonial regimes of the British Empire, eg Malaysia or the African states.