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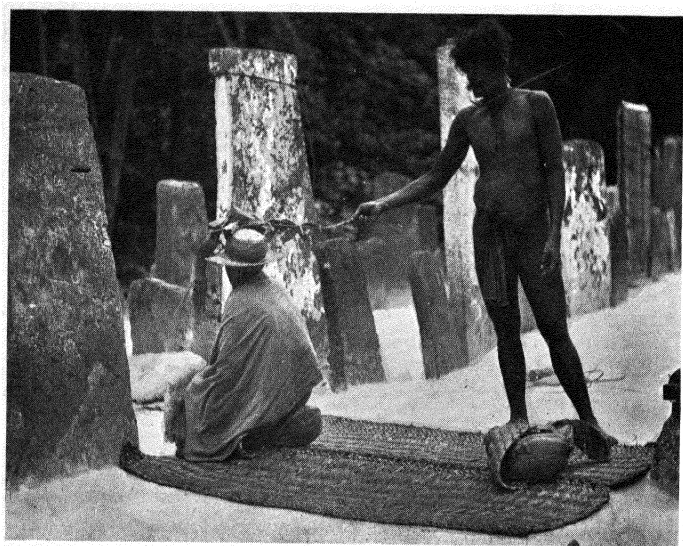
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LAW AND ORDER IN POLYNESIA



I. THE *sau* CEREMONY

Efforts to placate the spirit of the Kipua in the case of serious illness.

This ceremony is described on pp. 146, 147

LAW AND ORDER IN POLYNESIA

A Study of Primitive Legal Institutions

BY

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To
PROFESSOR
A. R. RADCLIFFE-BROWN

AUTHOR'S NOTE

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I should like to record my appreciation of the assistance given me by the Administration of the British Solomon Islands Protectorate, and in particular by Captain R. R. Kane, the Resident Commissioner, who on one occasion put the government yacht *Ranadi* at my disposal. I am especially grateful also for the hospitality shown me by Mr. and Mrs. A. H. Wilson of Tulagi, Major and Mrs. F. Hewitt, Mr. and Mrs. G. Hobbs of Gavutu, and Mr. H. Markham of Marovo Lagoon, who has also kindly allowed me to reproduce one of his valuable photographs taken many years ago in Ontong Java (Plate 5).

In the writing of the book I have been constantly in debt to Miss L. P. Mair. Not only did Miss Mair go through it chapter by chapter, pointing out where my arguments might be modified or elaborated, but she undertook the task of revising the manuscript to meet the needs of publication, since I am myself out of reach of regular mails.

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It would, I feel, be futile to attempt to acknowledge all I owe to Professor A. R. Radcliffe-Brown and Professor B. Malinowski ; my debt to them will be apparent to anyone familiar with their work. I can hardly claim to have done more than elaborate ideas suggested by my work with them. Professor Radcliffe-Brown gave me my first training, and my field work in Ontong Java was carried out directly under his supervision and guided by the advice he was ever ready to offer. The book was written while I was working with Professor Malinowski, and it would be hard to exaggerate the value of the stimulus which he gave to me, as to all who come into contact with him. He has also been good enough to write an introduction and see the book through the press.

H.I.H.

GUADALCANAL,

BRITISH SOLOMON ISLANDS.

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INTRODUCTION

BY PROFESSOR MALINOWSKI

MODERN anthropology is being driven towards a complete re-cast of its aims, methods and subject-matter. Instead of indulging in ambitious but questionable reconstructions of the past, it now concentrates on the present, and aims at understanding the workings of human culture, the relation between individual mental processes and human institutions, and the biological foundations of human custom and thought. The methods which it now uses consist in intensive sociological analysis in the field and in a carefully planned comparative investigation of human institutions in their context.

I.—MODERN ANTHROPOLOGY AS THE STUDY OF FUNCTION AND CHANGE

Modern anthropology concentrates, above all, on what is now usually called the function of a custom, belief or institution. By function we mean the part which is played by any one factor of a culture within the general scheme. Its subject-matter has also considerably shifted. We have given up gloating over isolated, quaint and outlandish anomalies of human behaviour. More and more modern anthropological research is being directed to such aspects of human civilisation as economics, education, law, demography, hygiene and systems of nutrition, which are apparently commonplace and drab, but nevertheless fundamental. Familiar as well as strange manifestations of early belief;

customs connected with sex and marriage, with magic and witchcraft ; even such exotic usages as *couvade*, are now taken into account for the sake of the light which they shed on the essential workings of the human mind and human society, and not picked out as amusing odds and ends somehow surviving from some remote stage of savagery or barbarism.

This change of front in anthropological research is mainly due to the fact that, like every other science, anthropology has had either to show its practical utility or become disqualified as an idle mental game. Colonial Governments, missionary bodies, educational agencies in the tropics, are rapidly recognising that knowledge of the human material on which they have to work is necessary for a successful achievement of the ends they set out to attain. Hence the modern anthropologist has to study the various populations of Africa, Asia, the New World or the South Sea islands, first of all in their essentials, secondly in the transitional stages from the old order to the adaptation to western influences. Yet modern anthropology is perhaps even more influenced by its theoretical collaboration with other social sciences. Every specialist is now aware that a general theory of human culture and of the workings of human society must be developed in order to serve as a basis for the disciplines which deal severally with the various aspects, such as law, education, economic organisation, or religion. Whether we call this science "theoretical sociology" or "general anthropology" is a matter of nomenclature.

In reality the student of modern highly developed societies finds it indispensable to supplement his material by a more comprehensive glance over a variety of human cultures, such as can be supplied to him only by the ethnographer. The economist realises that his general theories

have to be tested on material which comes not merely from the capitalistic or communist systems of modern Europe and America. The jurisprudent wishes to test his fundamental concepts on as wide a range of legal institutions as are accessible to observation. The educationalist gains considerable insight into the workings of the juvenile mind from the study of African, Oceanic and Indonesian children. Anthropology, again, would cripple its methods and stultify its results were it to make no use of the conceptual outfit evolved in the course of theoretical research into the economics, political organisation and domestic life of the more highly differentiated societies of the Orient and Occident.

No aspect of primitive culture has been as thoroughly neglected, perhaps, as law, and that in spite of the voluminous literature which exists on the subject of ethnical jurisprudence, especially in the German language. Hence the appearance of a book like this volume of Dr. Hogbin's, which on the one hand surveys and criticises the various theories of primitive jurisprudence, and on the other contributes a great deal of original material derived from the author's personal observations, is an important event. When the author and the publishers invited me to write an introduction, I gladly accepted, partly to point out the importance of this book, partly also to re-state some of my own opinions on the subject. Some of my earlier views, laid down in a small book entitled *Crime and Custom*, have, as far as I am able to judge, given rise to some discussion and to many misconceptions. I shall try here to reformulate and state more clearly and precisely some of my conclusions, which, I am glad to say, have been to a large extent confirmed by Dr. Hogbin's research in the field and by his theoretical analysis of comparative facts from Polynesia.

II.—OLDER ANTHROPOLOGICAL THEORIES OF LAW

In order to understand the importance of this book and of other modern contributions to the subject it may be best to cast a retrospective glance at the history of anthropological theories. In his introductory section Dr. Hogbin furnishes us with adequate and well-digested material. The old views of primitive mankind associated with the theories of the noble savage, of natural law and of the idyllic state in a Golden Age, have suffered from an inherent inconsistency. At one time savagery seemed synonymous with lawlessness, or at least the absence of law and constraint. The whole practical approach of Europeans was pervaded by the conviction that the savages had to be given true religion, real law, correct knowledge ; that they had to be made into human beings, in short, by destroying their own mode of life and training them to follow that of their benefactors. That these benefits of civilisation very often took the form of slavery, economic exploitation, political oppression and moral stifling, was not recognised by those early benefactors who succeeded in exterminating human life over large portions of the globe and reducing the rest to a position of dependence on charity.

At the same time, while in the Colonies primitive tribes were being "dispersed," "black-birded," or frankly driven into slavery and transported into the New World, at home philosophers and humanitarians wrote idyllic pages about the unspoilt nature of man who lives under natural conditions. From such writings there emerged the theory that in the state of nature man can obey rules which do not trammel him, but flow from his natural reason and sense of right and wrong.

When anthropology started on its career as a specialised

branch of social science, both these attitudes became untenable. The assumption of the real savagery of the so-called savage was soon dropped. It was recognised that his religion had elements of ethical value and of metaphysical relevancy, and that his social organisation was efficient and had very often a close-knit structure. As to his law, however, conditions seemed to be puzzling. Accustomed to associate the idea of law with developed institutions, with codified rules, with regulated proceedings in court and with an executive force, the anthropologist could not perceive great variety or universality of legal arrangements among the majority of primitive tribes. In some African monarchies, among the more highly organised peoples of Indonesia, legal institutions did perhaps exist as an attribute of political power. But even there law was mainly concerned with the interests of the sovereign, or of a small privileged class, or of one or two interested individuals. Otherwise the rules of conduct within the clan, the family, the village community, seemed to have no special enforcement from outside, and in many other tribes, notably those who had no political chiefs or rulers, there seemed to be no compulsion behind the rules of conduct at all.

An extempore theory of primitive law was framed, or perhaps it would be more correct to say assumed, in order to account for this state of affairs. According to this theory, there exist no specific arrangements or features of primitive culture which would demand our attention as legal phenomena. The whole body of rules form one vast undifferentiated continuum. All rules are obeyed because of an inherent, specifically savage, obedience to rules, customs or conventions. The only cases where something like law appears to come into being in primitive life are cases of overt breach of rules of conduct, for which the

offender is punished directly and coerced by the communal reaction of the whole tribe. The only differentiated law, that is, that we can find in primitive life, is criminal law.

Let me substantiate this outline of jurisprudence as it existed up till recently by one or two quotations.

The late Mr. Sidney Hartland, summarising and endorsing current views in anthropology on this subject, tells us that the primitive "is hemmed in on every side by the customs of his people, he is bound in the chains of immemorial tradition. . . . These fetters are accepted by him as a matter of course ; he never seeks to break forth."¹

Another very competent writer, speaking of South Sea natives, generalises his views about primitive communism and group responsibility : "Among such peoples as the Melanesians there is a group sentiment which makes unnecessary any definite social machinery for the exertion of authority, in just the same manner as it makes possible the harmonious working of a communal ownership and insures the peaceful character of a communistic system of sexual relations."²

The leading English sociologist, Professor Hobhouse, tells us : "such societies, of course, have their customs, which are doubtless felt as binding by their members, but if we mean by law a body of rules enforced by an authority independent of personal ties of kinship and friendship, such an institution is not compatible with their social organisation."³

I should also like to refer here to Dr. Hogbin's excerpts from Durkheim's most important book on *The Division of Social Work*, where we are told that "primitive consciousness

¹ *Primitive Law*, p. 138.

² Rivers, *Social Organisation*, p. 169.

³ *Morals in Evolution*, p. 73.

is almost completely external," and assured that "communism is in general existence in the domain of law as well as economics."

III.—LAW AS THE REACTION OF THE WHOLE COMMUNITY AGAINST THE OFFENDER

I have attempted to criticise this approach in *Crime and Custom*, but the assumption of collective or automatic enforcement of law is still maintained by the best informed and theoretically most acute thinkers in social anthropology. Professor Radcliffe-Brown in a brilliant article, *s.v.* 'Primitive Law,' in Seligman and Johnson's *Encyclopædia of the Social Sciences*, still holds the position taken up by Durkheim and supported by Rivers, Hartland, Hobhouse and many others.

Adopting Roscoe Pound's definition of law as "social control through the systematic application of the force of politically organised society," Radcliffe-Brown is driven to the conclusion that "some simple societies have no law, although all have customs which are supported by sanctions." He suggests that instead of speaking of civil and criminal law in simple communities we might use the words "public and private delicts." He defines the public delict as an act which provokes an "organised and regular procedure by the whole community or by the constituted representatives of social authority which results in the fixing of responsibility upon some person within the community and the infliction by the community or by its representatives of some hurt or punishment upon the responsible person." Such a retaliation of society is "in its basic form a reaction by the community against the action of one of its own members which offends some strong and definite moral sentiment and thus produces a condition of social dysphoria."

The organised reaction restores euphoria by expressing the collective indignation. The ultimate function of such a reaction is to maintain moral sentiment at the required strength in the individuals who constitute the community.

Professor Radcliffe-Brown then gives a list of actions which are subject to such organised penal sanctions of the community. The list includes incest, sorcery, sacrilege, and "repeated breaches of tribal custom." I should like to add at once that the last entry seems to me essential ; repeated breaches of tribal custom inevitably are penalised in one way or another—not necessarily by the collective organised action of society. But let us remember that the writer of the article has made a definite distinction between custom and law ; he has based his definition on the fact of law being sanctioned and custom not ; and here he tells us that repeated breaches of custom result in its being sanctioned by penalties, that is, becoming law. This would obviously imply that a custom if sufficiently often broken becomes law, a conclusion which might appear a *reductio ad absurdum* of the whole argument.

Personally, I would not quarrel on terminology. Whether we call a certain rule of conduct law or custom, the really important thing about it is to study whether this rule is actually obeyed, what are the conditions of its validity, and what are the social mechanisms by which it is enforced. And here I think that Professor Radcliffe-Brown's approach breaks down on several scores. First of all, it makes the antithesis between "euphoria" and "dysphoria" into the final criterion of all legal processes. I must admit that from the point of view of field-work I have never been quite clear how we are going to test, measure or assess these somewhat formidable yet vague entities : euphoria and dysphoria. We have not yet designed a euphorimeter or

dysphoroscope. When we try to translate the state of being satisfied, which I take it is the real meaning of "euphoria," into concrete cases, we are faced not with the communal state of consciousness but rather with such individual factors as personal resentment, thwarted ambition, jealousy, economic grievance, and so on, and the whole figment of a collective consciousness breaks down. In any case, why not study the concrete and detailed manifestations of resentment and of satisfaction instead of hiding them behind euphoria and dysphoria writ large?

Turning to Dean Roscoe Pound's definition, excellent as this is for the civilised law for which it was framed, it demands further specification when applied to primitive communities. In these there is no "force of politically organised society" which acts to compel conformity to laws; or where we find it, its influence is very limited. The real difficulty in the study of primitive legal conditions is how to account for the submission to custom over that area of human behaviour which is completely outside the political influence: within the family, within the village community; in obedience to the various stipulations of the contract of marriage; in carrying out the duties of kinship or in economic co-operation. In all these groupings society as a whole does not and cannot act. The primitive family, village and kinship groups are not subject to courts of law, to policemen, to codes, to judges, or to public prosecutors. And yet the laws are kept—to a large extent.

IV.—THE DYNAMICS OF CUSTOM AS THE CENTRAL PROBLEM

And here comes the important point. We may agree with Professor Radcliffe-Brown to use the word custom, and admit that "some simple societies have no law." But then we still have to make a very important distinction, between what

might be called valid, sanctioned customs, with a strong pull of the parties concerned towards evasion, breach, circumvention ; and on the other hand, customs which are neutral or indifferent. It is the *custom* in one tribe to have the main meal at sunset, in another at daybreak, and in yet another at mid-day. It is the custom for sisters-in-law to slang one another at the tribal festivities which Dr. Hogbin describes here. It is the custom for certain people to inhabit square huts and for others to live in circular dwellings. Manners and rules which regulate the round of daily life or the seasonal sequence of events, are all *customs*, but they do not impose any heavy burdensome obligations on one individual by which another individual profits. Nor do these customs limit, hedge round, frustrate such human impulses as sex, greed, vanity, ambition, the desire to rise in the social scale.

These rules of ordinary or neutral custom are never sanctioned in the sense that their breach provokes dissatisfaction in any one, hence reaction, communal or individual, hence organised punishment. Such rules are not broken since no one wants to break them, hence their breach does not exist and cannot be punished.

Look on the other hand at the rules which curb sexual passion and the injunctions of continence, at the commands which forbid a man to covet another man's wife or maid-servant. The very apparatus of circumstantial and additional safeguards indicates how many temptations are involved in such rules. Chaperones, *ceintures de chasteté*, harems and eunuchs, the vigilance associated with the Roman Catholic convent school, the customs of courtship in Spain—all indicate that here we have a type of rule which must be not only made safe by subsequent punishment of breach but so to speak temptation-proof at every juncture.

The very possibility of a breach is prevented by elaborate arrangements and constant vigilance.

In the same way legal rules against the infringement of property rights are not merely "sanctioned." They have given rise to locks and keys, to conditional curses and preventive magic, to strong rooms and safes as well as to a careful system of police supervision in modern cultures. Here then we have rules with a dynamic character, which invariably imply the sharp sting of temptation and which are sanctioned by technical arrangements, supernatural threats, moral opprobrium and last not least, by law. They have to be legally sanctioned, that is provided with some mechanism of enforcement or validity, not merely in the form of punishment for transgression, but also through strong positive inducements to compliance.

Many of these rules are actually complied with in a manner so ready, in a measure so full, that this compliance has all the appearance of eagerness and spontaneity. And yet the better the ethnographic material in the area is studied, the closer our analysis, the more fully we realise how strongly the temptations act. In all ethnographic areas in existence, it can be shown that such rules as that against incest, the prohibition of mating within the clan, the rule of strict marital fidelity, rules of sexual conduct in general, are not kept as neatly, clearly and rigorously as they are usually presented to us. If you only glance at the examples given in the present book of the various evasions of rules concerning adultery and theft, economic duties and obligations of kin, if you study the material supplied by Dr. Hogbin on sorcery, the facts given about disobedience to authority, you will see at once that the full material here presented in no way conforms to the figment of an automatically law-abiding native.

The fact is that not only between the various individual

interests but also between the elementary principles of law, there exists conflict, reciprocal encroachment, in which the dominance of one is enhanced at the expense of the other. In the relation of mother-right to father-right, both of which inevitably co-exist in every community, in the struggle between secret societies and chieftainship, in the rights of the wife and her kindred as against those of the husband and his group, we find everywhere that rules of behaviour and principles of law, or call it custom if you like, cannot be rigid, since they act rather as elastic forces of which the tension decreases or increases ; they cannot be absolute since they have always qualifications, codicils and riders ; they cannot be automatic, since non-compliance with one rule can usually be justified by another rule of tribal law.

In primitive communities, moreover, the “ force of politically organised society ” is very much more evenly distributed between the head of the family, the principal of the clan, the leader in an age-grade or secret society, the headman of a village community, and the chief, than is the case in highly developed societies where law is definitely the expression of the power of the state. Even in modern conditions it seems doubtful whether we can speak of an integral force of society, and whether it would not be better to regard law as deriving its real strength from the working of the various organised groups within the state.

There is one aspect of the generally accepted theory of primitive automatic obedience to law which seems to me especially open to a serious caveat. This theory makes primitive norms of conduct differ profoundly from our own. If we have to deny the existence of law to many, perhaps most primitive communities ; if we have to give up our concept of civil and criminal law and substitute specific terms such as “ public and private delicts ” ; if we assume

that primitive law functions by an entirely different social mechanism from our own—we obviously assert a complete breach of continuity between the working of primitive institutions from the legal point of view and the working of our law. This view, which is implied in the encyclopædia article on *Law* just analysed, has incidentally been laid down by the Judicial Committee of the Privy Council, the highest Court of Appeal in the British Empire.¹

And yet in actual colonial practice, the white administrator constantly applies new laws, weaves tribal custom into the texture of colonial administration, has to develop juridical mechanisms by which to eradicate certain social evils or build up new institutions on the ruins of the old ones. If anthropology is to develop a practical side which can be of some value to the administrator, it cannot simply tell him that primitive law and civilised law have nothing in common. The anthropologist has to discover the highest common factor. He is able to do this. Those rules, the working of which are essential for the maintenance of such primitive institutions as the family, the village community, forms of organised economic co-operation, chieftainship or religious institutions, are entirely compatible with our rules of law. They are really obligatory, they are enforced, they can be taken over by our colonial codes.

And the task of translating the principles of primitive customary law into our modern administrative institutions is one which is not only possible but has been successfully done, both in practice and in theory. The whole study of Adat law, in which the late Professor Van Vollenhoven was a pioneer, and which is still carried on by his school at

¹ "Some tribes are so low in the scale of social organisation that their usages and conceptions of rights and duties are not to be reconciled with the institutions or the legal ideas of civilized society. Such a gulf cannot be bridged." *In re* Southern Rhodesia, Law Reports, A.C. 1919.

Leyden, the work of the International Institute for the Study of Customary Law with its headquarters at Paris and Amsterdam, can boast of no mean achievements, some of which have acquired historical importance. The native law referring to land tenure, to property and its protection, to moral and sexual conduct, the law of marriage, all these have more than an academic importance. Whether we use the word law or substitute for it some other expression matters but little. Our own law is nothing but intrinsically valid custom, custom safeguarding the smooth working of our institutions ; custom obeyed not so much through fear of penalties but for much deeper reasons which the sociologist and psychologist have to discover. From this point of view I think there is no fundamental breach of continuity between our own society and that of primitive peoples.

V.—THE FUNCTIONAL THEORY OF EFFECTIVE CUSTOM

With all this, we still have definitely to establish in anthropology a theory of primitive law or effective custom which would clearly define the place of law in the scheme of human civilisation ; which would treat law as a part of the general code of rules of behaviour ; which would give us precise criteria for the determination of the way in which legal rules are enforced. Such a theory would obviously allow us to find out the highest common factor between primitive law and our own, it would give us a better insight into the working of our own society and also allow us to proceed more wisely in the modification, reform, or maintenance of tribal customary law wherever we find it.

I do not propose in this short introduction to give any such pretentious theory of the legal aspect of human culture. I should not be able to do it. But I shall try to outline the

possible approaches to it as far as I can see them. The functional theory of anthropology regards culture as an instrumental reality. The most important thing about culture is that it allows man to satisfy his primary requirements, that is, his need of food, security, protection from the weather, from surrounding dangers, as well as his need of procreation. Through culture he is able to use his environment, to master space, to forestall illness, with an infinitely greater efficiency than he could as a mere animal. The most tangible criterion perhaps of cultural advancement, and the plainest token of the change wrought by culture in man's status, is his material apparatus. The shelter which he builds for himself, from windscreen to skyscraper ; the communications which he establishes, from a simple dug-out and a slightly trodden path to an automobile, giant liner, or aircraft ; the weapons which he uses against human and animal enemies, from boomerang to machine gun, and from a wooden shield to an armoured tank—all these enable him to overcome difficulties, to draw sustenance from land, sea and air, and to increase in numbers, physical welfare and technical power over nature, to an extent undreamed of by any other animal, with prospects for which we see no limits in hope or in anguish.

The most important thing for the student, in my opinion, is never to forget the living, palpitating flesh and blood organism of man which remains somewhere at the heart of every institution. The next important thing is to realise that the use of the extended material apparatus which man manipulates as his cultural armour against environment and fate has a number of implications. The use of instruments means first of all manual technique, that is, the tradition of arts and crafts. This is inevitably associated

with, and based on, some theoretical knowledge. Continuity of technique and theoretical tradition are obviously made possible only by the other distinguishing mark of man, his language. Man has been correctly defined as the speaking and implement-using animal. Quite as important, however, as speech or knowledge of manual crafts is social organisation ; man could never carry on his traditional patrimony nor yet use it single-handed. He has to co-operate, and co-operation always implies a body of people united by some fundamental constitution, that is, body of rules, which regulate their mutual behaviour.

We could sum this up briefly by saying that through the roundabout, indirect satisfaction of his primary needs man in a way changes his purely animal nature. His biological endowment, with its limited list of physiological needs, is supplemented by what might be called derived or instrumental needs ; such as that of education, legal order, economic organisation, social grouping ; needs which have to be satisfied as urgently as biological requirements if man is to survive. Disorganise a community completely and effectively, and in one way or another it will go under in the struggle for existence. Destroy all knowledge, stop all education, and you will kill off the members of the tribe as by a deadly microbe. But such imaginings are fictitious. You cannot think away any of the fundamental aspects of human culture, be it law or education, social grouping or language, or economic order, without mutilating the whole system out of all recognition. We might at once add that out of instrumental needs there arise even higher and more developed ones : the need of systematic knowledge, the need of managing human destinies in magic, in religion, later in philosophy, the need of supplying artistic stimulus in decorative arts, in music and in dancing. We cannot,

however, follow this ascending scale of needs, or analyse it more fully here.¹

VI.—THE BINDING FORCE OF LAW DERIVED FROM THE STRUCTURE OF INSTITUTIONS

Our conception of law as one of the essential prerequisites of all cultural processes requires a somewhat fuller definition. Culture, let us remember, is always embodied into a series of institutions, such as the family, or local group ; the village, municipality or city ; a craftsmen's guild or a trade union, or a factory ; a secret society, fraternity, Masonic lodge ; a tribe, a nation or a state.

An institution could be defined as a group of people united in a common task or tasks, bound to a determined portion of the environment, wielding together some technical apparatus, and obeying a body of rules. It is this last entry which interests us from the legal point of view. But in the examples which will be presently analysed all the constituent parts of our definition will be justified.

From the point of view on which it is necessary to focus our attention at present an institution is nothing but a network, a closely-knit system of rules which define the mutual behaviour of partners in marriage, in parenthood, in kinship, clanship, economic co-operation, and so on. The duty of one person is inevitably the privilege of another ; services rendered are boons received ; gifts and tributes presented by one side can be demanded by the other. On examination, however, it can always be seen that in the

¹ The reader will find a somewhat more detailed sketch in my article, *s.v.* 'Culture' in the *Encyclopædia of the Social Sciences*, edited by E. R. A. Seligman and Alvin Johnson. There the reader will also find a justification for some of the concepts used in the analysis which follows. The layman will be astonished to find in perusing the article how little consensus there exists as to the manner in which culture ought to be analysed. The concept of institutions developed in the following sections is not a commonplace of anthropology, but a somewhat contested view of the present writer.

total working effect of an institution or of a relationship there is a definite balance.

There is no doubt that from the point of view of a slave, a prisoner, a pawn, a sacrificial victim, or the *pièce de résistance* in a cannibal banquet, the balance is heavily tipped against him. But even in slavery, wherever this institution flourishes, or rather has flourished, in a normal and effective way, it is astonishing to find how many positive claims and privileges the slave did enjoy. This has been very ably demonstrated in one of the most penetrating sociological analyses, the book by the late Dr. Nieboer on *Slavery as an Industrial System*, a masterpiece from the sociological school of S. R. Steinmetz. As everywhere, so here also in sociology there are extreme cases where human relations are decidedly one-sided, where law induces a parasitic process, depriving one person of liberty, the status of citizenship, or even life for the benefit of others. Such cases, however, either refer to people put outside the pale of normal institutions as criminals, lunatics, lepers, temporarily or permanently quarantined people ; or else as in the case of prisoners of war, aliens and imported slaves, it refers to human beings who are not regarded as fully-fledged citizens of a community.

The normal relations between full status members of a community show an entirely different character. The law of marriage amounts in the last instance to the definition of a long process of fair give and take ; of a series of mutual obligations which begin with the contract of marriage and end with the posthumous duties of the survivor. The political constitution of a community defines the duties of the ruler or the ruling class to the subjects as well as their privileges. Here again we find extreme forms of absolutism which might be criticised from the point of view of political expediency or moral value. But roughly speaking,

an absolute despot who does not give his subjects protection, effective organisation, political ascendancy over neighbours, in return for the complete submission which they have to give him, will sooner or later lose his position or be compelled to change the constitution. In economic work, obviously, an equitable give and take is the only basis for sound co-operation.

The study of social relationships therefore, in so far as they consist of obligations and counter-obligations, from the point of view, that is, of services rendered and privileges claimed, will reveal to us the working of the rules of conduct. Such relationships are established primarily by birth, which in primitive communities is the main source of all legal bonds, since in these communities kinship, that is, the body of duties and privileges derived from procreation, overshadows all other legal relations. But even in primitive communities we have contractual acts such as marriage, adoption, vows of blood brotherhood, initiation, economic purchase or buying into the ranks of a secret society or age-grade, or a privileged class. All such acts create a co-operative bond, a state of mutual dependence in which the rules of conduct are made valid not so much by any extraneous forces or superadded mechanism, but rather by the fact that the discharge of an obligation constitutes in itself a positive claim for a counter-service.

In my opinion, the main field of primitive custom in its organic aspect lies in the constellation or configuration of bonds within an institution. The serial balancing of services, the reciprocal interlocking of claims, which makes up the personal bond of husband and wife, of chief and subject, of economic partners, supplies the real compulsion for their respective contributions to the joint work or enterprise.

The tribesman discharges his duty towards his neighbour,

however painful or onerous it may be, with a long-range view of the situation. He anticipates and balances rewards quite as much as penalties, approval as well as condemnation. The vision of a harmonious relationship, and of the general esteem of the community, acts as strongly as fear and threats of deterrent penalties. The full measure of fulfilment in every duty is garnished and flavoured with a rich system of pleasurable compensatory expectations.

This positive aspect of compliance to primitive custom, the fact that obedience to rules is baited with premiums, that it is rewarded by counter-services, is as important, in my opinion, as the study of punitive sanctions ; and these latter consist not in a punishment inflicted deliberately *ad hoc*, but rather in the natural retaliation of non-compliance in counter-services, of criticism and dissatisfaction within the relationship and within the institution. Any *mala fide* failure to discharge the duties fully and adequately meets with a whole series of rebukes, reprisals and disservices which must needs end in a complete disorganisation of the co-operative group, whether this be the family, the guild or the tribe.

Reciprocity then is one of the elements in the dynamic mechanism of legal enforcement. The systematic incidence of legal obligations is another. By systematic incidence I mean the fact that the duties of a husband to support his wife entail the immediate obligation for her to cook, prepare and serve him the food which he has brought home from the chase or from fishing ; or that the privilege of the chief to receive tribute is sooner or later reciprocated by his duty to finance tribal ceremonies ; or again that the presents claimed by a public magician are in payment of his services rendered. Such examples are simple, but when we follow the network of services claimed and rendered within the

household, within the kinship group and in the big tribal ceremonies described in the present book, we shall see that it is only by mapping out a rather complicated scheme of give and take that we arrive in the long run at the picture of a well-balanced system of reciprocities. Systematic incidence, therefore, indicates that reciprocity is not as a rule a mere tit for tat, but that it is graded, transmitted, shared or relayed, over a much wider circuit.

VII.—THE BIOLOGICAL CORE IN THE RULES OF CONDUCT

Another point which I have attempted to make in my writings and which I think needs considerable stressing in view of the many theoretical misconceptions of modern anthropology is the fact that, while rules of conduct usually define or restrict, in short, canalise, natural human propensities, at the core of most prescriptive norms there is usually found some fundamental tendency of the human organism. In marriage one element which is universally found throughout mankind is the mutual satisfaction by the two partners of their sexual needs. In their prescriptive form, these duties would not and do not as a rule weigh heavily on either partner. It is rather the proscriptive or negative counterpart of these duties which is more irksome : the injunction of marital fidelity, which is the same as the taboo on extra-marital intercourse. We therefore very often forget the fact that the positive carrying out of "marital" duties is quite as important an element in the good working of marriage, and therefore in the establishing of its stability and integrity, as any penalties for adultery.

The natural maternal or paternal inclinations are as much the essential core of parenthood with all its legal penalties and duties as is sex of married love. The mutual support of kinsmen and clansmen, including the law of

vendetta and many rules concerning co-operative duties of joint property, are based on sentiments of friendship, on ambitions and pride in common lineage, which are the psychological core of such rules. The rules of conduct which lay down duties of help and assistance in common danger, whether in war or at sea, in perilous hunting or dangerous industries, have a backing in physiological tendencies connected with self-preservation as well as in the clear recognition of self-interest.

To forget then that a great many laws and customs are sanctioned physiologically or psychologically, that is, by forces coming from within the individual, is to neglect one of the most important and most difficult aspects in the sociological analysis of law. The tendency represented largely by the sociological school of Durkheim, and clearly expressed in Professor Radcliffe-Brown's approach to primitive law and other phenomena, the tendency to ignore completely the individual and to eliminate the biological element from the functional analysis of culture, must in my opinion be overcome. It is really the only point of theoretical dissension between Professor Radcliffe-Brown and myself, and the only respect in which the Durkheimian conception of primitive society has to be supplemented in order to be really serviceable in field-work, in theoretical studies and in the practical application of anthropology.

VIII.—*Noblesse Oblige*—THE RECIPROCAL DUTIES OF RANK AND POWER

One or two more examples of the legal analysis of institutions must be discussed, notably the problem of chieftainship. At first it might appear, not only in the preconceived ideas of the layman, but also to the casual reader of ethnographic accounts, that early forms of monarchy or sovereignty are

characterised by despotism, abuses of power on the part of the chief—in short, political as well as economic tyranny.

In my own field, I was at first impressed by the enormous tribute claimed by the chief, by the rigorous and cumbersome etiquette imposed upon his subjects, an etiquette almost Polynesian in its elaboration and in the strict rules of physical lowliness followed by those of lower rank ; and by the advantages, sexual, personal and economic, which polygamy bestows on the ruler. My views were shared by the early administrators of the district, in whose opinion the best way of advancing the interests of commoner and community alike was to break down the power of the chief. Fuller knowledge, however, convinced me that I had been in error. The enormous tribute which the chief collects in food he does not, in fact he could not, consume himself. He employs it in ceremonial re-distributions, in financing war, enterprise and tribal festivity. In doing this he of course enhances his own prestige, and displays his chiefly power and dignity. At the same time, without this organising power given to the chief and without the means offered him by the tribal constitution of accumulating and then dispersing a large part of the tribal income, the commoners would be deprived of most of the things which make life worth living for them. The partial decay of tribal custom has in the Trobriands reduced the interest in life, an expression which actually covers a multitude of concrete facts which I was able to observe and record.¹

Now on this point Dr. Hogbin's material not merely confirms some of my conclusions about the mutuality in the relationship between chief and subjects, but allows the argument to be developed much more fully. Especially the

¹ Cf. *Argonauts of the Western Pacific*, Ch. IX, sec. 1 ; *Crime and Custom*, pp. 91-93.

facts collected from other Polynesian societies¹ show that everywhere the privileges of a chief were strictly correlated with his duties. The very foundation of chieftainship lay in the services rendered by the chief to the commoners : " The greatest safeguard of the people consisted in the self-interest of their masters, whose wealth and power depended chiefly on the number of their bondmen." At times even people could make war against bad kings, " but the commoners are sure to be defeated when the king has right on his side." The king had to distribute food on many occasions, he had to maintain people at war and to organise festivities. " Both he and his queen should deal out food and meat as well as *tapas* and *malos* with a liberal hand. These will dispose the men to be as a shield to him in the day of battle." So writes a Hawaiian on Hawaiian Kings. I would have felt inclined to suspect him of local patriotism and of idealising conditions, were it not that the Hawaiian pattern of chieftainship conforms exactly to the principles which I have myself observed in the Trobriands, and to the data so competently culled by Dr. Hogbin from Tongan and Samoan evidence.

In economic co-operation, the reciprocity and dovetailing of obligations is so inherent in the very nature of the organisation that it might seem obvious. It becomes obvious once attention has been drawn to it. Dr. Hogbin is able to substantiate the proposition that in primitive ownership as well as in primitive co-operation the keynote is given by " a definite system of division of functions and a rigid system of mutual obligations, into which a sense of duty and the recognition of the need of co-operation enters side by side with the realisation of self-interest, privileges and benefits."²

¹ Ch. VII, secs. v to ix.

² *Crime and Custom*, p. 20.

In the Trobriands I had found that people keep to what custom—or, more correctly, law—bids them to do because they know that not far ahead there looms the occasion when in the name of the same law they will be entitled to demand the counter-service. In his analysis in Chapters II and III, in the data on economic activities which will be found in the second section of Chapter II, in the description of a fishing group and its mutual duties and obligations, we find very much the same state of affairs. And this is true also of economics in other parts of Polynesia, though here the material that Dr. Hogbin had at his disposal at second-hand did not allow him to go into so much detail. The economic aspect of primitive culture has not been studied as fully as social organisation or ceremonial, but the recent discoveries made by field-workers of the functional school in various parts of Africa make me anticipate that the same mechanisms of legal validity will be found wherever economic activities within the kinship groups or local communities are more fully studied. Dr. Audrey Richards in particular has shown this in her study of the nutritive activities within the South-Eastern Bantu household and village community.¹

Dr. Hogbin's book also effectively disposes of perhaps the most misleading fallacy there is in social anthropology, that about "primitive communism." Here again the interlocking type of joint claims and obligations which we find in the use of and titles to such an object as a canoe, club-house, the public utilities of the village such as the common water-hole, fairways or recreation grounds, has nothing to do with such an indiscriminate or promiscuous right as alone would be comparable with that modern communal ownership which we like to regard in prospective ideal as communism. The implements of fishing, the rights in sailing a canoe, the

¹ Cf. the monograph, *Hunger and Work in a Savage Tribe*.

property of the joint family, the ownership in coconuts, all these show that there is a complex system of claims and uses, the interrelation and the working of which must be studied in detail and not disposed of as primitive communism.

IX.—LAND TENURE AS A SYSTEM OF PRIMITIVE LAW

One subject which I would like to commend to the attention of future field-workers as perhaps the most important aspect of property in early civilisations, is land tenure. Here the somewhat limited territorial opportunities of Ontong Java have not given much scope to Dr. Hogbin's analysis, though what he has to say in the fifth section of Chapter III deserves careful reading. The study of land tenure in several districts of New Guinea has convinced me that here as a rule a very complicated state of affairs makes enquiry as difficult as it is important. The purely formal legal approach inevitably reveals a long list of claims or titles to land. Taking such claims conjointly, they appear as a rule to establish complete communism, the right of everybody to every aspect and approach of the communal territory. It is only when we study the manner in which the various titles enter as productive forces into the processes of agriculture, that we really get an insight into the high degree of differentiation and specialisation of individual claims.

In the Trobriands for instance the chief claims all the soil of his district as his. This claim is not idle. On the one hand, he can claim through several channels tribute from the soil. A certain percentage of the yield, which I assessed at about one quarter or one fifth of the total, finds its way into his storehouse. This, as we know already, he does not use or misuse, or waste, but employs for the benefit of the community. Apart from that, however, he has even more

definite duties with regard to the soil. He has to defend it against the encroachment of belligerent neighbours who, after victory, destroy a great many things that have been built up or grown on the land. He also in other ways contributes towards the organisation of agriculture.

Titles to land are also vested in headmen of smaller territorial groupings, who again play an essential part and derive some benefits from their share in ownership. The magician, the titular owner of a field or a plot, the actual user, all contribute to the joint exploitation and their purely formal or legal claims have one and all a counterpart in the concerted activity of gardening. It would be just as incorrect to dismiss the relevancy of such legal titles as to take them at face value and simply inscribe them into a consecutive list. The functional method demands that legal rules should be studied in their effective influence on human behaviour.

It seems to me that as a working hypothesis we might plausibly assume that land-tenure is a subject for anthropological study everywhere. Man everywhere surrounds his mother earth, the land which feeds him and the environment which gives him shelter and protection, with beliefs and ideas. He as a rule surrounds it with a mythical and historical tradition and defines his relation to land in more or less precise legal statements. At the same time he uses the land and appropriates, distributes and consumes the produce from it. It is in my opinion the correlation between the mythical and legal ideas on the one hand and the economic activities on the other which forms the substance of land tenure. All this might appear at first blush self-evident and superfluous. If we reflect, however, that, roughly speaking, we have no exhaustive and reliable account of land tenure from any part of the world as yet, the emphatic affirmation that this is a problem to be worked out

and also a problem which has been neglected, is not perhaps beside the point.¹

X.—EARLY THEORIES OF MARRIAGE

Nowhere perhaps does the principle of symmetry of structure, of reciprocity and of the systematisation of claims and obligations contribute so much to our understanding of primitive society as in the subject of kinship. In my opinion the focus of kinship is the family. I am advancing this as my personal view because even now there is a school of anthropology which would deny the reality of the family or parental group. In my opinion this school, which in the past had such illustrious representatives as Morgan and MacLennan, Bachofen, Robertson-Smith and Lord Avebury, has at present the support only of second-rate minds, with perhaps one signal exception.

The early contributions to the theory of kinship were associated to a large extent with the hypothesis of primitive promiscuity and group marriage, and with the theory that both mating and parenthood have gone through profound evolutionary transformations. At the beginning there was no marriage but its very negative—communal promiscuity. Out of this later on there emerged some limitation of this promiscuity ; but still mating, the rearing of children and the bonds of kinship existed not between individuals but between groups. The earlier writers, the pioneers in the work on kinship, used the hypothesis of dramatic and sensational stages of development in order to account for a number of eccentric or exotic features of primitive kinship

¹ The forthcoming literature from those who apply the functional method in the field will begin to remedy this gap. Compare, for instance, Dr. L. P. Mair's book recently published under the title *An African People in the Twentieth Century*. I am also treating this subject at some length in a book on Trobriand agriculture, which is being prepared for the press.

life. These theories are in my opinion mistaken. But the facts to which they drew our attention are of the greatest importance. To Bachofen we owe the discovery of matriarchy, or as we prefer to term it now, matriliney—the principle of counting kinship in the mother line. To Morgan we owe a discovery and analysis of classificatory kinship terminologies, with all that they mean, and that is really a vast aspect of primitive sociology. To MacLennan we are indebted for the analysis of polyandry and other primitive forms of marriage and for very sound and shrewd critical comments on the classificatory terms. To Robertson-Smith is due the honour of having first laid bare certain important aspects of the clan system and of the sociology of religious belief.

Further developments in anthropology have shown that, while most of the facts signalled and analysed and commented upon by these writers were of the utmost importance, their general theoretical scheme must be almost completely abandoned. The work of Westermarck above all, but also that of Franz Boas, Ernest Crawley, E. Grosse, Pater Wilhelm Schmidt and Pater Wilhelm Koppers, and more recently of Kroeber, Lowie, Radcliffe-Brown and Goldenweiser, has definitely destroyed the group marriage theory. Nevertheless, even now the influence of Durkheim and his school, as well as the considered opinion of the master of British anthropology, Sir James Frazer, would make me hesitate to regard the matter as beyond debate. That such writers as Lord Raglan and Mr. Robert Briffault and those twin spirits, Messrs. Calverton and Schmalhausen, conduct a vigorous guerilla warfare against the family, marriage and such of their old-fashioned and mid-Victorian champions as Professor Westermarck and myself, keeps the controversy alive and interesting.

For my part, however, I am deeply convinced that the theory of group marriage is a matter of anthropological history. What still remains to be done is to develop both a theoretical background and a method suitable for comparative analysis and field-work, which will allow us to account for certain phenomena, such as mother-right and father-right and the clash between them, the classificatory terms of relationship, avunculate as opposed to patria potestas, and the several "forms of marriage" such as marriage by purchase, marriage by capture, matriarchal marriage as well as the entertaining custom of the *couvade*.

XI.—MARRIAGE AS A LEGAL CONTRACT

All these phenomena represent different aspects of the complex and highly articulated institution which we might designate by the generic term of kinship grouping or the procreative institution of mankind. Its constituent parts consist of marriage, parenthood, extended kinship and the clan system.

To start with marriage, this is obviously a symmetrical institution. It is a relationship which essentially involves two partners. Even M. de la Palisse is aware of this fact. Of course if the theory of group marriage were true, each partner would be a group and not an individual. Symmetry of structure, reciprocity of obligations and mutuality of give and take, could obtain in either group or individual marriage. But the very approach which I here suggest, namely the question of studying marriage as a contract, i.e., analysing the act of entering marriage as the legal creation of a nexus between two contracting parties, reveals to us one important truth ; in no part of the world do we find any group acts or group contracts. In no community whatever is marriage anything but an individual personal contract binding one

man and woman. There exist no collective marriage contracts. Even where "vestiges of group marriage" have been signalled, as in Central Australia or among the Chukchee, such a supposed group marriage is always a cumulative result of several individual contracts. In the long run, of course, it can be quite clearly demonstrated that only one contract among all the others establishes real marriage. The others are merely legal acts which give rise to rare and conditional as well as transient sexual unions. Thus "group marriage" is neither a marriage nor a group affair.

Brushing aside any controversial points, however, and approaching the whole problem of marriage from the legal side, the point which I should like to make is that the act which establishes the marriage relationship has been distorted in two ways. In the first place marriage has usually been looked at in a one-sided manner, from the point of view as a rule of the man. Thus, in such concepts as purchase or capture it has never even been considered who was the buyer and who the seller—that the wife was a chattel or an object of prey was taken for granted. Yet on the other hand the status of woman has been exaggerated to the extent which we see caricatured in Mr. Briffault's three large volumes, *The Mothers*.

In the second place the act of marriage, instead of being regarded as a legal transaction, the definition of which must be found in its legal consequences, has almost invariably been torn out of its context, and its ceremonial and symbolic core considered as embodying some ancient mode of thought or social usage, obsolete at the time into which the ceremony still survives. In "marriage by capture" the mimic or representative act of carrying off the bride was not taken as a public transaction which, whatever it might symbolise in mimicry, had its real meaning in the fact that it established a life-long relationship defined by mutual privileges, duties and

obligations. In "marriage by purchase" the presents given by the bridegroom were as a rule regarded as "bride-price" in the literal sense, and the act was given the strictly economic interpretation of a purchase of the bride. This, combined with the tendency of a great many writers to over-emphasise the economic aspect of marriage¹ as against its biological and legal nature, gives rise to an entirely distorted and false analysis of the act of marriage itself and of its character.

To put it bluntly, I should say that the symbolic, representative or ceremonial contents of marriage are of secondary importance to the anthropologist. To insist that enshrined in a ceremonial act there remain large chunks of history, condensed and pickled souvenirs of past ages, is simply a case of antiquarian obsession. "Capture" happens to be explicable in terms of past stages; so does "purchase." The breaking of eggs or of earthenware vessels, the display of a staff or a rod, or a tree, at marriage, lends itself more readily to psychoanalytic interpretation.

An obstetrical school of marriage origins might dwell on the throwing of rice and other fertility-symbolism; a gastronomic interpretation of original marriage might dwell on acts of common eating of eggs, of fish, cheese or flour (*confarreatio*). The range of symbolic interpretation covers absolutely every aspect of marriage; sex undoubtedly and permanently; procreation, with fertility, potency and mutual satisfaction; preference for male or female offspring as the case may be; cooking, joint eating, sartorial details and so on and so forth.² (Ethnography has not yet discovered any marriage ritual symbolising the darning of socks.)

But to take any type of symbolism and to regard it as a

¹ Cf. R. Briffault, *The Mothers*, vol. II, p. 1. "The origin, like the biological foundations, of individual marriage [is] essentially economic. . . . Individual marriage has its foundation in economic relations." (The italics are mine.)

² Cf. the overwhelming material given in Westermarck, *History of Human Marriage*, chapters 23-26.

telescoped version of the whole past history of marriage cannot be correct. Marriage in the past did not consist merely in the eating together of fish and hard-boiled eggs, nor in the tossing of rice, nor yet in the wagging of rods or green trees. There is no reason, therefore, to assume that because in some tribes the marriage act consists in a mimic capture, capture in dead earnest was the origin of marriage. Or because in other tribes an economic transaction dominates the ceremony, that brides used to be purchased. The real essence of the marriage act is that by means of an extremely simple or highly complicated ceremony it gives a public, tribally recognised, expression to the fact that two individuals enter the state of marriage. This state is in every community, primitive or highly differentiated, defined by a body of rules which might be termed the law of marriage.

Now in this highly personal relationship, which is on the one hand rooted in one of the most fundamental physiological transactions of mankind, and on the other rises to the subtlest shades of emotional dependence and spiritual co-operation ; which again must necessarily be accompanied by as complete an economic communism as ever exists in human relations—in this partnership better than anywhere else can we study the place of law and its relations to other norms of conduct. Marriage in all communities becomes an almost unworkable arrangement unless there develops a specific type of emotional attitude between the two partners. Now here law is on the whole impotent. You cannot sanction devotion, loyalty, fidelity in the deeper sense of the word, mutual recognition of each other's value and of the mutual duties arising from it. The phrase "incompatibility of temperaments" which figures in some modern systems of law as a legitimate cause of divorce covers what I wish to express here. It really implies that law is impotent to sanction what must be

sanctioned by a full mutual adjustment of character, organism and intelligence.

Have we here again merely over-complicated the problem and left it in a state of chaos? I do not think so. The argument merely leads us to the recognition that side by side with the legal clauses implied in the contract of marriage, a whole set of other phenomena have to be taken into account. First of all, the physiological or sexual aspect of the union ; that instinctive core of matrimonial relations on which we have already dwelt above. This does not simply mean that we have introduced the word "physiology" and invited another specialist into our conclave. It means that the study of marriage in any community must be linked up with the study of their regulations of pre-marital life. Whether courtship consists in trial unions ; whether it is carried out by the parents or matchmakers ; whether the union by its very implications presupposes the virginity of the bride—all these are facts which must be considered in connection with the sexual aspect of marriage.

In other words, the whole body of moral and religious ideas concerning sex, the influences of super natural sanctions, and the manner in which in a given society certain typical sexual values such as chastity, fidelity, the dependence of the husband's honour on his wife's conduct, enter into the definition of the sexual reciprocities between husband and wife. The building up of the human character through education cannot be dissociated from the problems of marriage law. Nor could we deal with the question of sexual reciprocities independently from the exchange of economic services, from the value which one partner has for the other in conferring tribal status, and from the importance which the biological issue of marriage, that is, children, have to husband or wife respectively.

XII.—PARENTHOOD AND KINSHIP AS SYSTEMS OF BINDING OBLIGATION

However fully we describe the reciprocities and systematic linkage of obligation between the two partners in marriage, the story remains incomplete and the definition of marriage faulty if we do not consider two relational aspects of marriage. In the first place, the relation between the married couple and their children ; in the second place, the relation between the married couple and other social groups.

Parenthood, to take up this relationship first, is again a biological fact. This means that apart from any cultural influences or rulings of tradition, the normal average woman in every society wishes to have children, and so does the average man. This I feel is perhaps for the present a working hypothesis rather than a fact. But it is an important though somewhat vague problem to be studied by the anthropologist and sociologist alike. Its importance must be recognised and its vagueness overcome. From reading and personal observations I am very strongly convinced that the desire for maternity and for its counterpart, paternity, is a universal psychological trait and that in every society it is expressed in institutions, beliefs and social values. Take the wide range of Semitic cultures : a barren woman, even a woman without male offspring, never attains full social status or the dignity of a matron. The contempt shown to her is embodied in curses and terms of abuse, in folk-lore and even in some religious beliefs. The mother of male offspring is named after her first-born son. The strong desire for offspring, especially male, of the Chinese, the various races of India, the Latin-Europeans, is well known. The data from primitive communities are not sufficient to allow us to speak with equal confidence. But within a wide range of

cultures, such as the Bantu of Africa, the Polynesians, the West African negroes, we find very rich indirect testimony to the desire of women for offspring and to the value placed on maternity.¹

The duties of maternity then are very largely based on natural inclination. But this natural inclination is always expressed in the system of traditions, values, norms and prescriptions which define what a woman has to do about her child in order to discharge her moral and legal obligations to her offspring, to her husband, to her own kindred and to society at large. The father's position, I am convinced, has also a strong psychological basis. By this I mean that a man in his relation to a woman by whom he is attracted and whom he loves desires not only her bodily possession but also paternity by her. In a community like that of the Trobriands where physiological paternity is not recognised, there is a whole set of ideas which suggest that by continual cohabitation a man moulds the appearance as well as the character of his child. In all cultures I venture to foretell that there will be found one form or another of ideas and values which give expression to the innate desire of the male to become a father.

In paternity, then, even more than in maternity, the instinctive core is definitely remoulded by cultural tradition. From the custom of *couvade*, which compels the father in some societies to mimic the act of childbirth, to the almost universal taboos and observations which bind him during his wife's pregnancy, childbirth and lactation, his conduct is culturally shaped on behalf of his offspring. If, as often happens, he is debarred from contact with his wife and child immediately after childbirth and for some time after, he soon joins his wife in the early cares for the child. We cannot

¹ An excellent study connected with this problem is the recent article by Dr. I. Schapera on "Pre-Marital Pregnancy and Native Opinion. A Note on Social Change," in *Africa*, Vol. VI, January 1933.

enter here in detail into the various duties which make the husband and wife look after the children during infancy, supply them with food during childhood, guide their early steps literally and metaphorically, look after their education later on—in short mould them into effective citizens.

Our principle of reciprocity, mutuality and systematic concatenation of duties enters into the configuration of parenthood as it had entered into the configuration of marriage, through the fact that in all human societies the mature children have to look after their old parents. Here again the data supplied to us by ethnography are not as rich as they might have been, had all these relations been studied not piecemeal but in their integral working ; and had ethnography not neglected the ordinary everyday phases of human life for the grandiose, ceremonial and quaint. It would be easier in consequence of this to show that children figure at funeral ceremonies of their parents where they have to carry out the fundamental duties ; it would be easier to show that a Bantu, a Chinaman or an Australian aborigine needs sons for “ ancestor worship ” ; than to document the fact of the economic obligation which grown-up children have towards aged parents.

But apart from my own personal field of ethnographic research, I am confident that wherever there are any data on this subject in literature it can be shown that parents are repaid by their children for the early cares by what might be termed various forms of old age insurance in filial duties. Of course for the sake of brevity it is necessary to simplify matters. In many communities the value, even the economic value, of children for their parents begins quite early. Thus among many cattle-rearing people small boys or girls are useful in herding. In most human communities elder girls look after the young children. The satisfaction of

reciprocity and mutuality must also be taken not in too simple and crude a manner, but considering the various benefits, spiritual, sentimental and personal, side by side with the economic, legal and political. By this last word I simply mean the assistance which a numerous family gives to its members in feuds, quarrels and in all forms of direct settling and enforcement of rights.

The fact that in marriage the relation of the two partners is not merely a personal matter to them, nor yet completely determined by their relation to their offspring, but that it is also of interest to other groups, allows us once more to show the importance of our method, which consists in considering human relations and human groupings on the principle of balancing services and achievements. The individual and personal character of the marriage contract has often been denied by survival-hunters because the act of marriage usually mobilises wider circles. But if instead of using such loose terms as "community" or "society" or "the group" we look more closely at the facts, we shall see that the wider social influences consist not of amorphous collectivities but of clearly specified kinsmen and kinswomen.

Take the economic aspect of marriage, as expressed in the wedding transaction. Whether the gift be offered from husband to wife or from wife to husband, it is invariably a matter of a wider group on either side. When the husband benefits, it is never the wife herself who provides the wherewithal of the gift. Sometimes her father, sometimes her mother's brother and his kinship group, supply the produce, the cattle or the material objects. These are given to the husband who either keeps them or distributes them among his kindred. As long as the marriage lasts the wife's group and the husband's group are not passive indifferent onlookers, but are to a greater or less extent active participants in it. There

is a constant flow of services, claims, gifts between the two.

Take a typical picture found all over the world ; patrilocal marriage within a matrilineal kinship system. The wife and her children live in their husband's household and in his community. By blood and all social ties they belong to the group of which the wife's brother is the head. There is a distinct duality in the very structure of this grouping. We have two groups : the household and the kinship unit. We have two heads : the husband and the wife's brother. We have a small body of people : the wife and the offspring, who have a twofold set of loyalties. The balancing between these two principles of allegiance is now being recognised in anthropology as one of the most interesting, important and also difficult problems of kinship and social constitution in almost every primitive society.

What I have said about patrilocal marriage within matriliney holds good *mutatis mutandis* of all other configurations of kinship and marriage residence. We are coming rapidly to recognise that there is no such thing at all as Mother-right or Father-right. The voluminous German literature which went under the title of Ethnological Jurisprudence, and consisted very largely in placing societies on the rungs of the evolutionary ladder of an advance from *mutterrechtlich* to *vaterrechtlich* ; which dosed the admixture of either component as a phenomenon of transition ; which explained matriarchal features in one society as remnants, and accounted in another for patriarchal customs as anticipations—this school and many others who still flourish really miss the most important point of primitive kinship : the fact that we have to deal here not with “ pure elements ” which come to fruition at successive stages of evolution, each growing out of its predecessors, but rather that we are faced with two

influences founded in physiology, both dynamic, both constantly struggling for supremacy, both balanced by a finely adjusted, never definitely static legal system.

I think that the reader may recognise through this somewhat abstract and sketchy outline that the principle of reciprocity is not a mere truism, not a mere repetition of the well-known eye-for-eye, tooth-for-tooth maxim, but definitely a call for a different approach in the empirical study of kinship from the legal point of view. I have tried to point out that on the one hand it is not profitable to study the sanctioned or enforced and enforceable rules of conduct apart from the rules which are obeyed because of physiological drives. This is so very largely because the two are intimately correlated. In sex, for example, some of the most important legal stipulations cannot be seen in the right perspective nor understood as to their validity and degree of observance, unless we consider also the nature of the temptations against which they are framed and the general education of the sex instinct as it obtains in a given community. Nor is it possible in such fundamental relations as marriage and parenthood to understand the workings of law while ignoring morals, manners and self-interest. But by making the study integral we need not and we do not in fact make it indefinitely complicated. The real art of field-work consists of course in the capacity to introduce order and simplicity as well as to define forces and factors which at first hand appear intangible, in terms of concrete empirical data. The fact also that in every society the institutions, however complex they might appear, cannot be endlessly over-complicated because they would not work, makes our programme less formidable than it might appear.

To return to my own area once more, those who have read the *Sexual Life of Savages* will realise that family law is not as

complicated as it looks. The course of courtship by trial mating conforms to a simple pattern, that of gradually lengthening unions which naturally lead to marriage. The personal element, that of mutual appreciation and affection, results directly from the type of courtship. The treatment of sex in marriage is also correlated definitely with what might be called roughly the sowing of wild oats. Again, the economic aspect, into which theoretically there enters an almost endless ramification of gift and counter-gift, is simplified by the fact that the more remote the obligations, the less pronounced they are, so that we really can speak about an exchange of mutual obligations between the husband and the wife's brother, each of whom may be supported by two or three groupings of kindred.

XIII.—SORCERY AND LAW

There are a few subjects on which I should have liked very much to enlarge had space permitted. One of them is the problem of witchcraft or sorcery. In the little book already mentioned on *Crime and Custom* I apparently laid myself bare to the reproach of having made an attempt of whitewashing black magic. In connection with that it also has been maintained that "Malinowski asserts that primitive peoples do not make any clear-cut moral distinction between the legal and criminal uses of sorcery," while more generally "the chief criticism to be levelled against it (*Crime and Custom*) is that the author has generalised from a restricted range of data in one community in formulating a theory applicable to all savage tribes."¹

¹ I quote these sentences from an article by Dr. E. E. Evans-Pritchard on "Sorcery and Native Opinion" in *Africa*, Vol. IV, No. 1, January 1931. The criticism that I generalise from one instance has been made by no less an authority than Professor Franz Boas of Columbia in *Forum*, September 1926, also by Dr. I. Schapera, in *Man*, July 1927, and by two or three distinguished American anthropologists, among them Dr. Leslie Spier.

If I may say a few words *pro domo mea*, I should like to plead “not guilty” of the crime of wanton generalisation, while I fully admit my tendency to take the part of the sorcerer, and I shall try to defend my position. As regards illicit generalisations from one instance, I have indicated in the very preface that “the modern anthropologist is naturally tempted to add his wider, somewhat diffused and intangible experience to his descriptions of definite fact ; to present the details of custom, belief, and organisation against the background of a general theory of primitive culture. This little book is the outcome of a field-worker’s yielding to such a temptation. In extenuation of this lapse—if lapse it be—I should like to urge the great need for more theory in anthropological jurisprudence, especially theory born from actual contact with savages. I should also point out that in this work reflections and generalisations stand out clearly from the descriptive paragraphs. Last, not least, I should like to claim that my theory is not made of conjecture or hypothetical reconstruction, but is simply an attempt at formulating the problem, at introducing precise concepts and clear definitions into the subject.”¹

By thus stating my position, I think that I have sufficiently declared that I am clearly aware of the fact that any general inferences have but the character of a challenge.²

I am still deeply convinced that anthropological theory, especially in reference to methods of field-work, has to be reformed and reformed rapidly. One of the most urgent needs for us is to develop a set of theoretical principles referring to the mechanisms of primitive law, economics and

¹ P. x of the Preface to *Crime and Custom*.

² Besides this very explicit statement as to the tentative, challenging and problematic nature of any inferences I draw from my material, I find on a rapid cursory survey at least seven additional passages in which I carefully limit the area of the validity of my inferences. I indicate that I am trying “to establish for one ethnographic province” certain conclusions ; that I controvert Rivers’ generalisations—they were universal generalisations at that—from his own area ; I “venture to foretell that some of my inferences may be confirmed” while I suggest their testing, and so on and so forth. At the very end I still emphasise that the conclusions arrived at have naturally a limited range (*Crime and Custom*, pp. 15, 16, 25, 63, 67, 68 and 86).

education ; theories which would focus the interest and attention of the field-worker on the actual working of the social and cultural institutions of his natives rather than inspire him with a retrospective desire to build up from his data tempting but often imaginary visions of past stages and histories. Like every empirical worker in any branch of science, I had to see what appeared to me the general and universal in the range of facts which I observed. In *Crime and Custom* I attempted to show these general and universal principles referring to problems of primitive law. The final decision as to their validity throughout the whole range of sociological phenomena can only be arrived at after we have these conclusions tested in all the ethnographic areas still open to observation. To refrain from stating my general views simply and directly would have been not sound caution but intellectual pusillanimity. The difference between Newton and his fellow farmer who also got the apple on his nose was that Newton had the intellectual courage of generalising.

I am naturally therefore glad to find that Dr. Hogbin's facts about sorcery in Ontong Java not only put my theories to an acid test, but add the support of another area in direct confirmation to what I was able to conclude on the basis of the Trobriand material. And since here again my views have been misunderstood, I may be allowed to refer once more to my little book and express perhaps even more clearly what I had said there. When one of my critics, summarising my views, concludes that "in the Trobriands sorcery is not, Malinowski tells us, regarded as a criminal agency but rather as an aristocratic prerogative," this is not quite correct. I have dealt with the subject only briefly, devoting to it exactly nine pages, and I certainly lay stress on the fact that sorcery cannot be regarded as the main

criminal agency (p. 85). But I insist on the fact that "sorcery is neither exclusively a method of administering justice nor a form of criminal practice. It can be used both ways. . . ." The excellent data supplied by Dr. Hogbin on this subject in Chapter VI, Sections IV to VI, show that in a number of cases recorded by him, sorcery was actually a means of administering justice. We are given cases of theft and adultery, and of fornication with the daughter of a man who revenged the injury by black magic. We have on the other hand a number of instances where sorcery is a means of abuse and injustice, exactly as in the Trobriands there are cases of "actual oppression and crass injustice" by means of sorcery,¹ or as I put it elsewhere, "quasi-criminal applications of sorcery"²

Dr. Hogbin gives an excellent summary of both sides. In one type of events, the more numerous ones in fact, "black magic was simply the means by which justifiable vengeance was carried out, and may be compared with the dagger with which the husband killed the man who wronged him. . . . Society backed up both forms of retaliation in the same way, by its passive approval" (Ch. VI, Sec. VI). As to the unlawful uses of sorcery, Dr. Hogbin, after giving us his examples, shows us how in several cases the abuse of sorcery was punished by actual execution. "These cases show that even the sorcerer could be held in check when he used his powers for anti-social ends." In short, sorcery is a weapon, a means of exercising power, in Polynesia as well as in those parts of Melanesia where I have studied it. When applied criminally, it becomes criminal. When used in support of the established social order it is a mechanism by which law is enforced.

¹ *Crime and Custom*, p. 92.

² P. 94.

XIV.—THE REALITY OF PRIMITIVE LAW

When I reflect on the present state of juridical theory in the Science of Man, I again feel strongly how important this book is. The problem of primitive law, so fascinating theoretically, so fundamental in all practical applications of anthropology, has been neglected to an extent which the layman would find unbelievable and which the specialist realises with a shock. It could be urged, of course, that there are hundreds, perhaps thousands, of volumes devoted to the subject. Apart from the seventy odd instalments of the *Zeitschrift für Vergleichende Rechtswissenschaft*, there is a litany of names such as Post, Kohler, Bernhoeft, Cunow, Kowalewsky and Dargun—to mention only those of first magnitude—connected with *Vergleichende Rechtswissenschaft* and *Ethnologische Jurisprudenz*.

I should be the first to champion the high value of their contributions—in every respect except that of primitive law. There are excellent ethnological theories embodied in them, very largely elaborations of Morgan's, McLennan's and Bachofen's views, but often carried to a much higher pitch of perfection. There are profound antiquarian reconstructions of Germanic sociology and Indo-European principles of law and social organisation. There are above all most important compendia of comparative ethnological scholarship. All this material lacks, however, one thing : that is the fundamental concept of where law or the dynamism of custom resides in primitive societies. The mere enumeration of rules of conduct not only does not cover the problem of primitive law—it does not even touch its fringe. In fact, in so far as all this literature was largely pervaded with the concept of the passive, implicit, automatic obedience to law, it preached a heresy rather than expounded a true principle of knowledge.

From the present book—and let us remember, it is one of the first contributions of a field-worker to this new subject—we can confirm our conviction that the problem of law does exist, and that there is a wide range of phenomena which must be classed as legal or pertaining to the validity of rules, and for which there is a special technique of study, and a body of principles to inspire and control it. All rules are backed up by some sort of motivation or inducement. The various sources of validity or sanctions, however, are not all of the same type. Since science must always put order into its facts and hence classify them, the first duty of the field-worker is to break through the idea that “for the savage the policy of a tribe is one and indivisible.” In the name of God he publishes “a code combining ritual, moral, agricultural and medical with what we understand as strictly juridical prescriptions. . . . The members of the community draw no distinctions” between such rules.¹

On the contrary—I am deeply convinced that there is one type of rules which differ by nature, sanction, their relations to human instincts and their relations to social structure, from all the other rules of conduct. These are the rules which curb human inclinations, passions or instinctive drives ; rules which protect the rights of one citizen against the concupiscence, cupidity or malice of the other ; rules which usually pertain to sex, property and safety. Such rules are not kept rigidly. They are broken at times, they are invariably circumvented, evaded, at times kept with a striking overdose of completeness. In the same community, whether it preaches a very high ideal of chastity or gives a generous length of rope to human propensities, we still can have the ascetic and the rake—the man who expresses himself by curbing and selecting his sexual impulses, and the man who

¹ Sidney Hartland, *op. cit.*, pp. 213, 214.

finds it easier and more profitable to circumvent even the few rules which exist.

In more highly developed communities the rules which must be enforced and which can be enforced are usually differentiated from the other mass of prescriptions and injunctions by a very clear mechanism. They are embodied in a special code of law, and by code I mean of course all written law and all custom and precedent, such as would be regarded as valid in courts. In differentiated societies there exist always what might be called the big juridical institutions, comprising forms or mechanisms for legislating or defining and consolidating custom ; courts or other instruments for the decision and determination of evidence, guilt and penalty, in each individual case ; the arm of the law, whether it be police or secret societies or hired assassins who carry out the decisions of law.

In primitive societies we find either nothing of all these institutions, or where we find them, as in some African monarchies, they obviously do not account for the whole extent of rules referring to safety, property and sex. They do not account for the obedience to law found in such communities over a much wider range than any enforcement can reach. In such primitive communities I personally believe that law ought to be defined by function and not by form, that is we ought to see what are the arrangements, the sociological realities, the cultural mechanisms which act for the enforcement of law. As regards civil law, that is rules referring mainly to economic services, problems of property and of the discharge of personal obligations, I personally have come to the conclusion not merely from my own field-work, but from all the evidence available, that the forces of law reside in the systematic concatenation of all rules which is the essence of social institutions. The main field of

primitive jurisprudence lies, therefore, in the analysis of every relationship : husband to wife, parent to child, chief to subject, clansman to clansman, tribesman to tribesman ; in the correlation of such relationships over a wider scale and in their at times very complicated constellations of reciprocity and mutuality within an institution ; finally in the relation of one institution to another.

This may sound to the layman or to one who has not done field-work a somewhat formal and a little intangible piece of advice. In reality it constitutes a very positive and concrete programme of work. By having made this suggestion, by having shown in my own field of study how it can be carried out empirically, by having directed towards this line of approach such workers as Dr. Hogbin and Dr. Mair, Dr. Raymond Firth and Dr. Audrey Richards, Dr. Evans-Pritchard and Dr. Schapera, I think that I have translated the abstract formula into concrete reality. The real point is that the theory of primitive jurisprudence associated with the functional school postulates several new fields of research. From the principle that validity is very often determined by the constellation or configuration of rules within an institution, we invite field-workers to the correlation of facts in the field in a very definite and specific manner. It is one thing to study the marriage rites, the gifts at the wedding, the duties of the brother-in-law, the taboos of the mother-in-law, the terminology of the father-in-law, in pigeon-holes so to speak and to draw isolated conclusions from them. It is quite a different thing to see whether these various phenomena stand in a dynamic relation to one another, to discover this relation and to lay it bare.

The second point where functional jurisprudence opens a new field of enquiry is in the emphatic statement of the fact that rules are not implicitly obeyed. If deviation from the

rule brings about internal resistances within the institution, the way in which such a deviation occurs and the manner in which it brings into life forces of reaction, is again a subject for empirical study. In its simplest form we have here the "tit for tat" of elementary non-compliance. The annual marriage contribution is niggardly given: the partner thus mulcted reacts and either treats his mate accordingly or is equally niggardly in the repayment of his gifts, and both sides incur censure because, the transaction being public, everybody is informed about it. This censure is not the amorphous "pressure of public opinion"; it becomes translated into a general mistrust of the defaulter and he finds the reaction of it in any commercial transactions in which he engages. Thus, the field-worker is invited, not merely to study the hard and fast rule, but to study how this rule works, how failure to comply generates various consequences, how these consequences again integrate into an all-round series of infinitely many, infinitely small reactions against the culprit.

The third point where the functional theory of primitive law gives a lead, I have reserved to the very end, because I think it is perhaps the most important. It is also the one where anthropology might well influence general jurisprudence to a considerable extent. I mean here the obvious corollary of the whole theory. If rules are elastic, they not only can be stretched one way in the direction of non-compliance. They may well be extended in the opposite direction, that of works of supererogation. To put it simply, rules of conduct are safeguarded not merely by penalties. They are invariably baited with inducements. This aspect of my theory I have not perhaps sufficiently brought out in *Crime and Custom*. The addition of Dr. Hogbin's evidence to my own has emboldened me in my generalisations and

convinces me that this is probably the most important aspect of the whole theory. It is very closely related with the fact that most laws are the expression of some sound biological reality, of some important and functionally founded trend of culture.

Take for instance the two or three fundamental laws of the family. The prohibition and the horror of incest in the first place ; the penalties for adultery in the second ; finally the whole body of rules which define the relation between parents and children. In incest we have obviously never to deal with a mere external pressure. All the forces of emotion and sentiment rebel against the idea of incest. I do not believe that we have to do with an instinctive horror but—as I have tried to point out in another place¹—with the fact that sexual inclinations are incompatible with those emotions which enter into the parental attitude and with the sentiments which form naturally between brothers and sisters.

Law and the mechanism of psychological forces point in the same direction, go hand in hand. Which of the two is the more efficient ? I have not the slightest doubt that the forces of human character, that is really the forces of moral conviction, are infinitely more powerful than the fear of punishment. I am expressing myself with so much emphasis that the reader may suspect me of not being aware that I am uttering a truism. It is usually the ignoring of a truism which lies at the very basis of far-reaching scientific fallacies. Jurisprudence, in emphatically, circumstantially and ponderously isolating the field of law from that of other rules of conduct, has been guilty of such a scientific fallacy. It has not only warped juridical theories but it has also made the influence of jurisprudence on sociology futile. I have insisted on the fact—to turn to the other rule mentioned

¹ Cf. my *Sex and Repression in Savage Society*.

above—that no penalties against adultery will safeguard the institution of monogamy as firmly as the positive making of marriage into an attractive union. It can be made into an attractive union not so much by eugenic devices, still less by laws, but rather by giving scope to those influences which make for the free exercise of erotic passion within the union and by casting overboard the useless lumber of canonical law with its prejudice against divorce. Again the improvement in the relations between parents and children which we have witnessed within the last generation has lain not in any legislative measures but in changing the relationship so that in it the free give and take of mutual benefits can be better developed.

XV.—HOW CAN JURISPRUDENCE BENEFIT FROM THE STUDY OF PRIMITIVE LAW ?

If anthropology can influence jurisprudence to the extent of making it recognise the positive side of law and also acknowledge that law is only part and parcel of a wider system of norms, this will be of some benefit to all social science. There is nothing extraordinary in the professional lawyer's exclusive interest in cases of breach, retribution, codified rules and all that is legal only in the narrowest technical sense. A case may be righteous, just and deserving, yet no lawyer will touch it if it does not rest on sufficient evidence ; or if it would arouse some well-known prejudice in a representative jury ; or is technically unsound for any formal reason. No lawyer, however moral and upright, will refuse to take a case which, however sociologically unsound and ethically reprehensible, has really all the strength of law behind it. The practical lawyer's business is to take part in the practical administration of law.

Since most jurisprudence has been written by lawyers it

has obviously followed the bent of legal mentality. And it has adopted an entirely warped and unreal attitude towards the problem of law. In medicine all the sciences grouped round the art of treatment had to be liberated from the commercial casuistry of the profession before sound biology and scientific pathology could produce hygiene and preventive medicine. In the same way, in law, the jurist must first of all free himself from the trammels and impediments of expediency, and then perhaps he will be able to build up an effective technique of safeguards against possible breach and incentives to good citizenship.

It would be easy to show from the history of the last decade or two that the problem has ceased to be academic. The legislatures of the United States for example have been so many factories in which stupid laws, bad laws, unenforceable laws, unnecessary laws, laws which lend themselves to caricature and to that only, have been produced.¹ The enactment and repeal of the 18th Amendment is the culminating case. That law was essentially unsound, and it was enacted just because the most powerful and influential community of our western world were convinced from top to bottom that law has a miraculous power in itself. We might put it that they were convinced of the automatic obedience to law, not this time with reference to savages, but to the citizens of the most progressive community of our modern world.

The 18th Amendment and the Volstead Act could not have been passed or even framed by anyone who honestly wanted to fight alcohol in its evil effects and at the same time had a clear understanding of what laws are, how they work and what they imply. It would be preposterous to doubt

¹ The sociologist can learn more from a serious perusal of Mr. William Seagle's humorous anthology *There Ought to be a Law* (New York : Macaulay Co., 1933) than from volumes of pedantic legal philosophy.

the earnestness, the good will, sincere enthusiasm and honest purpose of those who framed the prohibition laws, enacted them and carried them out ; we can the more vigorously indict our modern sociological attitude towards law.

And it is not nowadays merely America who indulges in the game : make a law and find out how it does not work. The fundamental principle in both of the dominant political tendencies of to-day, communism and fascism alike, is the overwhelming belief in the capacity of legal enactments to work by miracle, and if the miracle does not act, by castor oil, cudgel or pistol. Law threatens to penetrate into every nook and corner of private life, of personal conviction, even of one's personal genealogy. The legal responsibility for the pigmentation on one's great-grandmother's hair or for the aristocratic convictions of one's grandfather, is pushed to such absurd degrees that they would have been unbelievable in the sane civilisation of pre-war days. It is probably undue optimism to hope that science and the scientific treatment of problems of politics, law or sociology can help. But since we deal here with false theories leading to false attitudes which in turn produce absurd political systems, we might as well begin by attacking the theories.

The functional study of law in its modern phases would first of all teach us that there is such a thing as the mechanism of law. Not all rules can be enforced by the cumbersome external mechanism of court and police force. If you try to make this mechanism penetrate where it does not belong, you either make law ineffective or else when you try to make it effective you destroy the very institutions which you wish to build up. The school opened to espionage, the home opened to the police, the churches surveyed by a band of organised hooligans, as happens nowadays on the Continent, the highest court of justice bullied and insulted by one

who ought to have been the guardian of its sanctity—these are the results of the complete disorganisation of law in modern society.

Sociology must demand that the whole problem of law be studied, not from the narrow juridical point of view, but in order to understand what type of legislation, what procedure in court and what forms of police enforcement are beneficial to the sound working of society as a whole. In this two or three fundamental principles are obvious : since institutionalised law must be associated with direct bodily force, since the judge always implies the policeman, the judge must not thrust his nose into matters where he ought to feel that the policeman should not ply his cudgel. Because to the sociologist who takes the welfare of society as a whole there obviously exist alternative methods which work splendidly just where formal law breaks down. Education in the specific sense of a sound education in citizenship might as well show how literally the maxim “ honesty is the best policy ” applies even to the scientific reinterpretation of legal processes. If I am correct in having assumed that the principle of mutuality, the openness of transactions and the systematic dovetailing of reciprocities are at the basis of legal validity in all human societies, then obviously a clear understanding of how law works would automatically make for better citizenship.

In the second place why do we in all our teaching of law invariably over-emphasise the punitive sanction ? This as a spiritual influence obviously tends to make for bad citizenship. Further knowledge teaches us that the emphasis on punitive sanctions is but a half-truth. Positive sanctions are at least as important. Indeed, if we muster even an imaginary statistical survey of the facts of everyday life, we shall find that a rule of conduct is kept a thousandfold for every

breach of it. The working of punitive sanctions does not really come into account because, and this is important, minor breaches or small evasions of rules would not and could not mobilise punitive sanctions.

The real validity of the whole system under which we are living derives from our full recognition partly that it is necessary to submit to it, partly that we benefit by submitting to it, partly that we are impelled by such sentiments as family affection, friendship, patriotism, loyalty to our profession or to our country.

All this seems to have brought us far away from Dr. Hogbin's Ontong Javanese, from our Trobrianders or other primitives. The long and short of the story is that whether we are interested in primitive or modern law, we must study principally the working and not the form of rules. In the practical application of anthropology to primitive societies, we must advise the administrator to be very careful how he changes native custom and law and replaces it by the rulings of a higher civilisation. Because however good a norm of conduct might be it is worse than useless when it does not work. Finally, in modern jurisprudence we must demand a wider vision from the theoretician, a vision which will give him the capacity to help us practically. Law is being used nowadays as a panacea. Politics are running riot. Every thing is to be settled by some grand council or committee of commissars. That way lies real savagery, such as is not to be found in primitive societies. Such artificial rules either do not work or work at such a cost to the most fundamental institutions of mankind : family, religious community, school, and the communion of people for recreation, sport and pleasure, that all the substance of social life and culture is destroyed. From the practical point of view legislation

and the use of law must be put in their proper place, or else civilisation will perish. From the theoretical point of view, the functional approach to law must control both primitive and developed jurisprudence. Through not understanding how law works, we have made innumerable theoretical and practical mistakes. Yet a development of law based on the understanding of human institutions might even now lead us to a sounder organisation of our future commonwealth, and again make possible the development of real culture.

B. M.

PART I

LAW AND ORDER IN POLYNESIA

PART I

CHAPTER I

THE PROBLEM OF SOCIAL OBLIGATION

I

THEORIES OF PRIMITIVE COMMUNISM AND ABSENCE OF LAW

THE attempt to probe the foundations of social order—the quest for an explanation of that acceptance of rules of conduct running counter to individual desires which is an obvious phenomenon of all human society—is a study which has been dear to theorists for many centuries. They have sought for some force which compels the subordination of personal interest to the general good, and have found it in a social contract, a sovereign will, a slavish obedience to “superstition,” an altruism born of religious belief, or a collective soul which so dominates the individual consciousness that every member of a given society spontaneously regulates his actions in the manner best calculated to further the interests of the whole.

Some have sought to establish principles with universal validity which can be applied to humanity at any stage of development, others have concentrated on attempting to trace an evolution of the legal institutions to which we are accustomed from origins inherent in the societies out of which our civilisation grew. All have appealed at some point in their argument to the supposed facts of primitive life, whether as containing the germ of all subsequent

development or as providing material for the study of human institutions in their simplest, and therefore their essential, form.

This tendency is in itself a sound one, for where the history of an institution is known, the changing circumstances which it has had to meet, or the internal defects which it has had to overcome, must help to explain the form which it takes in any given society ; while the study of the simplest cultures should reveal the basic elements in human society more clearly than they can be seen in our complex civilisation.

Unfortunately the material on which most existing theories are based has consisted, not in any serious first-hand study of a living society, but in fanciful reconstructions of history, or in isolated statements from every part of the world, pieced together into a sort of composite picture of the typical primitive community. In the development of law, as in that of every other human institution, we are asked to picture the gradual emergence of individual rights and responsibilities, personal authority and leadership, from a primeval state of communism in which the duties of every individual were automatically regulated by membership of his group. In the case of law in particular, this hypothesis has been invoked to explain another assumption which is itself false—the supposed absence of law in primitive society. Law, it is argued, only appeared as the necessity for it arose, and while one group of theorists have attempted to trace this process, others have sought to discover the forces which took its place in the pre-legal stage.

Thus Maine, who expressly claimed to appeal strictly to historical facts, postulates as the initial stage in the development of culture the village community where the sole authority was the arbitrary caprice of the patriarchal head, until the establishment of the kingship brought order into the chaos. Similarly Kohler, drawing his evidence from a

wider field, describes "the course of humanity's development from the beginning" in terms of a Hegelian alternation between "collectivism and individualism," the first stage being where "mankind acts in groups, the individual is absorbed in the group; the law is the law of the group, not of the individual; the group is the guiding power; labours and amusements are shared in common; and it is not the individual that thinks, but the group. Hence institutions are produced like group-marriage, communal property and common labour."¹ Durkheim's whole theory of moral obligation is based on similar assumptions. One of his cardinal doctrines, the interchangeability of individuals in a primitive society, he holds to be "proved by the general existence of communism."

As long ago as 1898 Maitland condemned the whole study of comparative law for its endeavour to establish what to him was an inherently improbable thesis—the evolution of law along identical lines in all communities—and for its readiness to make assumptions on insufficient evidence. The theory of primitive communism in particular he rejected on this ground; and modern anthropological investigation has shown that what superficial observers took for communism is in fact an intricate system of mutual individual rights and obligations.

The failure to perceive the existence, in primitive communities, of any law other than measures of repression against violence has been due mainly to a too narrow conception of law, as consisting in a body of rules expressly laid down and enforced by institutions existing for the purpose. The legal system has been identified with the person or organisation having the power to create law. Hence the preoccupation of all the evolutionary theories with the emergence of the king or chief, and the picture of him as engaged, once his power was established, in systematically

¹ Kohler, *Philosophy of Law*, p. 51.

destroying the barbarous customs of his ignorant subjects and replacing them with a more enlightened system of rules conceived by himself.¹

Here again the realities of primitive society have been misunderstood. In such societies there is in fact little "conscious effort towards the solution of social problems,"² for in their isolation from external contacts and in the absence of the discoveries and inventions which have moulded the history of civilisation, they have not the constant need of adaptation to changing circumstances which we are accustomed to take for granted when we think of the function of law in modern life. Still less do we see among them the struggle which to Ihering was an essential quality of law. The system of clearly recognised obligations that has been discovered wherever a primitive tribe has been carefully investigated, does not trace its origin to a series of express commands issued by some superior authority, nor is it the outcome of a purposive effort.

II

ALTERNATIVES TO LAW IN PRIMITIVE SOCIETY

The denial of the existence of law has led to the search for other principles to explain the functioning, in its absence, of the mutual co-operation and respect for rights which are obviously necessary to even the most rudimentary society. The explanation has almost invariably been found in the domination of primitive man by religious and magical beliefs, the slavish adherence to custom arising from a perpetual fear of supernatural punishment, for which we are still sometimes invited to pity or despise him. Sir James Frazer undertook the defence of "superstition" in *Psyche's Task*, where he argues that, by strengthening the respect

¹ Cf. Kohler, *op. cit.*, p. 67.

² Cf. Vinogradoff, *Historical Jurisprudence*, vol. I, p. 146.

for government, "especially monarchical government," for private property, for marriage and for human life, it, in effect, takes the place of civil law among primitive peoples. This argument is based upon an examination of rules of tapu drawn from all over the world, a study which is important as showing that tapu is not a system of meaningless prohibitions, but serves to enforce rules which are vital to the social order. But since each of his four sections is built up by the accumulation of examples drawn from all kinds of different sources, he fails to make clear the actual working of the system in any one community, and it is only by combining the features of many different countries that he can make tapu the sanction for all law. In the society which I propose to analyse, the sphere of supernatural punishment by no means covers the whole field of binding obligations ; it is limited to certain specific rules of conduct which have special characteristics in common.

A similar result is reached from a very different starting-point by Benjamin Kidd's defence of religion against the rationalists on the ground that its universality proves it to have some essential function in the social organism. This function Kidd defined as "providing an ultra-rational sanction for that large class of conduct in the individual where his interests and the interests of the social organism are antagonistic, and by which the former are rendered subordinate to the latter in the general interests of the evolution which the race is undergoing."¹ To him the essential value of religion is as a force impelling the individual to sacrifice himself for the good of humanity. He relies for his conclusion less on positive data than upon a rather naive analogy between the process of natural selection in biology and the supposed evolution of human societies, and is misled by the assumption that the self-abnegation which is so marked a feature of Christianity is an essential character-

¹ *Social Evolution*, pp. 105 ff.

istic of all religion ; but the recognition that any universal human institution must be explicable in terms of some function which it performs in society is of cardinal importance.

Yet another approach to the interpretation of religion as an integral element in the structure of human society is that of Fustel de Coulanges, who explains the whole political history of early Greece and Rome as the story of the development of the Pantheon through the adoption by the city-state of the ancestral gods of powerful families, and argues from the correlation which he finds between religious dogma and social organisation that in modern civilisation, with its entirely different system of religious beliefs, any attempt to imitate classical institutions must be futile. This work has the great merit of regarding society as a coherent whole from which a single element cannot be rooted up and transplanted bodily ; but its explanation of the force of religious dogma inverts cause and effect. We shall see that religion reflects rather than dictates social relationships.

More acceptable to the anthropologist is the interpretation of the American sociologist Sumner, who writes : " Religion comes out of the mores and is controlled by them. The religion, however, sums up the most general and philosophic elements in the mores and inculcates them as religious dogmas." The mores are the standardised values and modes of behaviour which each individual imbibes from his social environment. A similar weight is attached to the influence of custom in Westermarck's *Origin and Development of Moral Ideas* (vol. 1, p. 9) : " The laws themselves command obedience more as customs than as laws . . . Among ourselves the ordinary citizen stands in no need of studying the laws under which he lives, custom being generally the safe guiding star of his conduct." This recognition of the influence of tradition in regulating the behaviour of a man towards his fellows, which is entirely

lacking in the seekers for the hypothetical first lawgiver, marks a great advance in social theory ; but the force of custom is essentially a *vis inertiae*, and though it does explain the acquiescence of the vast majority of humanity in the duties imposed on them by society, it is not in itself sufficient to account for their actual performance.

The most famous theory of morals is that of Durkheim, who finds the source of all moral obligation in the influence of society itself. Society he conceives not as a mere sum of individuals but as an entity with a separate existence, which in a primitive community entirely dominates the individuals who compose it.¹ In such a community, where the members are not differentiated by a division of labour assigning to each his particular task, "individual personality does not exist. . . . The individual has no sphere of action peculiar to himself, as is proved by the general existence of communism."² Even the emergence of chieftainship, in which individual personality for the first time disengages itself from the mass, is ascribed not to the dominating force of some strong man but to the need of society to delegate its diffused force to a single representative. "La despotisme n'est autre chose que la communisme transformée."³

This almost personified society has its own soul and its collective consciousness, outside and above the minds of the individual members. In a homogeneous primitive society the similarity of sentiments and beliefs in all the members so greatly outweighs their personal differences that "the individual consciousness is hardly distinguishable from the collective consciousness."⁴ Indeed, except in the realm of physical sensation, which must remain purely individual, "primitive consciousness is almost completely external."⁵

¹ Durkheim, *Règles de la Méthode Sociologique*, ch. 1.

² *Idem* : *La Division du Travail Social*, p. 171.

³ *Ibid.*, p. 173.

⁴ *Ibid.*, pp. 99, 170.

⁵ *Ibid.*, p. 175.

This collective consciousness creates in the members a strong sense of solidarity—of unity and common interest—which is renewed and intensified by periodical religious ceremonies in which it is obligatory for the entire group to take part.¹ The object of worship round which such ceremonies centre, whatever its form, is always in fact a personification of society. From the sense of solidarity springs the voluntary obedience to the moral law of the majority of the individuals² and the unanimous reaction against any breach of law as an offence felt by the whole group. Such a strong emotional reaction must be expressed in violent measures against the wrong doer, and this is the mainspring of the repressive law which is characteristic of primitive societies.

The importance of collective ceremonies in stimulating the sentiments which tend to produce social cohesion has been demonstrated by Radcliffe-Brown from his own observations among the Andaman Islanders.³ But Durkheim's explanation of the source of such sentiments is unacceptable. Modern psychology altogether rejects the collective consciousness, while anthropological investigation reveals no counterpart in reality to the typical homogeneous society which he assumes. The individuals of whom he treats are apparently born adult into a community with no history, for he disregards completely the influences of tradition and upbringing in the formation of social sentiments and social behaviour.⁴ The material to be adduced from Oceania will demonstrate that there is no such complete domination of the individual by his group as Durkheim

¹ Durkheim, *Elementary Forms of the Religious Life*.

² "Partout où il y a des sociétés il y a de l'altruisme parce qu'il y a de la solidarité," *La Division*, p. 174.

³ A. R. Radcliffe-Brown, *The Andaman Islanders*, chap. v.

⁴ Cf. *Règles de la Méthode Sociologique*, p. 7. "Je ne suis pas obligé de parler français avec mes contemporains, ni d'employer les monnaies légales ; mais il est impossible que je fasse autrement." Is it really necessary to assume a collective mind in order to explain such a situation? Cf. Malinowski, *Argonauts of the Western Pacific*, pp. 326-7.

postulates, and that in every form of social cooperation there are definite positive motives which compel each participant to do his share.

The fallacy of the "dogma of the automatic submission to law" has been conclusively demonstrated by Malinowski in his *Crime and Custom in Savage Society*, in which he shows that social order rests not on some such simple universal principle, but upon a complex interaction of stimuli which combine to make it worth the individual's while to carry out even distasteful obligations. Of these the most important—a fact which had previously been entirely ignored—is the reciprocal nature of all social co-operation. It is this give-and-take, in which each partner's contribution is jealously watched by the person who has to repay it, and not the altruism of the Golden Age, which makes the evasion of duty difficult, and beyond a certain point impossible. Social ambition—the prestige attaching to over-fulfilment—reinforces self-interest, but does not replace the binding force of this reciprocity. Those customs which are followed solely because they are prescribed by tradition are not of a burdensome nature, nor at variance with individual interest or inclination, and cover but a small part of the whole field of traditional rules. Thus primitive societies are shown to have, in addition to the repressive law of Durkheim and the legal theorists, which was brought into action only by a flagrant violation of the established order, a whole system of civil law—of binding obligation governing the intercourse of daily life and enforced by "a specific mechanism inherent in the structure of the society."

III

INFLUENCES TO BE STUDIED

The object of this book is to analyse the forces which operate, in the societies under consideration, at all stages of the individual's life to ensure his conformity to social standards of conduct. We shall have to consider first the formative influence of education.

As each individual passes through childhood he tends more or less unconsciously to act according to accepted traditions and usages in order to dovetail comfortably into the life going on around him. Direct instruction is given by the parents and other companions, and often compulsion is involved, but more usually the child finds simply that his own comfort and peace depend upon his behaving in a manner that will be approved of or at least call for no comment from other people. At first he experiments, hardly of set purpose, but he soon comes to realise the boundaries set, and does not then usually overstep them. Soon his actions become habitual, and he obeys the laws of tradition and precedent simply because it does not occur to him to do otherwise.

As he grows up his circle of social relationships gradually widens, and in course of time he becomes an active member of various social groups, most of which are correlated with economic activities. Thus he will perhaps be a member of a household, a land-owning group, and a hunting or fishing group. The organisation of these groups is often determined by the mutual dependence of the members in a manner similar to that described by Malinowski among the Trobriands. It is frequently the rule, for instance, that the men of the household provide a certain amount of the food, and that the women prepare it for consumption. This rule is obeyed in part because offenders are automatically penalised. A

man who does not produce food is not fed by the women, and a woman who does not cook is not given food by the men. The organisation of other groups, again, is determined by the reciprocal relations in which the members stand to one another. We may therefore say that some, at all events, of the rules relating to conduct between individuals are obeyed because the society is made up of groups of persons who are closely bound together. Even then obedience is often partial, and there are persons who, assured that they can by some means escape the consequences, will shirk their responsibilities.

As the social horizon widens the individual finds more and more rules which he has to obey. Many of these he accepts without much thought because by this time he habitually acts in the same way as other people. Some he is bound to find irksome at first, and again compulsion may be brought to bear by the society, for all breaches of social rules have to be expiated. Rules, in fact, to be effective must always be provided either with penalties which can be imposed upon those who fail to obey them, or with some other mechanism of compulsion. The penalties vary greatly with the rule and the society. They may amount to public disapproval only, or they may involve the offender's death. If training and habit are insufficient, then these penalties can be invoked. On the whole this seldom happens, but the thought of evil consequences is a consideration not to be ignored. Many rules are also backed up by the belief that failure to observe them will lead to dire results through the intervention of spiritual forces. Others provide not only penalties for disobedience, but rewards when they are obeyed with special care.

Finally we must take into account the moulding force of tradition, and the influence which results from mere membership of any given society, from sharing a common language and a common material and spiritual culture. Participation

in the life of a community inevitably creates a whole series of emotional ties. This feeling of unity itself tends to make each member respect the rights of his fellows and carry out his obligations to them. It is revived and strengthened from time to time by religious ceremonies in which the whole group takes part.

I propose first to apply these generalisations to an examination of the society of Ontong Java, a Polynesian settlement in the Solomon Islands where I myself carried out an ethnographical survey. I shall then deal with such material as is available from Tonga, Samoa and Hawaii and attempt to show how far the same conclusions are applicable to these areas.

PART II
ONTONG JAVA

PART II

ONTONG JAVA

CHAPTER II

SOCIAL GROUPINGS AND THE KINSHIP SYSTEM

I

ONTONG JAVA—CLIMATE AND PEOPLE

ONTONG JAVA is a coral atoll lying to the north-east of the Solomon Islands, in the western Pacific Ocean, round about latitude five degrees thirty minutes south and longitude one hundred and sixty degrees east of Greenwich. The nearest island of importance is Ysabel, of the Solomons, one hundred and sixty miles to the south-west.

In naval and other charts Ontong Java, sometimes spelt Ongtong Java,¹ is also called Lord Howe's Group and Leueneuwa. The first of these names is inconvenient, because there are at least three other Lord Howe Islands in the Pacific. Leueneuwa is a clumsy attempt at writing the native name of the largest island, which I spell Luangiua.² This name should never be applied to the whole atoll, for which there is no native name.

No accurate map of Ontong Java has ever been published.³

¹ I have myself wavered between these two spellings, but have now definitely decided to adopt Ontong Java.

² Hitherto I have compromised with Luaniua, but here I shall use Luangiua. The *ng* is pronounced as in "singer," not as in "finger."

³ The map in vol. II of Sarfert & Damm's *Luangiua & Nukumanu* gives the outline correctly but the islands are wrongly named.

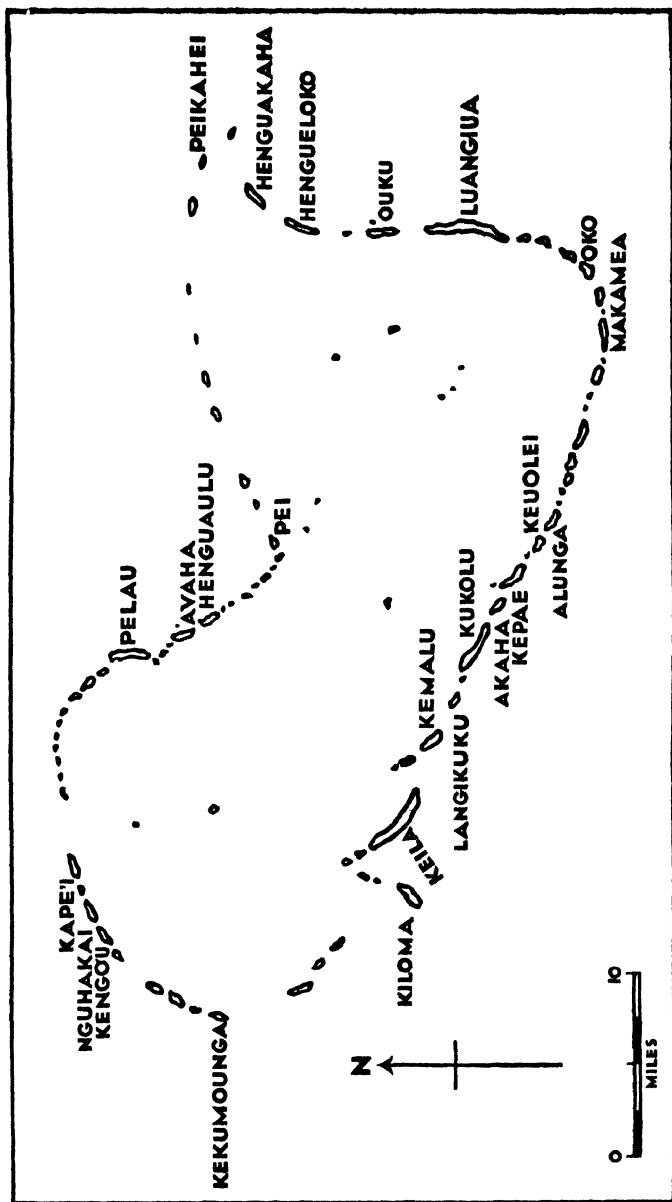
The accompanying chart has been compiled from Admiralty sketches and my own observations. It pretends to no accuracy of detail, but the main features are shown with sufficient correctness for our present purpose. A glance at this chart will show that the atoll is made up of a hundred small islands lying in and around a lagoon forty miles long by twenty broad. These islands are only a few feet above sea level and are all of coral formation. The largest island is Luangiua, which is between four and five miles long and only three to four hundred yards wide at its widest point.

The climate is, of course, tropical, and the rainfall is exceptionally heavy. There are two seasons dominated respectively by the south-east trade wind and the north-west monsoon. The monsoon season is probably the wetter of the two, though not to any considerable extent. The mosquitoes are generally very bad, and most of the natives suffer from malaria.

Owing to the porous nature of the rock there are no streams. Fresh water is obtained from wells which have a slight tidal rise and fall.

Rats and flying foxes are the only mammals found on the islands, though there are many birds, and in the lagoon fish are to be found in great abundance. The flora is limited in variety, but such plants and trees as are found grow in great luxuriance. All the islands are thickly clothed with coconut palms. Coconuts, with fish, are the principal food of the natives. Taro is cultivated, and grows in swamps found on some of the larger islands.

At the beginning of the last decade of the nineteenth century, or earlier, two trading stations were established. In 1893 Germany annexed the atoll, but in 1900 it was handed over to Great Britain, with the islands of Choiseul and Ysabel, in exchange for the British rights in Samoa. Ever since then Ontong Java has been administered by the



ONTONG JAVA

Resident Commissioner of the British Solomon Islands Protectorate.

The population was in 1907 estimated to be in excess of five thousand; in 1928 it had diminished to less than seven hundred. There will probably be no natives left after a few more years.¹

I made two visits to Ontong Java during 1927 and 1928, spending in all nine months there, during which I lived in houses of native construction actually in the villages. The house, called Kuasauma, in which I lived at Luangiua village, is marked in one of the maps.

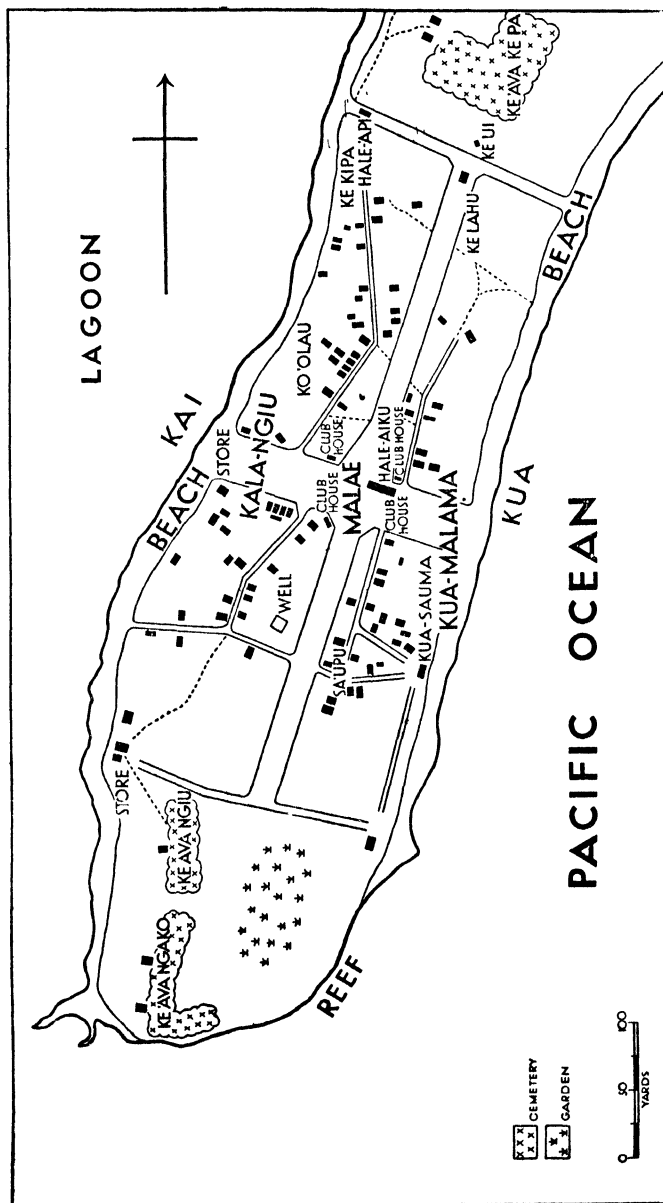
During my stay I made sufficient acquaintance with the native language, a dialect of Polynesian,² to enable me to engage in conversation and to understand ordinary talk, but I was not able to dispense entirely with the services of an interpreter when I interviewed informants for long periods, especially if the more esoteric aspects of religion were discussed. I was fortunate in securing for this purpose a most intelligent native, a man named Ma'o, who translated into pidgin English. Had it not been for him my record would have been even more inadequate than it is.

Formerly there were dwellings on practically all the islands, and large villages on Luangiua, Pelau, Keila, Kiloma, Kepae, Kemalu, and 'Avaha. The only two villages of any size to-day are on Luangiua and Pelau.

The people are divided into two tribes. The members of one tribe, the less important both socially and numerically, own the part of the atoll near the island of Pelau, while the members of the other own all the remaining islands. Each tribe has its main village, one situated on Pelau island and

¹ The chief cause of depopulation is probably disease introduced by Europeans, especially malaria, influenza, tuberculosis and dysentery. A mission was established some years ago but abandoned shortly afterwards, and does not seem to have exercised a directly destructive effect on native culture.

² See my "Notes on a Grammar of the Language of Ontong Java," in *Bulletin of the School of Oriental Studies*, 1930.



LUANGUIA VILLAGE

one on Luangiua. They have no distinguishing native names, but it will be convenient to call each after its own island.

Each tribe is made up of a number of joint families, groups of individuals who are closely related. The joint family forms a compact unit, for it is practically autonomous, and the members own land and property jointly. Other economic units are the canoe-owning group, the house-owning group, the gardening group and the household. The tribe as a whole combines only to carry out religious ceremonies, the most important of which centre around the *sanga* rites, performed for one month of every year. Each tribe has a temple in its main village, and here ceremonies were formerly carried out daily by the priests.

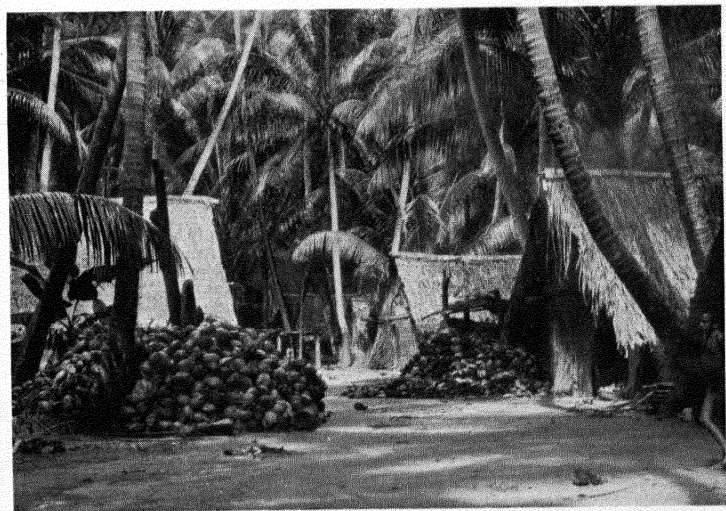
The majority of the Ontong Javanese are a light copper colour, though some are darker, and some are as pale as a sun-tanned Englishman. The hair is generally wavy, but again there are exceptions, varying from perfect straightness to a woolly mop. The lips are of a medium thickness and the nose is slightly flattened. The features are on the whole regular. The average height of the man is probably about five feet six inches.¹ The men especially are well-built and comely. The women are less beautiful, according to our standards, though their appearance is superior to that of the Melanesians of the Solomon Islands.

The houses in which the people live are well built. They are rectangular in shape, made on a framework of timber. Coconut leaf mats tied to this frame serve as walls, and the roof is of pandanus leaf thatch. The interior is divided into two parts by a balk of timber or a step. The floor is simply well-trodden earth, and in one part of the house is overlaid with mats. This part serves as a sleeping room, the rest of the house being used as kitchen and living room.

¹ I made a number of physical measurements, but up to the present have had no opportunity to work on them.



2a. THE ATOLL OF ONTONG JAVA



2b. A STREET IN THE VILLAGE OF LUANGIUA

In the centre is the oven (*umu*) of coral stones and a small fireplace, where in the evening dry coconut spathes are burnt to give illumination. The various utensils, such as food bowls, pestles and coconut scrapers, hang around the walls. These houses are generally kept scrupulously tidy. They are swept at least once every day by one of the women with a broom made from coconut spines, all food scraps and rubbish being buried on the shore.

II

ECONOMIC ACTIVITIES

I propose to begin the survey of law and order in Ontong Java by giving some account of the economic activities of the people in relation to their social grouping.

The three principal articles of diet are fish, coconuts and taro. A number of methods of fishing are used, hook and line, lure, nets, traps, spears, etc. By far the commonest method is hook and line. A party of men take a canoe and paddle or sail to a spot in the lagoon where fish are known to be plentiful. They bait their hooks and fish either until sufficient have been caught, or until the bait is exhausted. The operations which such an expedition involve may be divided into three : (a) making the tackle and the canoe, (b) collecting the bait, and (c) the actual catching of the fish.

In the old days every child was taught how to make hooks and lines. As a rule hooks were cut out of turtle shell, but trochus shell and wood were also used. Fishing lines were plaited from sennit or hibiscus fibre.¹ Anyone could supply himself with this equipment without much assistance from other persons. A boy might use his father's tackle.

¹ Fishing lines are still made from sennit and fibre, but it is more usual to buy them at the store.

If you question the crew of any fishing craft you will probably find that only one of them could construct a canoe. Sometimes not even one member of the crew has the necessary knowledge. Clearly, then, in this part of the operations most individuals are dependent upon someone else, usually one of the older men. Canoes are generally made from drift logs, which are hollowed out into dug-outs. A strake is added, and an outrigger attached to one side to give balance. Sails used to be fashioned out of pandanus leaf mats, but their place has now been taken by calico. The mast is not a fixture, and the canoe cannot be sailed against the wind.

The collection of bait is not always a simple matter. If hermit crabs are to be used, sufficient can be found within a few minutes, and if dead fish only are required the children are sent along the reef to catch small fry the day before. But if the bait is to be kept alive, which is always the case when the most favoured fish are sought, an elaborate apparatus has to be constructed, a seine of coconut leaves, a bag of calico or of finely-woven hibiscus fibre, and a bait basket. This bait basket is lashed to the outside of the canoe with its bottom in the water. By this means the fish used for bait are kept alive, but at the same time are conveniently placed when required. This basket and the calico bag last for several months, but the life of the seine is never more than a few weeks. All three necessitate the services of at least half a dozen persons to make them.

When a man wishes to go fishing he has first to provide himself with tackle, then to get an old man to make him a canoe, and finally to ask for the assistance of five or six others, before he can secure the bait with which the best fish can be caught. Even then he cannot set out alone. It is true that there are canoes so small that only one person can sit in them, but they are of no practical use and may be regarded as expensive toys. I have never seen anyone

set out alone to catch fish, and I doubt if anyone ever did. A crew of three is regarded as essential, one man to sit forward to direct operations, one to sit aft to steer, and one in the middle to bail. In sailing three persons are required to step the mast and rig the sail. Sometimes as many as ten or a dozen navigate a large canoe.

As a rule the group of men who fish together is a definitely constituted body which owns the canoe and some of the tackle jointly. The constitution of this group will be discussed later. For the present it will be referred to, for the want of a better term, as the fishing group.¹

A man is not free to gather coconuts just as he may want them. The property on which they grow is also owned jointly by a body of people, of whom the members of the fishing group form a part. This body is the joint family. Provided a man is living on or near the property of his joint family, he may take a coconut and eat the flesh when he is hungry, or drink the fluid if he is thirsty. But matters are not always so simple, for he may not be living anywhere near his property. In that case he has to rely on what his relatives bring him.

Women are practically dependent on their menfolk for coconuts,² as well as for fish, but the men are also entirely dependent on the women for taro. The taro plant will only grow in swamps and requires a good deal of cultivation and attention. Each taro garden is usually about one hundred and fifty square yards in area. Banks of earth sometimes four feet high are piled around the edges to retain the water. Frequently five or six gardens are enclosed within one set of banks, the boundaries between them being marked by rows of coral boulders. Women own the gardens and do all the

¹ There is no word in the native language for this group.

² In the reign of King Uila (about 1880) certain land which was formerly common was divided among all married women of the tribe. This has since been inherited from mother to daughter. Thus some women are able to supply themselves with coconuts.

work connected with them. Usually a number of women own several gardens in common. Such a group will be referred to as the garden-owning group.

Practically all the cooking is done by the women, so that the men have to depend upon them for their meals. There are also many activities connected with the collection or preparation of food, the performance of which is the exclusive duty of one or other sex.

On certain occasions, such as betrothals, births or funerals, exchanges of food are made. For example, when a young girl is betrothed her parents present taro puddings to the parents of the boy. This gift is returned by one of coconut and fish. I witnessed one such exchange at which two taro puddings each almost four feet square were presented. The return gift included sixteen thousand coconuts and ten baskets of dried fish. The collection of such a huge quantity of coconuts requires considerable time and effort and would take one man several weeks or even months. Instead, he goes first to the head of his fishing group and tells him what he wants. This man brings the matter before the headman of the joint family, and he gives orders for perhaps half a dozen men to give the required help.

Clothing is perhaps not a vital necessity in Ontong Java on account of the tropical climate, but a certain amount is, nevertheless, considered to be essential. The Ontong Javanese are among the few Polynesian peoples who make their clothing on looms. I should have used the past tense, for only two or three are to be found to-day. Calico has almost completely replaced the finely woven mats of the pre-European era. The gay colours of Japanese cotton goods appeal to the native more than his own simple brown, yellow and orange dyes. He also finds it easier to make copra in order to purchase calico than to prepare fibre and acquire sufficient skill to work the loom.

It was always only the older men who could weave.

Generally no more than one or two members of any fishing group had the necessary skill, and the rest had to rely upon them for their clothing. The younger folk helped to collect the hibiscus fibre used in the process, but since the looms were mostly kept in the club houses, where only men of twenty-one and over were permitted to go, they took no further part in the manufacture.

It was much the same with tools, such as adzes. Only the senior men had the skill required to make them. The younger men and women collected the *Tridacna gigas* shells from which they were made, but took no part in fashioning them.

In the matter of houses the sexes are as in the matter of food interdependent, for the men put up the framework of the building and the women make the thatch and the mats used for walls. Quite frequently a man does not own the house in which he lives, and may even take no part in repairing it, or in rebuilding it when it has become dilapidated. He must rely upon strangers for protection from sun and rain, while others often depend upon him for the repair of the house in which they live.

In other ways too he has to rely upon his fellows. Thus very often he does not choose a wife for himself, but relies upon his relatives to do so for him. When it is agreed that the two are to marry certain ceremonies are performed by the relatives before they may live together. Should the relatives fail to carry out these ceremonies then the children will be illegitimate, and a stigma will rest on them for life.

Marriage leads to a host of new obligations, not only to the wife, but to her relatives. Assistance has to be given to them when it is required, and presents of food have to be made from time to time. In return the husband can demand assistance from his wife's relatives and may rely upon them to help him support his family.

In the early years of life the parents look after their children themselves, but as time goes on they depend more and more upon others. A boy is educated not only by his father, but also by the brothers of his father and mother. A girl is educated by her mother, her mother's sisters, and sometimes by her father's sisters.

III

KINSHIP GROUPINGS

Most of the activities which have been described give rise to well defined permanent co-operating groups, which will have to be examined in detail. But it is necessary first to explain the system of kinship groupings with which they are closely related. Since kinship ties and sentiments develop progressively through life, the whole system can best be understood in the light of a typical life-history.

The greater share in the education of a boy is taken by the father.¹ He keeps him supplied with food during childhood and later shows him how to acquire it for himself. He plays with his son while he is young, and the two become close companions, though the boy is taught that he must obey and assist his elders. The father also tells his child how he is to treat strangers to whom he is related.

The father perhaps even more than the mother teaches the boy the rules of etiquette, and not always by kindly instruction. Fathers may often be heard scolding sons guilty of unbecoming conduct. Once I heard a father say, "If you behave like this people will think you come from Malaita." The Ontong Javanese are familiar with the Malaita natives because the trading ship which visits Luangiua has a crew of Malaitamen. They are darker in colour and are despised as uncouth and lacking in polish.

¹ *Vide* my article, "Education in Ontong Java," in *American Anthropologist*, 1931.

Children soon acquire habits of good conduct either by instruction or by watching the behaviour of their elders.

The child gets to know his father's brothers quite early in life, especially the eldest of them. They come to see him when he is small, and, though at first they are scarcely permitted to touch him, when he has grown a little they nurse him and play with him just as his father does. When he is old enough to walk about the village his father takes him to see these uncles, and he soon learns that he is always sure of a welcome in their houses, and of a meal when he is hungry. Later on, after he has grown to boyhood, his father takes him out fishing, and again it is these same uncles whom he meets in the canoe. They show him how to navigate, how to bait the hook, and how to make sure of catching fish. Sometimes they invite him to accompany them on their voyages to outlying islands, and he may even take up his residence for a time with one of them.

The father's brothers thus treat their nephew very much as the father does, though naturally they rarely become such close companions, and the relationship is seldom tinged with the same emotional regard. It is not surprising to find that the kinship term for the father is also used for his brothers. I do not mean to suggest that the boy confuses his father with these men, for he does nothing of the kind. If he is asked who is his father he will always give the name of his real father, and if asked if such and such a person is his father he will always say whether the man is actual father or only stands in the same relationship. The term for father is *kamanga*. Where confusion is likely to occur the true father is referred to as *kamanga hamaongi*,¹ to distinguish him from the other men with whom he is classified. These other men are sometimes spoken of as *kamanga e lalao*, stolen fathers.

The boy is taught that the eldest brother of his father

¹ *Hamaongi*, literally, true.

must be treated with additional respect, and that he must obey his orders with special promptness.

The term *kamanga* is extended laterally to include the father's male cousins of the same generation, up to the fourth or fifth. Some of these men may be much older than his father and some much younger. Some may even be younger than the boy himself. When he meets one of those who are older he is told that he must act towards him as he does towards his father, and if they meet very frequently their behaviour does take on the colour of the father-son relationship. The man treats the boy more or less as a son, and he in return respects his wishes and does him little services. Where the two do not come into contact very often, or where they are of nearly the same age, the name loses most of its significance, and no definite system of conduct is to be observed.

Two adjectives are used to indicate whether a cousin classified as a *kamanga* is closely or distantly related to the father. Distant cousins are spoken of as *kamanga e mao* (*mao*, far away) and close cousins as *kamanga kapili* (*kapili*, near).

In infancy a child rarely leaves his mother. He is almost entirely dependent upon her for nourishment, and, naturally, he becomes strongly attached to her. Both father and mother share in the early education of the child, but the latter is always the more indulgent of the two. A father may occasionally box his son's ears, but I have very rarely known a mother administer more than a scolding. As the boy grows older he retains a strong affection for his mother, and so does she for him. He usually goes to her for comfort if he has hurt himself until he has reached fourteen or fifteen years of age.

Housing is arranged so that sisters frequently share the same dwelling. Each sister has her own husband and children to attend to, but, since they live in such confined

quarters, these women generally share many of their tasks. Thus one day perhaps one woman will do the cooking while her sister minds all the children. The next day the positions may be reversed, so that the cook of yesterday becomes to-day the nurse, and the nurse of yesterday becomes the cook. Under such conditions, although he never fails to realise who is his true mother, the child comes to regard all these women in much the same light. If the mother is busy it is to one of them that he will go when he wants something to eat or something done for him that only a woman can do.

The word for mother is *kinga*, and, with a qualifying adjective if necessary, this same term is applied to her sisters. Outside the household it is used for female cousins of the same generation as the mother¹ in exactly the same way that *kamanga* is. The boy is taught that they are all to be treated as mothers when the need arises. As a matter of fact, a number of them he rarely sees. Still, they are his "far away" mothers should he require anything, for instance, a meal when staying the night in a remote village where one of them has her home.

The term *kinga* is also used for the wives of all persons called *kamanga*. The wives of his father's brothers do treat him very much as a son, for they welcome him in their houses and cook food for him. He comes to look upon them partially as mothers and is almost as much at home in their houses as in his own, though they never displace the real mother in his affections. The position of the wife of a remote *kamanga* as a boy's *kinga* is naturally not important.

The reciprocal term for *kamanga* and *kinga* is *kama*, child. The qualifying adjectives *hamaongi*, *lalao*, *kapili*, and *mao* are also used with this word.

So far my remarks have been confined to boys, but very much the same might be said of a girl, except that she sees

¹ Up to fourth or fifth cousins.

less of her father and his brothers and more of her mother and her sisters. This is only natural, for the girl has to be taught the work of a woman, while the boy has to be taught the work of a man.

Brothers stand very close to one another and always help one another in the ordinary affairs of life. They own canoes jointly and go on fishing expeditions together. In times of trouble it is always a man's brothers who come to his assistance. The eldest brother is always looked up to and respected by the rest of the family, not because of any inherent tapu associated with his birth or position, but simply because he is older than any of the others.

A boy is bound to meet his father's brothers' sons quite frequently, and they generally become trainees in the fishing canoe at much the same time. They are taught to assist one another as brothers, and they frequently end by owning property jointly.

The sons of the first cousins do not meet quite so often, but they do at times, and they too learn to aid each other when the need arises. A boy is also taught to regard the sons of all the men whom he calls *kamanga* as brothers, and when they meet frequently their behaviour is certainly similar, though it has not this characteristic if they do so only on rare occasions.

The term for brother, when a man is speaking, is *kainga* or *hangau*. This is extended to cover all the boys or men of whom we have been speaking; namely, the sons of the men to whom the term *kamanga* is applied. It is also extended on the mother's side to sons of all the women called *kinga*. The sons of the mother's sisters are indeed treated almost as real brothers. They all grow up together, so there is nothing unusual in this. When the term is applied to the sons of "far away" mothers, however, it is little more than a name.

Sisters stand in as close relationship to one another as

brothers do. They too own property in common—garden land—and they assist one another in all sorts of ways. The word for sister, when a woman is speaking, is again *kainga* or *hangau*. These terms, and the behaviour associated with them, are extended by women in the same way as used by men.

Sexual relations between brother and sister are absolutely forbidden, and they have to avoid one another to a certain extent. Once they have reached puberty they may never be seen together in any house but their own, unless a crowd is present. Even in their own house they may not eat together, nor may they ever mention any topic remotely connected with sex. It is also considered impolite for anyone else to do so within their hearing. This pattern of behaviour is extended on both sides to all the children of the men and women respectively classified as *kamanga* and *kinga*. When the relationship is very remote the regulations are somewhat relaxed, but not to any great extent. Thus, while a real brother and sister may not eat in the same house, a “far away” brother and sister may do so if they sit in opposite corners with their backs to one another. Sexual relations are always forbidden.

The kinship term used by a brother of a sister, and by a sister of a brother, is *'ave*, and this is extended on both sides. The qualifying adjectives are again employed.

The mother's brother is expected to teach the boy a number of things, especially any religious formulae that he knows, and it is regarded as part of his duty to give him presents and to invite him to his house. At the same time, he is not expected to be at all severe with the boy. This man introduces him to all the men from whom he may expect the same indulgence, his brothers and the persons classified with them. The boy generally ends by regarding these men, and his mother's own brothers in particular, as kindly elder relatives whom he may visit at any time, especially when he

wants something or when he is in trouble. He is expected to help them, but it is very seldom indeed that he is actually asked for assistance.

The term *lamoku* is used for the mother's brother and these other men, and they use the same term for the sister's child. The wife of the *lamoku* is called *kinga*. His children are treated vaguely as brothers and sisters and referred to as *kainga* and 'ave. Girls use the same kinship terminology as boys and are treated in somewhat the same manner by their uncles.

Grandparents are expected to teach their grandchildren the history of their ancestors. They are called *kipunga*, and refer to their grandchildren as *mopunga*. These terms are also extended laterally.

When a man marries he acquires almost as many new relatives as he already possesses, for he now regards himself as related to most of the persons to whom his wife applies a kinship term. At first he avoids his parents-in-law, but as time goes on this avoidance is less and less rigorously observed. Finally the only trace is that they avoid the use of one another's personal names. In the same way his wife avoids using the names of his parents, and they avoid using hers. Sons and daughters assist their parents-in-law in all undertakings of importance, and in return the latter have obligations to fulfil to their children-in-law, the most important being to provide food for distribution at the birth of any children. In this they are assisted by the persons classified as their "close" brothers and sisters.

The term for parents-in-law is *hingaunga*, and this is also applied to their real brothers and "close" brothers and sisters. The term is also used reciprocally for children-in-law.

Although neither the levirate nor the sororate are practised in Ontong Java, a man usually lives in the same house as his wife's sisters. The relationship between them is as a rule friendly. The food which he provides goes towards

the common store, to which their husbands also contribute. All the women join in cooking this food, and in the end it is eaten by the whole household.

The husband and the wife's sisters call each other *kainga*, the term, as we saw, for brother (man speaking) and for sister (woman speaking). The term is extended to cover all the women to whom it is applied by the wife, but brotherly behaviour is only to be observed between a man and the women who are allied to his wife by strong blood ties. The husband's brothers and the wife also refer to one another as *kainga*.

A man may not go near his wife in the presence of her brother, and she may not go near him in the presence of his sister. Even when his wife is not present a man is expected to avoid all references to marriage and sex when his brother-in-law is near. The same may be said of a woman in the presence of her sister-in-law. More noteworthy still is the fact that neither brothers-in-law nor sisters-in-law may use one another's personal names. These regulations are also observed between the husband and all the men whom his wife calls *'ave*, and between the wife and all the women to whom her husband applies the term, though when the blood tie is weak they are somewhat relaxed. The husband and his brothers-in-law use the reciprocal term *ma*, and the same word is employed by the wife and her sisters-in-law.

All these traditional patterns of behaviour are sanctioned by public opinion, and a person who treats a relative in an unbecoming manner is strongly disapproved of. Within the individual family, as one would expect, the patterns are seldom violated. Even outside this small group the force of tradition is strong, and early training soon imposes habits of conduct.

As a conclusion to this section it will perhaps be convenient to tabulate the kinship terms and the persons to whom they are applied.

- kamanga* : father, father's brother, mother's sister's husband ; less commonly it is also applied to child and brother's child, etc. (man speaking), and wife's brother's and sister's children.
- kinga* : mother, sister of either parent, wife of the brother of either parent ; less commonly it is also applied to child and brother's and sister's children (woman speaking), and husband's brother's and sister's children.
- kama* : child, brother's child, consort's brother's and sister's children, and (when a woman is speaking) sister's child.
- hangau and kainga* : brother, son of the brother or sister of either parent (man speaking), and (when a woman is speaking) sister and daughter of the brother or sister of either parent ; the term is also applied to the wife's sister, wife's sister's husband, husband's brother, husband's brother's wife, and (when a man is speaking) brother's wife, and (when a woman is speaking) sister's husband.
- 'ave* : sister, daughter of the brother or sister of either parent (man speaking), and brother, and son of the brother or sister of either parent (woman speaking).
- lamoku* : mother's brother and (when a man is speaking) sister's child.
- avanga* : consort.
- veisoa* : co-consort.
(All of the children of a woman's husband are her *kama*, but she applies no relationship terms to the relatives of his other wives. Half-brothers call one another's mothers *kinga*, but there are no terms for the relatives of a step-mother.)
- ma* : wife's brother and husband's sister, also sister's husband (man speaking), and brother's wife (woman speaking).

hingaunga : child-in-law, parent-in-law (in detail as follows : child's consort, sibling's child's consort, consort's parents, siblings of the consort's parents and their consorts, and also consorts of the children of the siblings of the consort).

mopunga : grandchild, i.e., any of the children of any of the above relatives who fall into the second generation below.

kipunga : grandparents and consort's grandparents, i.e., any of the parents of any of the above relatives who fall into the second generation above.

None of these relationship terms is ever used in address. Personal names are applied exclusively, even to parents.

IV

GROUPINGS OUTSIDE THE FAMILY

The family with its system of mutual obligations forms the nucleus of various wider groups. Every normal adult is a member of two families, as parent and as child. For a man the family in which he grew up provides him with a group of companions on whom he can count for assistance in carrying out his principal duty towards the women of his household, the provision of fish. The permanent group of men who own canoes in common, go out together and teach their children the technique of sailing and fishing, are a group of brothers.

Within the family the function of leadership falls to the father, and the mother and children, at all events in theory, have to obey him. In the fishing group the eldest brother normally finds himself acting in this capacity. The older members have from birth treated him with respect on account of his seniority, and the younger members soon learn to do so. If, however, the father of the brothers—the grandfather of the children—is alive, he is the leader,

and all have to obey him. The leader directs the expeditions, divides the catch, and generally acts as the head of the group.

It is easy to see how the kinship system reinforces the organisation of this group. The leader is either the grandfather or the man to whom respect is in any case due. The potential leaders and the educators are the men who are treated as fathers, and the boys who are to be trained are those whom these men call sons and treat as such.

The fishing group is itself a part of a wider body, the joint family. The joint family includes as a rule all those who trace their descent through males from a common ancestor who generally lived about six generations ago. The native name for the joint family is *mangava kangaka*, a body of individuals related through males. The members of this group own in common landed property on which coconuts are grown. They form a well-defined unit, especially when misfortune overtakes one of their number, and they also unite from time to time to carry out religious ceremonies. The leader of the joint family, or headman as I shall call him, is the eldest member of the group. He directs the gathering of coconuts and organises many of the ceremonies. It is also his duty, in conjunction with the grandparents, to hand on to the young people the traditions of their race. In return they owe him very special obedience.

The kinship system, being of the classificatory type, supplies terms for every member of the joint family ; that is to say, for all cousins up to the fifth to whom a child is related through males. By this means everyone with whom the child is in contact has a name or label which can be applied to him. This system provides a most convenient means of regulating behaviour. The child is taught that certain persons whom he meets only occasionally must be treated more or less in the same way that he

treats the members of his own family. All of those to whom he must behave as he does to his father are called by the same term, *kamanga*. In the same way, all to whom he has to act as a brother are called *kainga*, and so forth. Soon he realises that these terms provide a key to his behaviour. The knowledge of a term to be applied to a stranger, that is, the knowledge of their relationship to one another, is enough to indicate how he must be treated. The organisation of the joint family is thus based directly upon the kinship system with only the slightest modifications; for instance, that more attention has to be paid to the headman than to anyone else who stands in the same relationship.

A woman belongs to the joint family of her father, and accordingly has a share in the ownership of the same coconut land as her brothers. This right does not pass to her children under normal circumstances, for they do not belong to her joint family. Nevertheless, close ties bind them to her group, and they continually help its members, who in return assist them. The chief intermediary between the child and the mother's group is the mother's brother. His behaviour may be summed up as that of an indulgent parent. He helps to educate the boy, but, at the same time, he has to refrain from harshness and to give him presents. Nevertheless, it is only in the most exceptional circumstances, to be described later, that the boy may be said definitely to belong to any group of which his mother's brother is a member.

A woman, then, bears children who belong to a joint family to which she herself does not belong. Although she owns coconut land in common with her brothers and other relatives, she cannot be said to be of really predominant importance in the affairs of the joint family.

Taro is grown in cultivated plots which are owned solely by women. When a woman dies her plots become the property of her daughters, granddaughters and the other

women descended from her through females. These women form the garden-owning group, the eldest acting as their leader. This group exactly corresponds to the fishing group of the men, and its organisation is usually similar. Sometimes, however, the daughters decide to divide the property, each taking a portion for her individual use. The composition of the garden-owning group is hence rather loose ; it may be composed of women who stand in the relationship of fourth cousins, or it may be that one woman alone forms a "group."

When a man marries he is brought into touch with the joint families of his wife's parents. The parents of the consort have at first to be avoided by their son-in-law, but as time goes on they grow friendly and continually exchange presents and assist one another. Once again, too, the labels provided by the kinship system are a convenient means of regulating behaviour to members of these groups.

The peculiar behaviour of brothers-in-law and sisters-in-law probably arises from an identification of husband and wife. The behaviour of a woman to her sister is carried over to the sister's husband, and he in turn treats the woman as his wife does. The keynote of this behaviour is friendliness and mutual give and take. In the same way, the behaviour of the woman to her brother is carried over to the brother's wife, and that of a man to his sister is carried over to her husband. The keynote of this behaviour is avoidance.

These last systems of conduct are of immense importance in the running of the household. Every husband lives for some of the time with his wife in the house of her parents, and some husbands live there all the time. The result is that houses are shared by several families, the female parents of which are closely related, frequently sisters. The fact that each of the male parents of these families treats one woman as a wife, and that his pattern of behaviour towards the rest is to a certain extent the same as towards her, makes the

organisation of the household possible. These women are sisters to the wife, and, according to the kinship terminology, the same as brothers to the husbands, both she and they referring to them as *kainga*. A man does not treat his sister-in-law in exactly the same way as he treats his brother—that would be impossible, owing to the difference of sex—but his conduct does approximate to that of a brother, and the members of the household thus work together more or less in harmony.

The avoidance between brothers-in-law and between sisters-in-law, which convention regards as necessary, prevents many quarrels. Irritation almost always arises between sisters-in-law, and it frequently does between brothers-in-law, especially if, as sometimes happens, they occupy the same dwelling. The society places a ban on their sharing one another's company, and so the irritation rarely comes to a head, except on certain ceremonial occasions which will be described later on.

So far we have only considered the workings of the kinship system in relation to four joint families, those of a person's father and mother, and of his wife's father and mother. The joint family, it will be recalled, is composed of the persons descended through males from a common ancestor who lived as a rule six generations ago. These four joint families therefore include certain of the cousins of the individual and his wife, up to the fifth. The older people can, and frequently do, trace relationships a good deal further when they recite genealogies, but, except in special circumstances, these distant relationships are otherwise disregarded completely. Generally speaking, outside the four joint families, third cousins are the most remote to whom kinship terms are applied. One does come across individuals with particularly long memories, it is true, and they may refer to fourth cousins as kin, but such persons are not often met with. A pattern of behaviour is rarely

distinguishable between remote relatives who do not belong to either of the four related joint families, unless they classify each other as *'ave* (brother and sister). If this is the case they will almost always avoid one another as do *'ave hamaongi* (true brother and sister).

The marriage prohibitions are based directly on the kinship system. It is forbidden to marry any member of the joint family of either parent, any close relative (first, second or third cousin) who does not belong to one of these groups, or the ex-consort of any one of these persons. It is also forbidden to take a second wife from the joint family of either of the first wife's parents, or from any of her other closely related cousins.

CHAPTER III

ORGANISATION OF THE SOCIAL GROUPS

OUR preliminary rough sketch of the types of activity for which the members of the various social groups depend on mutual co-operation is now completed.

I shall next discuss this interdependence in greater detail, showing the normal working of the individual family, the fishing group and the joint family, the give and take that inevitably has to take place, and the way in which the forgetful individual can be reminded of his obligations without external forces having to be brought to bear upon him.

I

THE FAMILY

It is inevitably the work of women to look after the young children, and most women, except on rare occasions, could never spend the greater part of the day away from their families. Fishing expeditions usually last nine or ten hours, so that obviously women cannot take any active part in them. Fishing accordingly is left entirely to the men, who, in their turn, leave the cultivation of the gardens to the women because fishing takes up so much of their time.¹ They share with them the labour of gathering coconuts, though women never do any husking.

Other tasks performed by women are cooking, filling the water bottles, and the manufacture of mats from coconut leaf and pandanus leaf. The men make the tools and

¹ In some of the societies of Oceania men do the gardening as well as the fishing.

fishing tackle and weave mats from hibiscus fibre.¹ The daily work is consequently fairly evenly divided. Nevertheless, it sometimes happens that a woman falls sick at a time when no female relative is available to do her work. Her husband has then to set to and look after the garden and the cooking, as well as do his own work and also perhaps nurse the patient. Should the husband be taken ill the wife has to rely on relatives and friends to supply her with fish, for she has not the skill required to replace him in the canoe.

Although a woman knows that her family is entirely dependent upon her for certain things which tradition tells her she ought to provide, she may decide that she does not wish to work. In such a case the husband usually takes the children to his brother's house and simply refuses to supply her with fish until she lives up to her obligations. This may bring her to her senses, but more often than not she begs food from other people and takes no notice. The marriage is then at an end. There are no official divorce proceedings, and there is no formal dissolution; the pair simply fail to satisfy one another's needs, and separation automatically follows.

A case where this happened occurred almost within my own household while I was living at Ontong Java. One evening when Ma'o, my head boy, went home he could not find his wife. The three children were in the house all hungry, but the fire had not even been lit. He sent one of them to look for her, made the fire himself, and began to cook some food. Some minutes later the child returned to say that he had seen his mother in a neighbour's house, and that she told him that she was not coming home. Ma'o gave the children some food and then went out to look himself. He found his wife, but all the arguments he brought forward would not make her return, she said, until it was time to sleep.

¹ This is by no means to be considered as an exhaustive list.

This went on for some days, and Ma'o had to do the cooking himself. At last, leaving his three children with his brothers, he came to live with my cook in a house alongside mine. The headman of the wife's group summoned her and urged her to do her duty, but for about a month she did no work and went about begging food from other people. Then one day she went to the garden and brought back a big basket of taro. Next day she made a pudding, and in the evening she came to Ma'o and told him that he might return. From that time on the two of them seemed to get on as agreeably as they had before. I suspect that matters would have adjusted themselves more quickly if Ma'o had given her a good beating when the trouble first began.

II

THE HOUSEHOLD

As a rule every dwelling is occupied by several families. These families are to a great extent dependent upon one another, but to describe this dependence it will be necessary first to anticipate what will be said in the section dealing with the ownership of property, for residence and house ownership are extremely complicated matters.

Formerly there were about one hundred and fifty joint families, of whom only three quarters owned outlying islands. To-day these numbers have been reduced, though the proportion is about the same. Joint families owning islands will be spoken of as wealthy, while those who do not will be called poor joint families. Members of poor joint families spend all their time at either Luangiua or Pelau, according to their tribe. In these villages husbands take up their residence with their wives' people. Poor men consequently always go to live with their wives. The members of wealthy joint families invariably spend at least

one month of the year at the main village, and generally many more. At such times the men also live with their wives. The remainder of the time the wife goes with her husband to the island of his people, where they share a house with some of them. The situation may be loosely summarised by saying that marriage is matrilocal on the main islands and patrilocal on the others, and that when poor individuals marry the husband lives in the house of his wife's relatives all the time, while when the wealthy marry the wife goes to live with her husband's relatives for a part of the time.

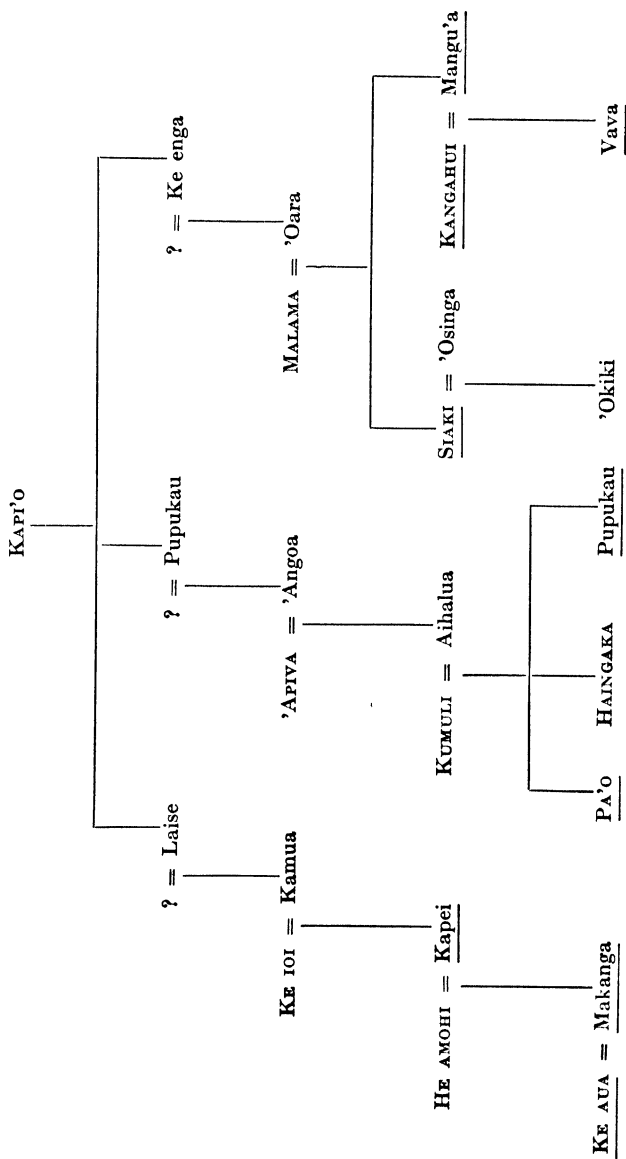
The ownership of houses in the main village passes from mother to children. A father therefore has a share in the ownership of a different house from that of his children, just as a mother and her children belong to different joint families. On their marriage the male children cease to live in the house, while the female children continue to do so with their husbands. In the first generation houses in the main village are occupied by sisters and their husbands and children, in the second by their daughters with their husbands and children, and in the third by their granddaughters, and so on. Houses occupied by six individual families are not uncommon. When a house becomes too crowded a new one has to be built, but this very rarely happens to-day, and I am doubtful if it was frequent in the past, for everything points to the conclusion that the population was stationary.

The main villages are divided into strips of land owned by the joint families. The houses stand on these strips, but, since descent in the house-owning group is matrilineal and descent in the joint family is patrilineal, it is obvious that it will only be by the merest chance that any person will live in a house situated on the strip belonging to his joint family.

It will be convenient to illustrate our discussion with a

GENEALOGY I.

[NOTE.—In genealogies the names of men are in large type and those of women in small type. Living persons are underlined.]



concrete example. The persons whose names are underlined in Genealogy I form a household on Luangiua island ; that is to say, they all live together in one house. Five or six joint families are represented. Ke aua belongs to the Tasman Islands, a group thirty miles from Pelau ; Kapei and Makanga belong to the joint family which owns Angi island ; Pa'o and Pupukau are members of a group owning part of Kepae island ; Siaki and Mangu'a are representatives of the group belonging to Ngangiumalae island ; and Kangahui and Vava are members of still another joint family. Siaki returned to the house when his wife 'Osinga died. Pa'o, Pupukau and Vava are mere children.

The household is supplied with fish by Ke aua, Siaki and Kangahui. Ke aua, being without close relatives in Ontong Java, usually goes in Siaki's canoe. Kangahui, although he does occasionally go with Siaki, generally sets out with his brothers. Sometimes he has other work to do, and then, if his brothers have not been out either, Siaki and Ke aua provide the fish for the evening meal. On the other hand, if they are prevented from making an expedition they all share Kangahui's catch.

Makanga, Kapei and Mangu'a provide the taro with much the same give and take. They also do the cooking, assisted by Vava and Pupukau. Kapei happens to have a knack of making exceptionally fine taro puddings, and she always makes them when it is decided that they should form part of the meal. On these occasions the other women do little jobs for her, perhaps weaving a few inches of the mat she is making, or filling her water bottles.

The brother of Kumuli, Pa'o's father, is Paeke, the headman of an important, wealthy group. He frequently invites the two children to his house, and from time to time he makes presents of fish and coconuts to Kapei, which are eaten by the whole household.

Siaki, Kangahui and Mangu'a do not spend all their

time at Luangiua. Sometimes Siaki goes off for a week or two to Ngangiumalae, and Kangahui also takes his family to his island. Mangu'a still belongs to Ngangiumalae herself, but she usually waits for a direct invitation from her brother before she visits the island. Her husband always goes with her on these occasions. Kapei's island, Angi, is so close to Luangiua that it is never necessary to spend the night there when she visits it to collect coconuts.

Neither Ke aua nor Kangahui have any share in the ownership of the house, the house-owning group being quite distinct from the household. When Pupukau marries, her children will still belong to the same house-owning group, while the children of her brother Pa'o will not. They will belong to the house-owning group of their mother. 'Okiki, had she lived, would also not have been a member of this group. Until her death, of course, 'Okiki lived with her mother in their house.

A household has no definitely recognised head, and, although the majority get along quite well, there is sometimes a little discord. Generally self-interest and the desire for peace within the house are sufficient to make people forget their ill-humour quickly. Trouble seems most liable to occur when the brother of one of the women is living there, which he does if he is a bachelor or, sometimes, a widower. Even then the rules of etiquette which forbid brothers and sisters or brothers-in-law to associate very closely often prevent the trouble from coming to a head.

The fact that marriage is matrilocal in the main villages generally means that a man is there dependent upon other persons for the roof over his head, while others are in turn dependent upon him. His wife and her sisters and brothers own the house where he lives, while he, with his brothers and sisters, owns the house in which these sisters dwell with their husbands. The eldest man acts as the head of the house-owning group and appoints the time when it should

be repaired or rebuilt. I recall one man who had quarrelled with his sister and her husband, and who refused to repair the house in which they were living. It was considered quite out of the question for the husband to attempt to repair it himself, and when I left the house appeared to be on the point of collapse. It is only when he is really angry, as was the case here,¹ that a man would dream of neglecting the house occupied by his sister, the person whom he has been taught to respect above all others.

On the outlying islands houses are shared by brothers and their wives and families. The household here corresponds very closely with the fishing group, and the leader of that body acts as its head. One sometimes finds that a man invites his wife's sister and her family to spend a few weeks on his island with them. This woman's husband then joins in with the man's fishing group, and the woman shares the tasks of her sister and the other women of the house.

Failure to carry out household obligations seldom leads to intervention by relatives from outside, for the recriminations which result usually culminate rapidly in divorce. If the man is discontented he leaves the house, and if the woman is displeased with him she orders him out. Occasionally she has to ask for assistance from her relatives to force him to leave.

III

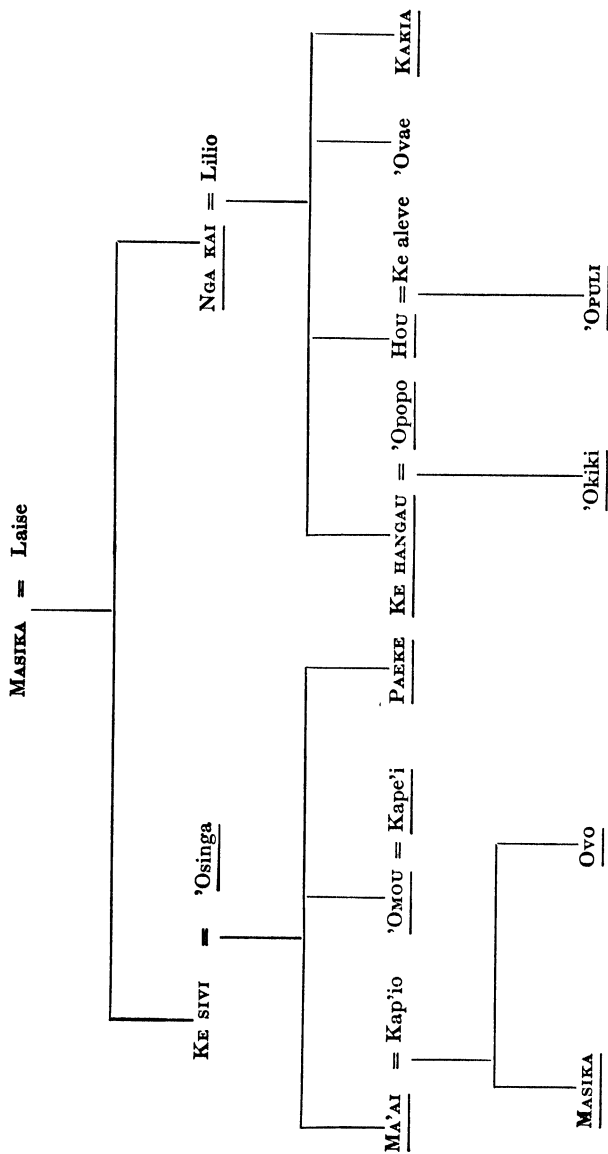
THE FISHING GROUP

After the individual family and the household, the next most important group is the fishing group, whose working can again best be illustrated by a concrete example.

In Genealogy II two groups are represented. Ma'ai, 'Omou, Paeke, and Masika belong to one, and Nga kai, Ke

¹ The villagers generally disapproved of his neglect, though they admitted that he had good reason to be angry with his sister.

GENEALOGY II.

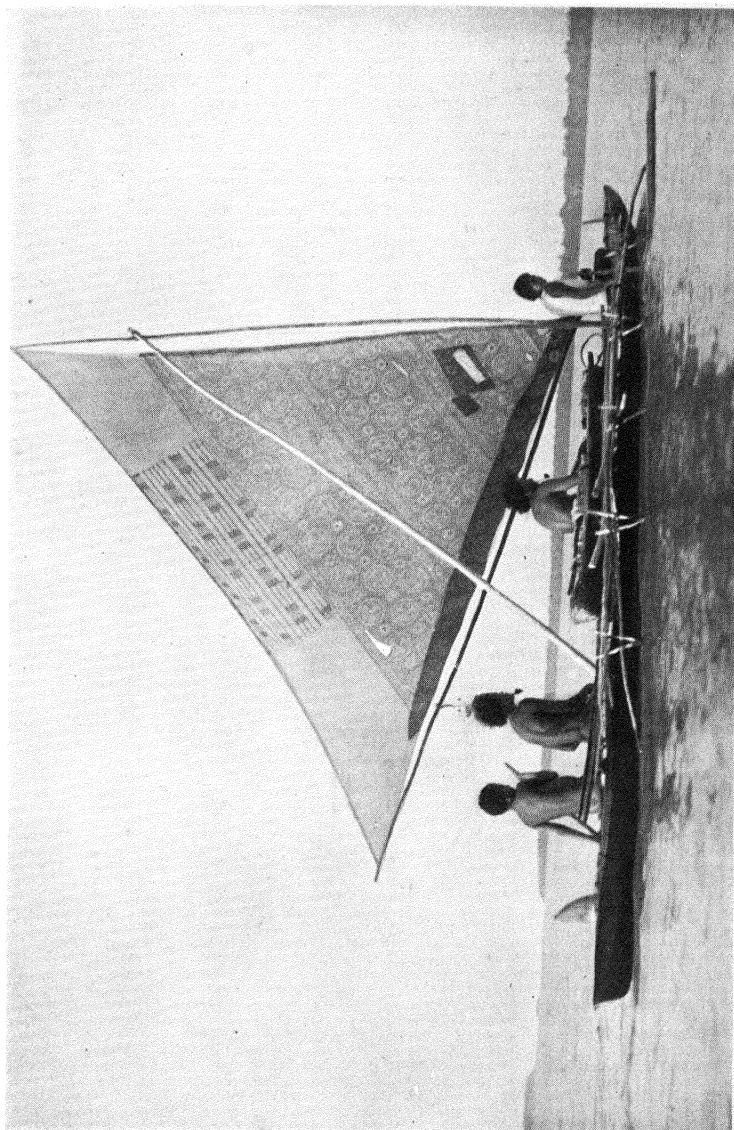


hangau, Hou, Kakia, and 'Opuli to the other. Originally Ke sivi, Nga kai and their sons had together formed one group, owning three canoes. As Nga kai grew older he acquired skill in constructing canoes and made one for himself. From that time, although their relations continued to be perfectly friendly, Ke sivi and his sons went fishing together, while Nga kai took his sons with him. In this way the old group became two new ones.

The separation of Ke sivi and Nga kai is quite a typical example of the rise of new co-operating groups. Other causes do operate to produce them—for instance, a family quarrel—but in the main the separation is brought about simply by one of the senior men constructing a canoe for himself or his sons.

Let us now follow the proceedings of a typical day in the life of Nga kai's group. An expedition had been decided upon the morning before, and a quantity of bait had accordingly been secured. Nga kai himself decided that he had other work to do, and Ke hangau had promised to husk coconuts for his mother-in-law. That left Hou, Kakia and the boy 'Opuli. Hou, being the eldest, naturally acted as leader, and he decided that the small canoe, the "Lupe," would be large enough. Just before they set off Ke haula came along and asked could he join them. He had been going out with two of his brothers, but the wife of one of them had suddenly been stricken with fever, and in consequence he had decided to stay at home. The other brother had gone off with his sister-in-law's family, so Ke haula was left alone. He was a near neighbour of Hou and was therefore welcomed. Instead of the "Lupe," a larger canoe, the "Uai ai," was launched, and off they went.

At about four o'clock they returned after a most satisfactory day, as was evident from the singing as the canoe approached the beach. The "Uai ai" was quickly carried up under the trees, and the fish taken to Hou's house, where



3. A CANOE IN THE LAGOON AT ONTONG JAVA

they were laid on a mat outside. Here they remained for perhaps half an hour, while he, Kakia and Ke haula sat around smoking and talking. The passers by, seeing the number of fish, paused a moment to congratulate them. Kakia, who had caught the largest fish, was singled out for special praise.

At five o'clock or thereabouts Hou proceeded to divide the spoils. A share was first given to Ke haula, who set off home with it. Kakia was then given some of the fish and took them to the house where he lived with his father Nga kai. Some were also sent to Ke hangau, and the rest was taken indoors by Hou's wife.

While this was going on, at the next house another man, 'Ohuki, was distributing the fish that had been caught by the men of his expedition. Each of the fishermen received his share and went off home with it. A share was also sent to all but one of the members of the fishing group who had been unable for one reason or another to go out in the canoe. The one exception was Peoa, and he was ignored. The fact was that 'Ohuki had decided to give him a lesson. He had stayed at home three times in succession without the slightest excuse beyond that he was tired. 'Ohuki knew the reason for his tiredness ; he was much too fond of dancing on the beach at night and as a result was not fit for work in the day-time.

It was necessary for Peoa to be left out of the catch on a subsequent occasion before he learnt his lesson. The first time the fact that he had no fish was scarcely noticed in his household. The other men had had good hauls, and there was plenty of fish for everybody. The next time his wife realised that he had been purposely left out of a distribution of his father's fish, and she was not long in guessing the reason. This woman was renowned for her sharp tongue, and Peoa went fishing from that time on.

Several conclusions may be drawn from the events

described. In the first place everyone who wants fish can get it by joining in with the members of his group. If for some reason none of the others wish to set out on any particular day a man can usually find a place in the canoe of a friend or of another relative. Brothers always see that a man has enough food to go on with if he has some good reason for staying at home.

Again, although the catch is pooled, and then divided more or less equally, there is no fear of individual skill being passed over. The reward for merit of this kind is to be found in the display which always takes place if the haul is a large one. The man who has caught the most is invariably congratulated or singled out for praise by the villagers. The fact that the natives really enjoy the sport also ensures that each man will do his best, even apart from the natural competition always to be found when two or three individuals are engaged in the same task.

A third conclusion may be drawn from the case of Peoa. It is always possible to shirk, but once the malingerer is found out he is bound to suffer. Sooner or later the lazy man is discovered, and with him the man who pretends he has fever or that he has children to mind. Once this happens his brothers do not give him a share of their catch, and that inevitably results in domestic trouble, either a scolding from his wife or arguments with the men and women who share the same dwelling.

Habits of action and thought that have existed since childhood, together with the loyalty that each man is bound to feel towards his nearer kin, have a strong influence in maintaining the harmony of the group, but the fact that each man is entirely dependent upon his fellow members is perhaps even more important. Where someone does ignore his obligations it is easy for them to penalise him, owing to the very nature of their reciprocal relations. At the same time, when someone, through his superior skill, more than

fulfils his obligations the publicity that is given to the operations provides him with a reward by gratifying his vanity and pride.

IV

THE JOINT FAMILY

The joint family, as has been stated, is usually composed of those who trace their descent through males to a common ancestor who lived about six generations ago. Nowadays the group rarely exceeds fifteen individuals. A few joint families have twenty-five members, but there are others with only three or four. Formerly some probably had as many as fifty. Here, as in the co-operating group, the headman, who exercises authority over all the rest, is the eldest member. His official title is *kama ha makua*, the man who has been made senior.

In most cases everyone knows who the next senior man after the headman is, but occasionally there is a doubt, since no record of ages is kept, and there is no term for elder as distinct from younger brother, so that it is difficult for anyone to remember the exact order of births in a group composed of several individual families. The headman is always supposed to point out his successor long before his death is imminent, and, if there is any doubt, he repeats the statement on his death-bed, indicating who the new leader is to be and commanding the assembled people to obey him. He has no choice in the matter, but his word is accepted because he knows more about the affairs of the group than anyone else. Nowadays, if, owing to depopulation, all the men are too young for the responsibility, the title may be given to a woman. This situation probably never arose in the past.

When I arrived at Ontong Java, Kakasoe was the headman of the joint family owning the eastern end of the island

of Kepae. Being the next in age, he had succeeded his father's father's elder brother's son's son, 'Ohuki, on his death, which had occurred a few months before. 'Ohuki came after Kilamu, Kakasoe's father's second brother. Kakasoe died three weeks after my arrival, and a new headman had to be appointed. He was the last of his generation, so that he necessarily had to be succeeded by a man classified as his son. The question then was, which one? Two claimants came forward, Sivao and Ke mangava, and no one except their respective mothers was quite sure which was the elder. Unfortunately the two women disagreed, each claiming the right for her own son. Under old conditions I was told that there would certainly have been a family fight, but the affair was finally settled by the intervention of the king, who chose Ke mangava.

This incident naturally aroused a good deal of gossip, and several similar cases were discussed. There was that of Ke mo'oivau and his half-brother Kikoa. Each claimed the title, though everyone said that Kikoa was really the younger. He must have been the better man, for it was agreed that if he could beat his brother in a boxing match the family would accept him as their leader.

When Nga homongi was headman of the joint family of Kekele island he was in a dilemma. His rightful successor was He laua, a man of weak character, little respected by his relatives. The next eldest man, 'Omoko, seemed far more fitted for the position, so Nga homongi decided to use his influence to have him chosen. When he died 'Omoko assumed the responsibilities of office, and, possibly because he realised that he would meet with little support, He laua made no opposition. Nevertheless, when 'Omoko died a year or two afterwards he took his place without resistance.

Another joint family records a similar incident in its history. In this case an argument took place between rival claimants while the headman lay still unburied. The joint

family stood passively by, ready to follow the one who proved himself superior. The younger of the two men won the contest and was accepted. He too predeceased the elder claimant, who thus became head of the group. He must have been unpopular, for later the title was taken from him and given to someone else.

The mention of the Kepae joint family above suggests another point, the formation of new groups. There is no mechanism to facilitate the division of joint families when they grow unwieldy, but they do divide, and very few trace their descent from a common ancestor who lived further back than six generations. This division is, however, more or less accidental.

The mother of 'Ohuki, of the Kepae group, was a member of the joint family which owned Keukua, a portion of Kukolu island. She outlived the whole of her group,¹ and so necessarily became both "headman" and "joint family" all in one. On her death, 'Ohuki, as the nearest surviving relative, claimed the property. The other descendants of the female members of the group probably had equal rights, but none came forward to contest them. 'Ohuki had no son, but when he died in 1927 his daughter Ke ingaho claimed the ground. Again there was no dispute, and she took complete possession. She still belongs to the Kepae group, but when she dies it is probable that her two sons will sever connections with their father's group, and themselves found a new Keukua joint family.

Family quarrels sometimes cause groups to split into two, and occasionally an arrangement is made to divide the property so that each takes half. Fights also bring new joint families into being.

¹ Most of them died in a serious epidemic.

V

PROPERTY AND CO-OPERATION

The authority of the headman is most important in matters concerning property owned commonly by the group, and of this property coconuts grown on the common land comes most frequently into question. In order to understand this function of the headman, therefore, it is necessary to explain the system on which land is owned.

The villages of Luangiua and Pelau are divided into strips of up to five hundred square yards in area. Every joint family owns at least one of these strips, and sometimes two or three, but owing to the matrilineal principle of descent in the house-owning group, all the members of a joint family live on the land, not of their own group, but of that of their wives.

In addition to one or more strips, some joint families own outlying islands. Excluding Luangiua, the three large islands to the north, and Pelau, with three or four islands close by, all the islands of the atoll are owned by one or other of the wealthy joint families of the Luangiua or Pelau tribe. Some of the larger islands, such as Kukolu and Kcila, are divided between several groups, each having a few acres. Where this is so the boundaries are clearly marked by paths or coral boulders. Some joint families own as many as four islands.

The joint family has complete control over its island property, and no one who does not belong to it may step ashore without permission. This does not mean that if, for instance, a canoe were in danger of foundering, the crew would die rather than trespass, but it does mean that if a canoe is crossing the lagoon, and night comes on before it has reached its destination, the crew will ask permission before they land on the most convenient beach. In a case

such as this they generally steer towards the nearest island owned by a group to which one of their number is related.

Coconuts grow on all the islands, and it is chiefly they which make them valuable in the native's point of view. Timber, pandanus palms and the few fruit trees are also of value. No one outside the group has any right to these products. The only exception to this rule is that everyone claims the right to collect pandanus leaves from the islands south of Luangiua and from those south of Pelau. These islands are all owned by different groups, and it is usual to mention any projected visit to the owners. This claim is resented and has been the cause of one or two quarrels. It should also be mentioned that the owners of strips of land in the village forfeit all rights to coconuts which fall to the ground. These belong to whoever picks them up.

The majority of the coconuts are to-day made into copra and sold to the trading stations. Formerly they were used in the big food distributions and in the ceremonial gift exchanges. Being lavish up to a point on these occasions was one of the chief ways of acquiring social prestige. I have mentioned the betrothal that was celebrated by the gift of sixteen thousand coconuts. There are, however, comparatively few joint families which would be able to give as many as this. Some of the poorest can afford no more than a few hundreds.¹

Coconuts are also required for the payment of specialists, but, with the exception of that made to the tatuing specialist, these payments are inconsiderable. The man who

¹ The question of gifts raises an interesting point. It is regarded as disgraceful to be niggardly, but it is equally disgraceful to be too lavish in the disposal of gifts. There is a wide range between the two limits, and it is not always possible to foretell where they will be drawn, for this largely depends on the wealth at a person's disposal. Thus the givers were praised after the sixteen thousand coconuts had been presented at the betrothal, while everyone poked fun at someone else, equally wealthy, who subsequently gave seventeen thousand on a similar occasion. Vain display of this kind is spoken of as *makili*, which is also the word for boasting. Boastfulness and ostentation are alike regarded as reprehensible.

performs the ceremony over a new canoe before it is launched is presented with a few dozen coconuts and a taro pudding, and the spirit medium who heals the sick is given perhaps only twenty coconuts for her ministrations. The tatuing specialist may, however, be paid as many as eight hundred for ornamenting the thighs of a young girl. No one would think of paying less than five hundred for having this done.

When a gift of coconuts is to be made, the person concerned approaches the head of his fishing group, who places the matter before the headman of the joint family. Half a dozen men are then told off to help him to collect the required coconuts. Every ceremonial gift of coconuts is returned by one of taro pudding, which is distributed by the recipient as he sees fit. Portions are always given to the head of his fishing group and to his headman, and as a rule the men who helped him to gather the coconuts also get their share.

Members of the joint family have to assist one another in economic undertakings, especially those connected with the collection of coconuts. They also perform ceremonies on one another's behalf, and, in case one of their number offends a member of another group, they have to be ready to defend him against its vengeance. It is here that the headman comes in. He directs the economic undertakings and ceremonies, and organises his group when vengeance is sought. In these matters his subordinates obey him from motives of self-interest. Each one of them knows that social prestige is to be derived from generosity in food exchanges and distributions, but that by himself he cannot provide sufficient to be considered generous. So, in order to be sure of the headman's ear when he requires assistance, he obeys him when he is told to help others. The headman himself, as a rule, makes no absurd demands, for he knows that if he did they would be ignored, since he has no power to enforce obedience when all are determined to disregard his authority.

VI

DISOBEDIENCE TO AUTHORITY

Cases do occur in which the headman's legitimate authority is flouted, and some examples may be quoted of the way in which such insubordination is dealt with.

Mualae had always seemed quite an ordinary youth. He took his place with his brothers in the canoe and was, if not brilliant, a fisherman of ordinary ability. He set his heart on making 'Osinga his wife, and for a long time she seemed to be giving him every encouragement. Then one day, quite suddenly, she persuaded her father to allow her to marry Kikima. Mualae was at first furious, but when he found that her mind was made up he began to mope. He used to spend most of the day sitting on the beach by himself, paying no attention to anything his elders said or did. The headman sent for him, but, although Mualae listened to what he had to say, he remained as inert as ever.

One morning, while the family was living at Luangiua, word came from the headman to say that he wished to rebuild the house in which his sisters were living, and that Mualae was to help. Since he took not the slightest notice, that evening he was sent for again. The headman told him that henceforward he need not consider himself as a member of the joint family, and that it would be regarded as trespass for him to visit the island property. A few days later Mualae's father left Luangiua for the island, intending to remain there for a few weeks. Mualae perforce remained behind. He now found that if he wanted anything to eat he either had to get it himself or beg from friends. He began by visiting one or two houses, and ended by accepting an invitation to join a fishing expedition the next day. From that time on he ceased moping, and soon became his old self. After a time he was readmitted into the joint

family, for his banishment had been only the result of the headman's temporary displeasure at his disobedience.¹

The case of 'Oma'i was slightly different. He belonged to the Kemalu joint family. He was notorious for his laziness, and if there was a possible excuse for getting out of work he was always sure to find it. He would have malaria when the canoes set out fishing in the morning, but he always seemed to get better during the day. If coconuts had to be picked up he would have a sore toe, or a pain in the leg, and could not walk. While he was still a child his father had beaten him, and even asked his brother to do the same, but without making any improvement. He was not married, so he was always able to get something to eat in the house of his parents. His father made no secret of his disapproval, but let him share the evening meal.

It so happened that while he and his family were living at Kemalu, a betrothed girl, the daughter of a neighbour, was found with him in the bush in compromising circumstances. This in anyone else would not have been very serious, but to 'Oma'i's relatives it was the last straw. The headman declared that he was to leave Kemalu and not to return. He took a canoe and went to Luangiuva, where he became the unwelcome guest of a distant relative. It was now a case of work or starve, and 'Oma'i had to do something to keep himself alive.

Individuals of this type must necessarily have been rare. The fact that men did not carry out their obligations to a person who did not carry out his to them, was sufficient to make many collect coconuts when they preferred to stay at home, or help to build a house when they really wanted to compose a love-song in praise of the girl they most wanted to win. Still I did hear of one or two fit companions for 'Oma'i. So'ai was one of them : he too was banished

¹ This account and most of those succeeding were first derived from informants, but they were all subsequently discussed in general conversations.

from the island of his relatives. He had a wife, but she soon left him when she found that she had to do his work as well as her own. Then there were Seai and Ke kuahau, two brothers of the Oko joint family. Two or three times they disobeyed the orders of the headman. They too were finally ordered to leave the island of their group. The headman himself threw their belongings out of the house, and, as they were embarking to leave, he pronounced them to be illegitimate, thus cutting them off from all relationships on their father's side. In the next generation, after Seai and Ke kuahau had themselves died, the successor to this headman readmitted their children to full privileges as members of the joint family.

Offences against members of other groups were sometimes punished in this way, but only if the culprit had previously been a nuisance to his relatives. In a later chapter we shall discuss such punishments in full.¹ We shall find that at times the whole joint family took the part of the offender and even fought on his behalf. On the other hand, once he was felt to be a bad lot, it was thought better to get rid of him and so save future trouble.

Two brothers were once reprimanded by their headman for something they had failed to do. Instead of taking this to heart they began to abuse him. The headman was popular with his relatives, but he let the incident pass. Soon afterwards one of the brothers was found to have committed adultery with the wife of an important man of the tribe. The headman, not wishing any of his people to be involved in the defence, formally declared both the brothers to be for ever severed from their kindred, although only one of them was responsible for the trouble. The injured man was then able to take vengeance, for he was sure that none of the relatives would come to the assistance of the culprit.

¹ See below, pp. 212-4.

The case of Mahiki was similar. He had no definite black mark against him, but he was mean, quarrelsome, and far from popular with his relatives. He too was cut off when he became mixed up in a quarrel with an important man outside his group.

Banishment and the loss of rights as a member of the kindred group formed a most effective penalty in a community where the support of the group was so frequently necessary. Where the displeasure was brought about by some minor incident, and it was considered that the culprit had learnt his lesson, he was soon restored to the privileges of membership, but where the incident was serious the severing of ties was, as a rule, permanent. Sometimes the children of an offender were readmitted. The man on whom sentence was passed was not allowed to return to the island of his joint family and had no share in its produce. But the sentence did not actually mean starvation, since he was still allowed to gather coconuts from the strip of land owned by the group in the main village. It was here, therefore, that he took up his residence.

VII

ABUSE OF AUTHORITY

In every one of the cases we have been considering, the act causing the banishment was disapproved of by all the members of the joint family and condemned by them as wrong. On this account the headman had their support, and the sentence was held to be justified. Sometimes, however, it was the headman whose conduct met with disapproval. An incident of this kind took place recently at Luangiua. The headman of the Kiloma joint family is 'Olipu. He has no real claim to the position, but was chosen by the king to take charge when the last headman died, since none of this man's relatives were old enough to succeed him.

Whenever coconuts were required for an exchange 'Olipu permitted only a small number to be collected, but, at the same time, he began running up bills for himself at the trading station. Several times he assembled the joint family to collect coconuts and make copra to pay his bills, but he never made a general distribution. Finally, when he required something like sixty thousand nuts to settle one of these accounts, the people simply refused to leave their houses. He pacified them by promising that if the nuts were picked up he would buy nothing for his own use until he had made several distributions. Whether this promise was kept I cannot say, for I left a few weeks afterwards.

Occasionally a headman became so unpopular that he was deposed. When this occurred he seems also to have been turned out of the joint family. The headman of Poileki, for instance, was disapproved of because he kept the bulk of the coconuts for the distributions in which his own personal family was concerned. This led to a quarrel with one of the senior men, and eventually the two fought one another. The headman was defeated and declared to be banished by his conqueror, who then took control of affairs. The incident is quite typical. In all but one of the cases of deposition of headmen recorded, there was always one individual who took the lead and beat him in a fight. Afterwards his relatives accepted this man as their leader. There was one exception where the whole group took sides and fought with axes and spears until one of them was conquered.

The headman had definite obligations towards his relatives. If it was their duty to obey him, it was equally his duty only to exercise his authority in the interests of the group, and in a way which they approved. There were times when what we should consider rank injustice took place, but in the main the headman did act in accord-

ance with the wishes of the people. Here, too, the relationship was essentially a reciprocal one ; the prestige and respect, the ready obedience, to which his position entitled him, were only forthcoming so long as his power was not abused, and the limits to its exercise were pretty firmly fixed by public opinion.

VIII

THE MOTHER'S BROTHER

Every individual is in touch not only with the members of his own joint family, but also with that to which his mother belongs. This group he calls his *mangava hinge*, the people to whom he is related through a female. The chief intermediary between a given individual and his *mangava hinge* is his *lamoku*, the mother's brother. Among other obligations, this man, it is thought, ought to make him gifts from time to time.

One day I was trying to find out what are the qualities a native most admires. I asked for the name of a man who was considered to be good, and immediately Ke ha'angi was mentioned. Among the various reasons given for this choice, the most important was that he gave things away freely. Always when I pressed for details I was told that he frequently made gifts of coconuts to his sister's children. Other examples of his generosity were mentioned, but this seemed to have impressed itself most on the minds of the people.

I followed up this clue and found that a good deal of prestige is secured by making large gifts to these relatives. The presentation is usually made more or less publicly, and the village soon gets to hear what has taken place. On one occasion an important headman, Paeke, presented three bags of rice to his sisters' children, and in the course of the same afternoon I heard the gift discussed by three different

groups of gossipers. They all described Paeke as a good man and compared him to his advantage with their own mothers' brothers.

Mothers' brothers who are poor cannot, of course, make presents to their nephews, but a wealthy man who fails to do so is always disapproved. Thus once when a man was making a huge gift of coconuts to his son's betrothed, I heard a bystander remark, "He gives much for his son and forgets his sister's child : it is not good to do that." Remarks of this kind are never made within a man's hearing, but behind his back people have no scruples.¹

When a man marries, and at the birth of his children, his parents exchange presents with the parents of his wife. The mother's brother always contributes towards these presents. He asks for assistance from his kinsmen and collects coconuts. These are presented on the young man's behalf to his father. In return, the uncle is given a portion of the taro pudding received from the parents of the wife.

Nephews are frequently taken by the mother's brother to his island for a week at a time or perhaps longer. While they are there he looks after them as if they were his own children, but he is supposed never to show any anger against them. He teaches them all kinds of things which their father's relatives may not know. The mother's brother of my best informant, Piaka, was a priest. This man taught him a great deal of the priestly ceremonies, although there was little chance of him ever holding that office. Some of the spells, however, which were unknown to his own parents, he was able to use to his advantage.

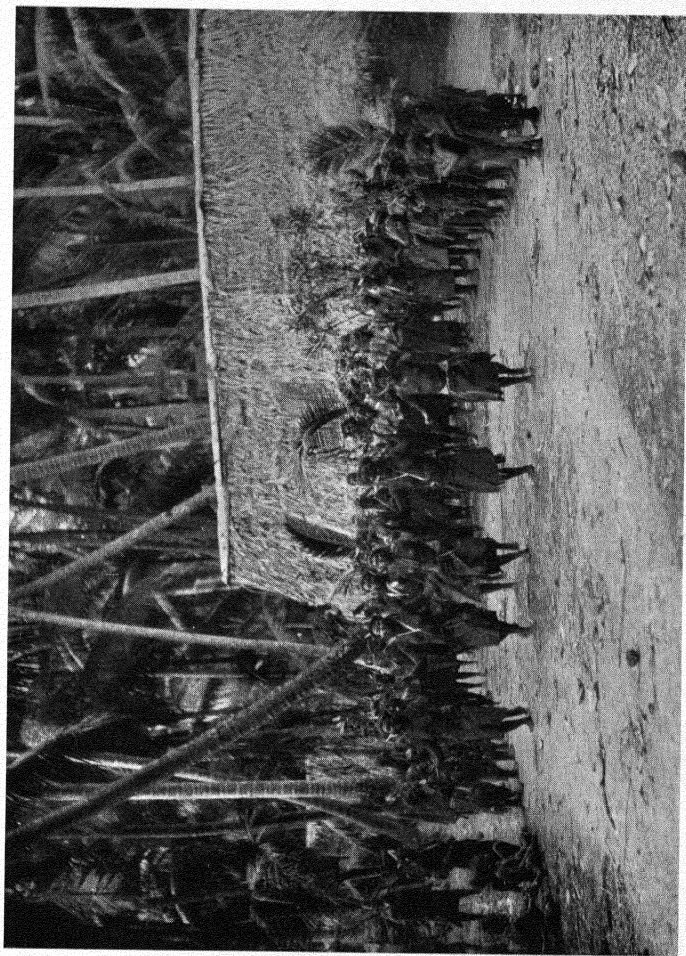
Sometimes a mother's brother neglects his duty, and sometimes he is a little severe, but he is then generally condemned by public opinion. On hearing of a case of severity being shown, a native will probably, with a sharp

¹ I have never heard of a man giving only to his sister's child and neglecting his son, but if such a thing did happen no doubt it would be condemned just as much, if not more.

intake of breath ejaculate, "*Io!*" an exclamation of surprise and shock. His nephews will also not willingly offer him any assistance in the future unless he makes amends.

Wealthy parents as a rule prefer their children to marry someone of their own social standing, and with this end in view they themselves often arrange the marriages. It follows that in most cases if the children belong to a wealthy group so also does their uncle, and if they are poor so is he. Nevertheless, it does happen sometimes that a poor and a wealthy group intermarry. A wealthy man whose sister has married a member of a poor joint family has ample opportunity for acquiring a reputation for generosity by helping to support her children; not that marriages are ever arranged with this end in view, for brothers and sisters never meddle in one another's sexual affairs. The limit of what is regarded as his strict duty is that he should see that the children have sufficient food and that they are given assistance when they have to make a formal presentation of coconuts, as at a marriage or a birth. *Ke ha'angi* does more than this; he makes presents of rice and tobacco to his sister's children from time to time and gives far more than he need when they take part in any formal presentation. *Paeke* does the same. In return their sisters' children are always ready to help them.

In extreme cases a wealthy brother may succeed in having his sisters' poor children incorporated into his joint family. It is in this way that we have exceptions to the normal rule of patrilineal descent. Cases of matrilineal descent, nevertheless, do not much exceed five per cent. of the total. They are especially liable to occur if the brother is a headman. It is never regarded as part of his duty to incorporate the children into his joint family, and no one would ever suggest that he ought to do so. None the less, he derives a good deal of prestige from his action, though there may



4. GIRLS DANCING
(See p. 208)

possibly be murmurs against it from the members of the group.

A case of matrilineal descent has occurred in the 'Alunga joint family. Three or four generations ago, Kahau, a woman of the group, married Veisu'i, a man without an island, and bore him three sons and a daughter. The husband, being poor, would have found it difficult to provide for the family had it not been for his brother-in-law, Halau. This man, childless himself, practically kept them in coconuts. By the time Halau died it was recognised by everyone in the group that Veisu'i's family had the same standing as themselves.

Matrilineal descent has also taken place within the Angi group. The present "headman" is a woman, as no man was old enough to succeed when the last headman died. She will be followed by her father's brother's daughter's son. This man was incorporated into the group by his mother's brother, for she had married a poor man. Both the mother and the father and also the mother's brother are now dead.

Just as a member of the fishing group can be easily penalised for failing to do his share, while an excess in performance is rewarded by public approval, so the mother's brother who fails in his duty towards his sister's children is penalised by their unwillingness to help him and by general public censure, while public approval and prestige are his rewards for signal generosity.

IX

CONCLUSIONS

In the second chapter we saw that each individual was a member of certain well-defined social groups on which he was in various ways dependent. In the present chapter we have seen that these groups work according to rules, clearly recognised by the members, whereby each one has obliga-

tions to fulfil, and also claims to be satisfied. These rules are followed out in the main because of the system of reciprocity on which they are based. When a person forgets his obligations he is penalised, not through external forces, but through the workings of the same machinery which normally satisfies his rightful claims. The members of the group are quite easily able to cut the offender adrift if the penalty passes unheeded. He then loses the advantages of the social machinery, and has to fend for himself by his own unaided efforts.

CHAPTER IV

THE BELIEF IN SPIRITS

I

THE LIFE AFTER DEATH

THE dependence of each individual for his daily needs upon others towards whom he is under specific obligations is probably the primary force which causes such obligations to be respected. But other motives have also to be considered. One important influence lies in the religious beliefs of the natives, particularly those concerned with the spirits of the dead.

All living persons have two spirits, the *ngeinga* and the *kipua*.¹ The first is manifest in the shadow. It has no separate entity apart from the living person, though it acts in a vaguely protective way during his lifetime. This spirit ceases to exist soon after the person dies, but it must not be supposed that it represents any vital principle. The other spirit, the *kipua*, is immortal, and is, in fact, the only part of the personality which survives the grave. During the life of the man to whom it is attached it leads a colourless existence. It is invisible to mortal eyes, but, could it be seen, it would appear like the man himself. It grows old with him and is, externally at all events, subject to all the ills the man himself suffers. So long as he lives, however, it can exert no influence whatever on his life or on those of others. The only knowledge to be gained about it is through dreams. Nevertheless, neither dreams nor the *kipua* of the living interest the natives very much.

¹ A full account of the beliefs of the Ontong Javanese relating to the spirits of the dead will be found in my article on "Spirits and Healing" in *Oceania*, 1930.

When a man dies the existence of his *kipua* is profoundly changed. It is now free to join the other *kipua* of the dead. These spirits have no definite dwelling place, such as the sky or an underworld, but simply live an airy existence in a manner which no one quite understands. The natives have few dogmatic opinions about them, although they are vitally interested in their influence on human affairs. They admit that they know little or nothing of the doings of these spirits apart from their conduct in this respect, and they do not bother to consider such details. Broadly the *kipua* eat and sleep, work and enjoy themselves, and have an existence neither happier nor sadder than the lot of humans. Normally they are invisible, yet they may reveal themselves if they wish.

From this point, when *kipua* are mentioned it must be understood that only the *kipua* of the dead are meant. They are sometimes called *aiku*.

The *kipua* are able to observe all human conduct, are aware of all hidden motives, and are able directly to influence the fate of their living relatives. This influence is strongest when the person with whom they were associated has only recently died. Without them no birth can take place, and they are responsible for all illness and practically all deaths. They influence the weather, help the fisherman and the sorcerer, and in a hundred and one ways affect the lives of men.

There are a number of persons, most of them women, who are able at will to become mediums of the *kipua*. They are known as *koulaiku*, literally, anchors of the spirits.

II

THE TREATMENT OF SICKNESS BY MEDIUMS

From our present point of view it is the influence of the *kipua* on sickness and death that is important. The native

reaction towards sickness is illustrated by the case of a man named Kilamu, headman of the 'Alunga joint family. He was suddenly taken ill, and within a couple of days was in a serious condition. Although he was actually unfit to be moved, he was taken from his own house to that of a *koulaiku*, a woman named Ke ahua.

I knew the progress of the disease, because from the first I had been approached for medicine. On the evening of the day during which Kilamu had been taken to the *koulaiku* I made my way to the beach. Here at about five or six o'clock one is always sure to find a knot of men discussing the latest gossip. They stand about or sit on raised platforms under the trees, smoking pipes or playing cards. Sure enough the illness of Kilamu was one of the topics of the day. The men were discussing his actions and trying to discover which of them was likely to have offended the *kipua*. One man suggested that they were angry because he had given only a small quantity of coconuts in the food exchange following on the death of a near relative. A second said that they were offended because he had neglected a certain ceremony. A third reminded the company that Kilamu had failed to give much attention to one of his *lamoku*, his father's brother's daughter's son, 'Oma'i. This boy belonged to a poor group and so might well have benefited from any gift.

The knot of gossipers could not definitely decide which of these actions in particular had caused the *kipua* to be angry, but they were all positive that sufficient grounds existed for a good deal of ill-will.

That night Ke ahua, the *koulaiku*, held a séance to permit the *kipua* to explain why they had made Kilamu ill. He was very weak and lay on a pile of mats in a corner of the house, surrounded by his relatives. Ke ahua lay down in another corner. All the lights were then extinguished, and for a time there was silence. After perhaps five minutes a

low moaning was heard, and then, in the quiet, one could plainly hear Ke ahua's teeth chattering. A minute or two later there was a shrill whistle, and she began to speak, not in her own voice, but in a squeak that was barely human. This was the voice of a *kipua*. So distorted and unnatural was it, that what it said was for the most part unintelligible to me. I could only make out a sentence here and there, and the rest I had to be told afterwards.

The first *kipua* to speak through Ke ahua's lips was that of Kilamu's father. It was questioned by the relatives who were present, and we learnt that it was very angry indeed because of the neglect of 'Oma'i, the *lamoku*. It said that it had made Kilamu ill on this account, and that the illness would be fatal. After it had finished there was another whistle, and the *kipua* of Kilamu's mother announced itself. It said that it was sorry for him and had tried to persuade the *kipua* of his father to let its anger be appeased by sending illness only and not death. After that the *kipua* of his mother's brother spoke. It too was sorry for him and said that it would take his part against the spirit of his father. The *kipua* of his brother and of his father's brother also spoke through Ke ahua ; both expressed their anger and said that they were bent on his death.

When the last spirit had finished speaking there was another whistle, and then silence, broken only by the weeping of Va'ule, Kilamu's wife, and of his daughter. After a few minutes had passed someone went out to fetch a torch, kindled from the hearth of a neighbour. Ke ahua was lying on her mat in a copious sweat. She roused herself and drank a large draught of water from a bottle hanging alongside.

Now that the identity of the *kipua* causing the illness was known, an attempt could be made to counteract their influence. This was done by means of a ceremony known as *sau*. Early in the morning Ke ahua provided herself

with a green coconut, several young coconut leaves, and a number of bleached pandanus leaves. The coconut leaves were plaited into patterns known as *koumalo*, and the pandanus leaves tied into a bundle. Kilamu was carried tenderly to the cemetery and laid near the grave of his father. Ke ahua took her *koumalo* and spread them round about. Then she took the bundle of pandanus leaves in her hand. She laid it on Kilamu's head and recited a prayer to the *kipua* of his father, asking that its anger might be appeased. When she had finished this prayer she walked away from him, sweeping the air with her bundle as she did so, until she reached one of the *koumalo*. There, kneeling, she repeated her prayer. Having finished for the second time, she stood up, ran forward with the *koumalo* and placed it on Kilamu's head. This procedure was repeated several times. Finally the coconut was broken, and the fluid sprinkled on his head. He was then carried back home again, and the leaves were thrown into the sea.

Plate 1 illustrates a part of a similar ceremony. On the occasion that the photograph was taken the *koulaiku* was a man and the patient a woman, but the details of the ritual were identical.

The next day and for a week or more Kilamu grew steadily worse. Other supernatural remedies were tried without success, and several séances held to ascertain whether any change had taken place in the disposition of the *kipua*. After about a week he himself gave up hope, and soon everyone in the village knew that he had said he would die. Generally a man who has given up hope is already as good as dead, but this was not so with Kilamu. In two months from the time that he was first ill he was walking around the village again with the aid of a stick. As soon as he began to improve it was said that the *kipua* of his mother's brother must have persuaded that of his father to make him well again. This was confirmed in a séance by Ke ahua.

III

THE MEDIUM AND PUBLIC OPINION

A *koulaiku* secures a certain amount of social prestige, but the payment received from patients is small, and the inconvenience is great. The house becomes a sort of hospital, and the ordinary work of the household is liable to interruption.

It never occurs to the natives to suppose that well established *koulaiku* may be frauds, though they are sceptical about a new one when he or she first begins to practise. I am sure that Ke ahua and one or two others whom I knew well are genuine. They really believe themselves to be possessed by the spirits and profess afterwards to know nothing of what has occurred.

The *koulaiku* is in full possession of the history of her patient before she goes into her trance, for in most native communities there is no such thing as private life. It is probable that one of the incidents in the history impresses itself more firmly on her mind than the others, and when she is in the trance it obliterates them and colours the answers to questions. Ke ahua must have known all the reasons which the people supposed might have made the *kipua* of Kilamu's relatives angry. The 'Oma'i incident impressed her most, and therefore when she gave the *séance* it was mentioned as the particular offence that was being punished. Actually she was only confirming one of the suspicions entertained by the people at large. This is what *koulaiku* regularly do—they simply declare officially which of the popular beliefs is correct.

The *kipua* of the members of Kilamu's own joint family wished him harm, and those of the members of his mother's group wished him well. This is what is usually supposed to happen in cases of illness, though no explanation is offered by the natives.

Actually the behaviour of the *kipua* corresponds closely to that of the person in his lifetime. The *kipua* of the father, of the father's brothers and of the headman are severe ; they punish misdeeds. The *kipua* of the mother and of her relatives are indulgent ; they avert punishment. The father is sometimes kindly, and so occasionally is his *kipua*, but, on the whole, since in theory he has to be strict, his *kipua* is equally so and is jealous of every fault in the conduct of his children. The mother and her brothers, too, are sometimes harsh, and so occasionally are their *kipua*, but in the main they are as ready to avert sickness as in life they were ready to give comfort.

In other details also the incident of Kilamu illustrates the religious and moral ideas connected with sickness. As soon as a person is unwell it is usual to find that his previous actions form the topic of conversation for a day or two. Any recent error of conduct is at once suspected as the cause of the trouble. When the *koulaiku* is called all that she does is to pick out the particular action that has offended the *kipua*. More often than not it is the same one that common gossip has already selected. Towards the end of my stay at Ontong Java, when I had grown really familiar with a number of persons, I was in some cases myself able to hazard a guess at the probable cause when one of them was taken ill. Perhaps I should rather say, hazard a guess at what the *koulaiku* would assign as the cause. Naturally these guesses of mine were quite often wrong, because, except with my closest friends, I was not in full possession of the facts until the matter was discussed around the fireside or on the beach in the evening.

Always when the *koulaiku* were called they held a séance very similar to the one I have described. A low whistle announced the presence of the *kipua*, who then began to speak through the *koulaiku* in a squeaking voice. In the majority of cases those belonging to the sick person's joint

family wished to punish him more or less severely, and those of his mother and mother's brother wished to interpose on his behalf.

The following are a few of the cases of illness which came directly under my notice.

A headman named Valiake died of pneumonia. The *koulaiku* said that he had been killed by the *kipua* of his predecessor because in the marriage of the latter's son, a man named Nga kai, he had been very much less lavish with gifts than when his own son was married. The amount given at the marriage of Nga kai had been quite adequate by ordinary standards, but public opinion does not approve of differential treatment of members of the same group, and the headman's sons are not expected to be singled out for special favours unless they have deserved them. Valiake had taken advantage of his position to increase the prestige of the members of his own family. The *kipua* of his mother's brother tried to shield him from the anger of the *kipua* of Nga kai's father, but in vain.

Another man of my acquaintance was about to be killed by the *kipua* of his father, so the *koulaiku* said, because he had been notoriously disobedient to him when he was alive. The spirits of his mother and her brother interposed and thereby saved him from death.

The *kipua* of the brother of the third man made him ill because he had failed to provide adequately for their sister's children. The *kipua* of his mother pleaded with it and apparently almost persuaded it to forgo vengeance, for the man began to get well. Then he had a sudden relapse and died. The *koulaiku* said that the *kipua* of the mother had grown weary and ceased to look after him, and that was why he had died.

Other examples might be given to illustrate the principle that the *kipua* are always ready to punish those who fail to do their duty towards their relatives. It might be argued

that in the last case quoted, as in that of Kilamu, the relative had no real claim on the person punished, since he was only a *lamoku*. This is certainly true. Nevertheless, it is thought that a man ought to look after his sister's children when they are poor. It is his own business if he does not, but he is then looked upon as mean. The attitude of the relatives may be summed up by quoting a remark made by one of them in a similar situation, "It is his business, not mine, but I would look after them."

The two other examples quoted illustrate the principle rather more clearly. It is definitely regarded as wrong for a headman to take unfair advantage of his position, and for a son to disobey his father. In these cases there was a much stronger general feeling that the illness was deserved. I do not mean by this that the sick men received no public sympathy, but people would say to me, "If we act like this the *kipua* will certainly not forget it."

The belief in immortality thus plays its part in securing the execution of obligations between relatives, especially within the joint family. When a person is afflicted with disease the community at large discusses the question to see if he has fulfilled his obligations. If a case is known where he has not done so, the chances are that the *koulaiku* will assign it as the cause of the disease. The *koulaiku* is believed to be the voice of the *kipua*, the spirits of the dead, but in reality she is the voice of society. She reinforces popular opinions by giving them the solemnity of a message from the other world.

IV

THE SPIRITS AND ADULTERY

We may define sin as an act considered by society to be wrong, and thought to be punished by supernatural means. The commonest sins of the natives are failure in duty

towards the members of the joint family, and neglect of poor relatives outside it. Most cases of sickness are believed to be caused by these sins, which may be regarded as sins of omission. There are also sins of commission, such as acts of violence within the joint family, for example, murder, adultery and displacement of the true heir ; incest, or sexual relations between two persons who are within the forbidden degrees of kinship ; and neglect of ceremonies. I shall deal first with a few actual cases of acts of violence against a kinsman.

He keaka and Angoli'i were half-brothers. Nevertheless, Angoli'i carried on an intrigue with He keaka's wife. It is almost impossible for anything of this kind to be done secretly ; someone is sure to observe what is going on, and then everyone hears about it. Before very long He keaka came to know of the whole affair. One evening, after it was dark, he pretended to go out fishing, but instead returned and hid himself near his house. When he saw Angoli'i enter he took a knife and stabbed him in the back.

As might be expected, adultery in such circumstances, and the murder in which it culminated, upset the joint family very considerably. The headman did not wish to banish He keaka because it was realised that he had a good deal of right on his side. Still he had the blood of his brother on his hands, and was in no sense a proper person to engage in common tasks with others. Nothing was actually done, but within a short space of time he was taken ill and died. This all happened several years ago, yet the memory of the murder is still fresh. People said that the *kipua* had taken vengeance by killing He keaka.

There was another case of adultery between a man and the wife of a member of the same joint family. On this occasion, too, the husband murdered the offending party. Almost as soon as he had done so he became ill. He

refused to eat, and died within a couple of weeks, the *kipua* being held to be responsible.

I was told of other cases of adultery within the joint family, and in every one of them the offending party had died soon after the discovery of his offence. It was said that even if the husband did not take vengeance the *kipua* would do so.

Adultery and murder are far more serious than mere failure to fulfil obligations to relatives, because the whole community feels a shock when they are committed. I cannot gauge how deep is the effect produced by a murder, but a case of flagrant adultery will disturb a village. The women gather around the well and discuss the matter for hours. Their general conclusion is that the woman is unworthy of her sex. At the same time the men talk about the incident as they sit on their platforms above the beach. They abuse the two culprits and as a rule suggest appropriate punishments.

When a community receives such a profound disturbance some reaction is needed to restore its well-being. This reaction takes the form of imputing responsibility to someone for the deed causing the shock, and then punishing him.¹ In Ontong Java, although the whole community is affected by a case of murder or adultery within the joint family, this is considered to be primarily the affair of the group concerned, and no action is taken by the community as a whole.

The group of which the murdered Angoli'i had been a member must have been grievously wounded both by the adultery and his death. Yet the normal reaction, punishment of the murderer, would have led only to deeper affliction, since he was one of themselves. Direct action being, therefore, impossible, recourse was had to the belief in punishment by the ancestors. It was thought that in

¹ Cf. Fauconnet : "La Responsabilité," p. 289.

due course they would avenge the murder and make the wrongdoer expiate his sin. The well-being of the group was thus restored with a minimum of direct action against one of its members.

It would be interesting to know whether all cases of murder or adultery within the joint family have been followed by the death of the offender. No one could remember ever to have heard that such a person survived his victim for long. When, for the sake of a discussion, I ventured to doubt the efficacy of punishment by the *kipua*, I was always overwhelmed by dozens of examples which seemed to the natives conclusively to prove that it did take place. Being educated into the belief, it is probable that they entirely overlooked all doubtful cases, or, if they did observe them, they offered some explanation convincing to themselves, such as, that the mother's brother's *kipua* had been stronger than that of the offender's father.

Another sin of commission which may be grouped with murder and adultery within the joint family is the displacement of the rightful heir to the position of headman by a younger member of the group. It is said that when this occurred, the younger member was always punished with an early death by the *kipua*. It will be noted that in every instance of such usurpation that was recorded in the last chapter this was what actually did happen. As we saw, it was only very rarely that a rightful heir was put on one side.

This second aspect of the belief in supernatural punishment is important not so much as a deterrent to crime but as a psychological mechanism, whereby persons who cannot execute justice without violating their strongest sentiments may nevertheless feel confident that justice will be done.

V

THE SPIRITS AND INCEST

Another important class of sins of commission is represented by incest in all its forms. Marriage is forbidden between persons who apply relationship terms to one another. However, despite this prohibition, sexual relations and even marriages do take place within the prohibited degrees. Nothing is done to the culprits, notwithstanding the disapproval which everyone feels. They are not punished by the community in any definite manner, for instance by mutilation or death. Yet if one or other of the pair is taken ill it is almost certain that people will say that the *kipua* are punishing him. No case of incest between members of the same individual family has occurred for some years, but everyone knows of the following incidents in the past.

'Ohola, her husband, and her brother, 'Opoi, were making a voyage across the lagoon.¹ Night having come on before they had reached their destination, they landed on an island and spent the night in an empty house. In the morning 'Opoi confessed to the husband that he had gone over to where his sister lay, and, with her consent, had lain with her. He was very angry and took a dagger to kill 'Opoi, but, although the latter made no resistance, the attempt was abandoned, and he began to upbraid his wife, telling her of the awful punishment that must inevitably follow such a sin. The party returned to Luangiua, but from the very moment of his confession it is said that the vengeance of the *kipua* began to work on 'Opoi. He grew weaker and weaker and very soon died. The other culprit, the woman 'Ohola, strangely enough, survived her husband.

¹ This in itself is unusual. It is quite wrong for a brother to accompany his sister and her husband.

One evening, when most of the people in Luangiua were partaking of their meal, a scream was heard, and a moment or two afterwards a woman ran out of the house from which it had come. Not perhaps realising what she was doing, she pushed at the door of a neighbouring house and went in. She told the occupants that while she was stooping over the fire cooking some fish, her son had seized her from behind and, in spite of her resistance, had forced her to submit to him. The women tried to comfort her, but no move was made to punish the man. This was left to the *kipua*, and, as usual, they did not delay in killing him.

Kungoho had married a woman classified as the sister of a man called Makuke. One day while Kungoho was out in his canoe a friend of his saw Makuke and this woman acting in what seemed to him a suspicious manner. He told the husband what he had seen and what he suspected, but Kungoho decided to make quite sure before he accused the pair. He watched them closely, but beyond the fact that he found his wife perfumed on two or three occasions he could get no actual proof. Women use a particular kind of perfume almost exclusively for the purpose of attracting men. So closely is this perfume associated culturally with erotic conditions that it is said that men have only to smell it to become passionately excited. At last one evening Kungoho could not find his wife. He went into the village, and, enquiring from the bystanders which way she had gone, he followed her into a portion of the bush favoured by such as she. There he found her, and a lover with her. It was too dark to see who he was, but he knew his wife at once. The man he seized by the hair and dragged to his feet. The pair had been taken quite by surprise, and the man was unprepared for an attack. Nevertheless, he succeeded in escaping, though he received a bad wound in the shoulder. Kungoho left him and conducted his wife home, where he gave her a good beating. In the morning

he set out to look for a man with a wounded shoulder. Sure enough Makuke was found to be the man. He challenged him to a fight, but before either had drawn blood a messenger came from the king forbidding the fight. The story goes that Makuke was soon afterwards taken ill, and before very long he died.

I was able directly to observe the conduct of the community when two closely related persons married. Although Ha'ohu and Kakua were first cousins once removed, and so within forbidden kinship degrees, they decided to marry. Many persons at once foretold disaster, but, since the parents made no objections, the marriage took place, and gossip died down, though the birth of a child served to revive it again for a few days. When this child was about a fortnight old it was taken ill, and once again popular interest was aroused. The wiseacres shook their heads and said the equivalent of "I told you so." Everyone was convinced that the illness was a just punishment of the parents by the *kipua*, and they all foretold that the child would die. It recovered, but doubtless if anything happens to it again the misfortune will be ascribed to their close relationship.

Mekaike, the present king of Luangiua, several years ago married a second cousin once removed, Kiele. It is not customary for kings to marry relatives, and there were no political reasons to account for the match. When I asked people who were not related to the king if this marriage was wrong, they said that it was an affair between Mekaike and the *kipua* of his ancestors, but that he had probably been forgiven, since they had allowed so many years to pass without punishing him.

The case of Kilamu, mentioned above, illustrates the relation between public disapprobation and the manifest vengeance of the ancestors. He married his brother's widow, Va'ule, a woman really forbidden to him. This marriage took place about thirty years ago. If either of

them had been taken ill or had died soon after, doubtless people would have said that they were being punished for their sin. In thirty years it had almost been forgotten, and it was not even mentioned by the group of men who were trying to find out the cause of his illness in 1928.

The *kipua* are believed to punish not only incestuous persons, but also their descendants. A woman of my acquaintance had pneumonia, and the reason given was that her father had been guilty of marrying a third cousin. This led me to discover similar cases of the sins of the parents being visited upon the children. I found that the actions of the parents were almost always held to be responsible for the death of children.

A still more remarkable characteristic of the *kipua* was revealed by another death. Before the man died I had known that it was rumoured that his wife was unfaithful to him. Still it came as a surprise to find the *koulaiku* saying that the *kipua* had killed him to spare him the disgrace of becoming a laughing stock on account of the conduct of his wife.

Other sins that the *kipua* are held to punish are the breaking of tapus and failure to carry out ceremonies. Every wealthy joint family has a totem which it is forbidden to eat, if it is edible.¹ Occasionally it happens that someone accidentally breaks the tapu and eats one of his totem species. In 1928 a man was asked to join a group who were eating fish. He did so without enquiring what variety they were. Afterwards he discovered that some of them were tapu to him. As a precaution he went to a *koulaiku* and had the *sau* ceremony performed. About a month later he was ill, and the *koulaiku* said that the *kipua* had placed one of the totem fish in his body to eat away his inside as a punishment. The progress of the fish was

¹ Not all totems are edible. See my article "Social Organization of Ontong Java," *Oceania* 1931.

announced daily. It ate upwards until at last it consumed his heart and so killed him.

VI

UNJUSTIFIED ACTION BY THE SPIRITS

In every case so far quoted the action punished by the *kipua* was held by the natives to be wrong, and death or illness thought to be well deserved. This does not prevent a feeling of resentment against the *kipua* which is expressed in candid terms. Yet, if asked to consider in the abstract the sin which the *kipua* are supposed to be punishing, they will say that the man who commits it merits death at the hands of his ancestors. It may be said that three quarters of the deaths which occur are believed to be justified by the actions of the person while he was alive. The remainder, apart from those caused by sorcery,¹ are due to spite and meanness on the part of the *kipua*.

The reason given for the death of a man named Ke uangi was that he had made up an ancient quarrel between his grandfather and the latter's brother-in-law by becoming friendly with this man's son. This friendship greatly angered the *kipua* of Ke uangi's grandfather. The action of the *kipua* was thoroughly condemned because, as everyone said, it is better to have friends than enemies. Similarly a *kipua* which had killed a woman in childbirth was reviled by the whole village for its jealousy.

The *kipua* of a husband is liable to kill his widow, especially if she remarries, though according to the natives there is absolutely nothing to prevent her doing so, provided that first she mourns for a decent interval. The female relatives of the husband always have a ritual fight with the widow, but the villagers generally look on and laugh.

¹ See below, pp. 216 ff.

There is no guarantee that a respected citizen will have a good *kipua*, though he usually does. Sometimes the best of mothers become the worst of spirits, killing the children one after another. Should this occur the relatives go to the graveyard, dig up the body and burn it. This does not destroy the *kipua*, nor does it necessarily influence its conduct. The action is intended to bear witness to the *kipua* and to the village that the relatives have lost all love for the person with whom in life it was associated. It is actually a punishment of the corpse, for it is by the maltreatment of the corpse that the emotions of the group find relief. The name of the person concerned is never afterwards given to a child.

It is difficult to say why spite is believed to be a motive for the actions of the *kipua*. One can understand it perhaps when deaths follow one another in the same family in quick succession. Also there may be a vague feeling that widows should not remarry. In the other cases it is possible that the *koulaiku* cannot think of a sin because the sick man has led a blameless life.

VII

SUMMARY OF ACTIONS SUPERNATURALLY PUNISHED

Excluding those caused by sorcery, all diseases and deaths are believed to be the work of the spirits of the dead relatives of the person concerned. Even death by violence is attributed to them. Should a man be killed by a spear-thrust in a fight it is thought that the *kipua* are the indirect cause. Had they wished it they could have turned the spear aside, or else protected the man by giving him superior skill and strength.

The actions which the community views in an unfavourable light, and which the *kipua* punish, may be grouped as follows :—

1. Failure to carry out obligations to relatives, such as those of husband to wife, parent to child, and headman to kinsman.
2. Neglect of poorer relatives, even when there is no legal obligation to look after them.
3. Acts of violence within the joint family, such as murder, adultery and displacement of the true heir.
4. Incest ; that is, sexual relations between two persons who are within the forbidden degrees of kinship.
5. Breaking tapus and neglect of ceremonies.

With the exception of the neglect of poor relatives, all the sins are acts which seriously affect a number of persons, sometimes even the whole society. Failure to carry out obligations causes other members of the group to suffer inconvenience or even injury. Adultery upsets the family life of both the offending parties and also that of the wider groups to a greater or less degree, and murder breaks all ties. Normally in all societies cohabitation between members of the same family is not only forbidden, but is looked upon with horror. In the next chapter we shall see that failure to perform ceremonies is also an anti-social act. The neglect of poor relatives is not so important, and is not regarded as a really serious sin. The man who does not give presents to the poor is guilty of shabby and unbecoming conduct, but he is not a person to be shunned.

Acts which injuriously affect a number of people, or which are looked upon by a society with horror, are necessarily disapproved of by the majority of its members. The sins in Ontong Java are for the most part acts committed by a man against a member of his own joint family. I have already pointed out how, in this connection, the belief in punishment by the *kipua* helps to restore the well-being of the group and of the society. I shall next investigate the other functions of the belief.

VIII

SOCIAL IMPORTANCE OF BELIEF

It has often been said that natives live in a constant state of dread of supernatural forces, which prevents them from committing the actions we have called sins. As a matter of fact, no natives do live in such a state of terror.¹ The Ontong Javanese think no more of the *kipua* than we do of divine punishment or of criminal procedure. At times they are afraid, just as Europeans sometimes fear the arm of the law or the Last Judgment, but such moments are comparatively rare.

Let us first of all consider their attitude towards the supernatural punishment of incest.

The most awful enormity of which a native can conceive is incest within the family, more particularly between brother and sister. He looks upon this with such horror that he only speaks of it in public with lowered voice. The worst insult that can be offered is to accuse him of having had sexual relations with his sister, and no one would dream of doing so unless he wished to cause a fight. The foulest affront is, “*a’oe e ongiongi ke angiangi kou ’ave-la*,” (“You commit sodomy with your sister”).

The thought of incest probably never occurs consciously to more than a small number of persons. Unconscious thoughts there may be, for dreams of relations with a sister are fairly common. The reason for the repression or the non-existence of these thoughts, is that from childhood the individual is taught that sexual intercourse within the family is forbidden.²

¹ Cf. Mills: *The Ao Nagas*, London, 1926, p. 215. “The presence around [the Ao Naga] of potentially malignant spirits no more weighs upon his mind than does the prospect of the wrath to come drive to moody despondency the average Christian.”

² See my article on “Sexual Life of the Natives of Ontong Java,” *Journal of the Polynesian Society*, 1931.

After a boy is about five or six years old he is always ordered away if he goes near his sister. If he does not obey, his ears may be boxed by his father, and he is in any case told that it is wrong for him to meddle with any near female relatives. He is also told stories of what has happened in the past when a brother and sister played together ; some of them are records of actual events, and some mere folk-tales. The consequences in either case are always unpleasant, and are usually brought about by the interference of the *kipua*. The most widely told story, which everyone knows, is of 'Ovae and his sister Lilio. These two played together, and in punishment one was changed by the *kipua* into a stone, and the other became paralysed.

One day I was sitting in a house talking to one of the men. Two or three little girls were playing in a corner with some beads I had given them. Attracted by their talk or laughter, a boy ran in and made towards the corner where they were sitting. The man to whom I was talking looked at him and called, "'Ovae, Lilio." The boy knowing the reference, took a quick look at the man's face and ran outside again. I then realised that one of the girls was his sister. The man reminded him that he ought not to go near her, by referring to the well-known story.

It is during the early years of childhood that the atmosphere of terror is strongest. Brothers and sisters who wish to become playmates are definitely prevented from doing so because they are afraid of the consequences, not only of a scolding, but also of punishment by the *kipua*. These spirits, in fact, take the place of the bogey man in English nurseries. As time goes on avoidance becomes habitual and the boy and girl cease to think of playing with one another. The result is that in later life the average man does not, at all events consciously, seek sexual gratification with his sister, but turns his gaze to other women to whom he is not related.

The systems of behaviour within the family become models of behaviour towards certain individuals outside it, and the prohibition of sexual intercourse is also carried over. Nevertheless, just as a person classified with the father is never as important as the real father, this prohibition is not nearly so clearly recognised outside the family, and the more remote the relationship, the more vague is the pattern, till at last a kinship term is a mere name. As one would expect, the society scarcely disapproves at all when two very distant relatives marry, provided they do not belong to the same joint family, and a special ceremony may be performed over them to remove any danger of supernatural punishment. The couple publicly embrace one another beneath a mat while the headmen of their respective groups ceremonially sprinkle them with coconut fluid. This ceremony bears witness that the society no longer disapproves, and the *kipua* are not expected to do so either.

The belief in punishment by the *kipua* is most important in early life, when, at first through fear, it imposes a habit. It may also influence conduct in later life. A man who consciously desires his sister may well be prevented from taking her because he fears the vengeance of his ancestors. Probably he would be prevented even more by the thought of the public indignation that his conduct would arouse. Few persons are brave enough to take what they want in the face of public disapproval and ostracism.

The deterrent is the same in other cases. Probably it is only a very small number of people who ever have thoughts of murdering a relative, or of committing adultery with his wife. But the influence of early training tends to repress any such thoughts that may arise. From childhood each man has been told that such actions are wrong, and he has heard a dozen examples of the horrible fate that overtook men who murdered their brothers or stole the wives of persons related to them. Should a sin

of this kind be committed, he has an opportunity of observing the disapproval shown by his fellow tribesmen, and when the sinner dies he hears them pronounce the death as a judgment of the *kipua*. In his early days, were he to have thoughts of a similar murder or adultery, he would probably be prevented from carrying them into execution by his fear of the *kipua*. In later life his mode of thought and of action has become so habitual that it never occurs to him to commit the sin—if he is normal. The exceptional individual may be held in check by continued fear both of public disapproval and of the *kipua*.

When a native is asked why it is that such acts are wrong he will not attempt to find rational grounds for their condemnation, but will answer simply, because they are liable to anger the *kipua*. The belief in supernatural vengeance thus provides a rationalisation for the standard of conduct approved of by the society. At the same time it provides a means whereby those standards may be inculcated in the young. They are taught that certain acts are not only wrong, but also that they involve the doer in disaster brought about by the intervention of the *kipua*. Almost every death that occurs provides a new example that may be quoted to back up such teaching. Events of this kind, of course, are more impressive to the young than tales of what has occurred in the past. These deaths also strengthen the old in their beliefs.

CHAPTER V

TRIBAL CEREMONIES

I

RELIGIOUS INSTITUTIONS

OUR examination of the culture of Ontong Java has so far been confined to the relations between each individual and members of certain limited groups, which might be called primary groups, since, as we have shown, the members co-operate with one another practically all the time. The system of reciprocity within these groups ensures that each member shall play his part where active co-operation is necessary, and helps to secure his passive co-operation in the form of respect for the rights of his fellow members. The belief in supernatural punishment reinforces this respect where it is not more or less automatically maintained by the reciprocal relations between the members of the group. But each of these primary groups represents only a small portion of the community. A joint family might at its maximum have included fifty persons, while the Luangiua tribe of pre-European days numbered three to four thousand. We now have to investigate how order was maintained within the society as a whole, or what were the forces regulating the relations of any individual towards members of primary groups to which he did not belong. For this purpose we must investigate the activities in which the whole tribe takes part.

These activities consist almost entirely in religious ceremonies. These are mainly concerned with the priests, of whom I shall speak by their native name of *maakua* or *ali'i*. The

Luangiua tribe had eight *maakua*. The position of headman in the joint families of the islands of Keila, Kepae, Kiloma, Kemalu, Akaha, Oko, and Keuolei carried with it the office of priest ; that is to say, the headman of these groups were also *maakua*. The eighth *maakua* was the next senior man after the headman in the Kemalu joint family. Two members of this group were, therefore, *maakua*. Succession in these joint families followed the ordinary rules, a headman being succeeded on his death by the next eldest man, irrespective of whether he was of the same generation or of the one below.

The three *maakua* of Keila, Kepae and Kiloma may be distinguished from the other five. They had no special native name, but it will be convenient to speak of them as the major *maakua*. Each major *maakua* had an executive officer, his *ka'ala*. This man was either his sister's son or a man so classified. The two *maakua* of Akaha and Oko had special duties and had the additional title of *ko'oi*.¹ The remaining three, the two of Kemalu and the one of Keuolei, we will speak of as the minor *maakua*.

The Pelau tribe had six *maakua*. Three of these were major *maakua* and three were *ko'oi*, there being no minor *maakua*.

To-day there are no *maakua*. The last died in 1925, more than two years before I first visited the atoll. It was consequently not possible to get information concerning them at first hand, and I had to rely entirely upon what other people told me.

Every year the whole Luangiua tribe came to their main village to celebrate a festival known as *sanga*. The festival lasted a month, on every day of which a different ceremony had to be performed. The *maakua* directed these ceremonies. When the last one had been carried out to its conclusion

¹ It has been suggested that the *ka'ala* and the *ko'oi* may have had functions similar to the *matapule* of Tonga or the *tulafale* of Samoa. As far as I know this was not the case.

all but one major *maakua* and one *ko'oi* returned to their islands. After they had departed any of the other people who wished were free to return also, though if they preferred to do so they remained on the main island.

Until twelve lunar months had passed, when the time for *sanga* came round again, the major *maakua* who had been left at Luangiua acted as the religious head of the tribe. Assisted by the *ko'oi*, he performed certain ceremonies every day to make the coconut and taro crops of the whole tribe flourish and to make the fish in the lagoon plentiful. After the next *sanga* these two *maakua* were replaced by two others, a major *maakua* and the other *ko'oi*. The following year the third major *maakua* held office and was assisted by the first *ko'oi*, and so it went on in regular rotation.

Pelau also had its *sanga*, identical in most respects with *sanga* at Luangiua. After the festival had concluded there, one major *maakua*, assisted by a *ko'oi*, acted as religious head of the tribe for a year. The next year a different major *maakua* and a different *ko'oi* were in office, and the third year the third major *maakua* and *ko'oi* took charge.

The ceremonies which took place at *sanga* and those regularly performed by the *maakua* cannot be adequately understood until we have made a brief excursion into the religious beliefs. First we shall take the myth which accounts for the origin of the Ontong Javanese people.¹ This myth is well known to every adult member of the community. The version which I shall give is the most popular of several slightly different renderings.

II

THE SANGA MYTH

Long ago Ke pa and Ke papa lived in the earth. Ke pa was what we call rock, and her husband Ke papa was

¹ The ordinary gods of Polynesia, Tanaloa, Tane, Maui, etc., are unknown at Ontong Java.

sandy expanse. These two had no other interest in life but copulation, and always they might be found lying side by side or one on top of the other. Ke pa conceived and by and by gave birth to a son, whom they called 'Olalo.¹ By the time 'Olalo had grown to manhood he had become tired of living in the darkness of the underworld, and he decided to find another place. He pushed at the roof above him again and again, and eventually made a hole large enough to permit him to pass through. He climbed up and for the first time saw the sunlight and the sea. The rocks on which he stood were the islands of Ontong Java. He called his father and mother to come and see the light, but they took no notice. To this day you may see the two of them, Ke pa and Ke papa, rock and sandy expanse ; still they are always together.

'Olalo walked along the shore, and before he had gone far he met a woman who called herself Kuimo'o.² She was the only person living on the atoll at the time, and the two of them married. They lived in the hole made by a sand crab and ate the white sea foam.

In time Kuimo'o gave birth to a son, Ke ui. He was a spiteful child, and 'Olalo had no special love for him. He gave the boy the northern half of Luangiua island and told him he could live there. Finally Kuimo'o died, and 'Olalo was left alone once more.

Far back as all this was, the history of the distant island of Ngiua goes back farther. At this period so many people were living on the island that there was not enough food. One of the old men decided to move to a new island. He could not leave Ngiua himself, so he sent his two sons and his daughter Ke luahinge, sometimes called 'Ahinge³ for short, to find a new home for the family. They set out in

¹ 'Olalo, literally, below.

² The *mo'o* is a species of lizard.

³ The initial apostrophe indicates a glottal stop, and does not represent an abbreviation.

a large canoe, taking with them a number of coconuts and taro shoots to plant if they found only a barren island. After sailing for many days always in the direction of the setting sun they at last saw a stretch of low-lying waste land, bare of all vegetation and so low that it was almost covered by the sea. They steered the canoe to the beach, disembarked, and proceeded to explore. Up and down they went and could find nothing until Ke luahinge tripped over some strands of hair lying on the sand. She stooped to examine them and found that they were attached to something below. She called to her brothers and all three began to dig. They soon saw that the hair belonged to a man buried in the sand. This was none other than 'Olalo. They had discovered Ontong Java. 'Olalo was enormously fat, so fat indeed that his eyes were closed. Ke luahinge sent one of the men to the canoe to get some coconut oil. She gave him this to drink, and he began to vomit, not food, but quantities of sand. By the time that he had recovered he was reduced to ordinary human shape, and the land on which they stood had been raised several feet, right above the reach of the high tide.

The voyagers told 'Olalo their story, and he agreed to allow Ke luahinge to remain and plant the coconuts and taro, while the brothers returned to Ngiua for the rest of the family. They called the island where they had found 'Olalo Lua-Ngiua, the second Ngiua, in memory of the place from which they had come.

After the brothers had departed 'Olalo asked Ke luahinge to become his wife, and she consented. He helped her to plant the coconuts, but he would have nothing to do with the taro. He told her that she might go and plant them herself in the swamp situated in the territory that he had given his son Ke ui. He warned her that if she saw him she was to have nothing to do with him. She forgot all about the warning and proceeded to plant her taro shoots. When

she had nearly finished, Ke ui rushed upon her and compelled her to submit to him. She returned weeping to 'Olalo. He was very angry and forbade Ke ui ever to come south of the line which he drew across the island.

After the lapse of a month or two the canoe returned to Luangiua bringing Ke luahinge's father and mother, her brothers and their wives and children, and her son and her former husband. These, with Ke luahinge and 'Olalo, became the founders of the Ontong Java tribes. As they grew more numerous they spread over the other islands of the atoll, including Pelau. Some of them founded settlements on other coral atolls to the north, the Tasman Islands (Nukumanu), the Mortlock Islands (Ta'u or Taku) and Nuguria. Natives culturally allied to the Ontong Javanese still occupy these islands.

'Olalo looked after the people for many years, but at last he died. Knowing that she could not outlive her husband long, Ke luahinge explained to her sons all that she wished to be done after her death. She told them that if everything was done well her spirit would see that the taro and the coconuts grew, and that the fish were plentiful. On the other hand, if they neglected the smallest part of her commands, she would send them plagues and famines. Temples were to be built at Luangiua and Pelau, and images of 'Olalo and herself were to be placed inside. Eight *maakua* were to be appointed to look after the Luangiua temple and six to look after the one at Pelau. Every day offerings were to be placed before the images for her spirit. Once every year her descendants were to assemble either at Luangiua or Pelau to carry out ceremonies which she described in detail.

After she was dead the people did as they were bidden. Eight *maakua* were appointed at Luangiua, and a great temple, the *hale-aiku*,¹ was built. Images were fashioned

¹ Literally, house of the spirits.

and placed inside. Every day one of the *maakua* made the offerings and prayed to Ke luahinge that she might not forget her promise. Every year, too, they all assembled to perform the ceremonies. At Pelau six *maakua* were chosen and a *hale-aiku* was also built.

And so it has gone on. Ke luahinge, or rather her spirit, makes the taro grow and the coconuts form on the trees, 'Olalo looks after the islands, and Ke ui lies in wait for defenceless women and sends rats to devour the taro shoots.

This story is learned in detail by every member of the community. The children even play with toys that were modelled from the images that were in the temple.¹ Once every year the people used to assemble to carry out the ceremonies, and they believed that unless everyone took part, calamity would overtake them all. But since the white man came these ceremonies have been neglected. The *hale-aiku* has tumbled into ruins, and the images have decayed. Ke luahinge, the people believe, is punishing this disobedience by sending plagues. To-day only one man is left where before there were ten.²

Although they are so much more important, the spirits of these first ancestors are referred to by the terms applied to the spirits of ordinary men, *kipua* and *aiku*. I have found it necessary to distinguish the two classes of spirits, and shall accordingly speak of Ke luahinge, 'Olalo and Ke ui as gods. Ke luahinge is the goddess associated with cultivation and fishing, 'Olalo is the god of the islands themselves, and Ke ui is the god of evil.

¹ A photograph of one of these toys will be found in my article on "Tribal Ceremonies at Ontong Java," *Journal of the Royal Anthropological Institute*, 1931.

² In my article "Spirits and Healing" I stated that the present depopulation is said to be caused not by the gods, but by the *kipua* of the priests, who are angry because the people have forsaken their old beliefs. I have since re-read my notes, and find that the gods are also held responsible.

III

TEMPLES AND PRIESTS

Both Luangiua and Pelau villages are planned in an unusual way. They are divided into quarters by two long clearings which cut one another at right angles. The shorter clearing runs across each island from shore to shore. At Pelau this is called the *kala-ngiu*. At Luangiua it is the *kala-ngiu* on the lagoon side and *kua-malama* on the sea side. The longer clearing, running approximately parallel to the shorelines, is called the *malae*. The northern half of Luangiua village is sometimes called *ko'olau* (*tokelau*) and the southern half *sa'upu*. The *hale-aiku*¹ in each village stood right at the intersection of the two clearings, and was thus in the very centre. Ke ui had a special temple to himself at Luangiua, *ke lahu*. This stood at the extreme northern end of the *malae*. An image of Ke ui stood outside, facing the north. There were also other temples of minor importance that will not here concern us. Both villages had men's club houses, *ahaka*. At Luangiua there were four; they stood in the four corners made by the intersection of the clearings.

Brown, the pioneer Methodist missionary, describes the Luangiua *hale-aiku* as follows. "It was about 50 ft. in length by about 20 ft. wide. At one end were two rudely carved figures, considerably over life size On a low platform at the feet were two child idols—male and female—to complete the family. The house was full of carved representations of every kind of fish and all the animals with which the people had any acquaintance."²

¹ Photographs of the *hale-aiku*, taken in 1910, will be found in Sarfert and Damm's *Luangiua and Nukumanu* (Hamburg, 1929). In 1928 only a few rotted stumps were left, with the remains of a couple of images lying face downwards in the mud.

² Brown, *Notes of a Voyage . . .* Australasian Association for the Advancement of Science, vol. 11, p. 532.

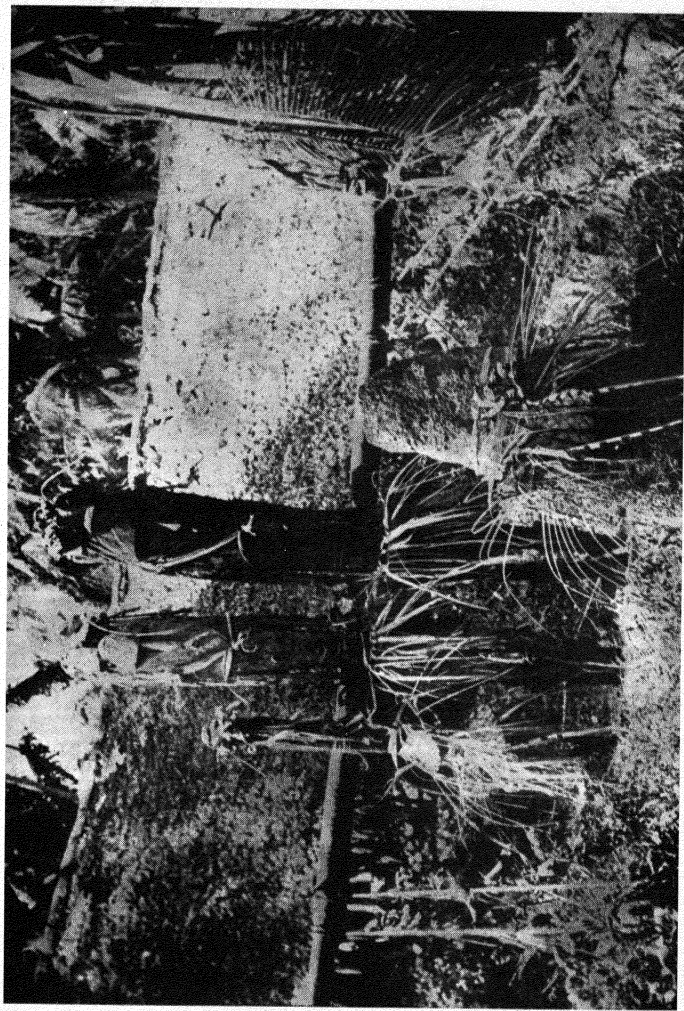
The posts which supported the ridge-pole of this *hale-aiku* were all named. One was Luangiua, then came three called respectively Kiloma, Kepae and Keila, after the three settlements of the major *maakua*. A fifth bore the name of Pelau.

Before entering the *hale-aiku* the *maakua* always donned their sacred regalia, called *ali'i*. It is said that the regalia of the first *maakua* was made by Ke luahinge herself before she died. It consisted of the *'asoa* (a necklet of bleached pandanus leaf knotted in a special way), a fan, a mat, and a staff, the *mahaungangi*. This regalia, being sacred, caused the *maakua* to become sacred themselves when they wore it, which they did on all occasions of ceremonial importance. At such times ordinary men were forbidden to go near them, and they went around beating fans to give warning of their approach, so that all might retire. However, once the regalia was removed, as it had to be when ordinary tasks or any of the more profane acts of everyday life were performed, such as eating or bathing, the *maakua* at once lost their sanctity.

The more perishable part of the regalia, the *'asoa* in particular, was liable to wear out, but Ke luahinge decreed that it might be renewed if special ritual precautions were taken.

A peculiar exchange took place when a *maakua* died. The body was decorated in the old regalia, and a new set was made for the man who was to succeed him by his sister's son. He then approached the corpse, and the objects were exchanged. The *'asoa* of the dead man was placed around the neck of his successor, while his *'asoa* was placed on the corpse, and likewise with the fan, the mat and the staff. This exchange made the regalia a direct and tangible link between the *maakua* and Ke luahinge.

The major *maakua* and the *ko'oi*, after putting on their *'asoa*, went every morning to the *hale-aiku* and recited a



5. THE IMAGES OF THE GODS STANDING OUTSIDE THE *hale-aiku* DURING THE *sanga* FESTIVAL
(THE PHOTOGRAPH WAS TAKEN BY MR. H. A. MARKHAM IN 1910)

prayer known as *ha 'ala ngaiku*, the rousing of the gods. In the evening they recited the *ha momoe aiku* prayer, the gods' lullaby. This runs as follows :—

- Ha kulo, ha kulo, hangamai.*
kou ali'i, Ke luahinge !
hangamaila, kou ali'i, kou ali'i !
ngei ke olo a Ngiua,
 5. *ke olo a Samangi,*
ke olo a Hoi,
hinge ngoho i ke pa.
hinge ko alunga.
kau sulu manga ke la.
 10. *Hinge va kau i mua.*
kiki ako avai lalo va'a.
Kiloma ungi 'Ahinge.
Hinge, hangamai !
ko kinga kapu malu.
 15. *alunga ke hale lau-kalo.*
makeu ke luo.
ke mango pipi'i kie
ke hale lau-kalo.
ke susu, ke longo, ke aepea,
 20. *ke unga, ke iole,*
ngi houli, ngi homea,
hakahaki ala ke ngiho,
pesia i nga pupu.
nga Ngengeva i komikomi ;
 25. *hiki ke maka veve,*
somo ke ulu huki,
ke ulu kolo, ke ulu a ke ika ;
ulavango ke hua ke la'au,
ke ulu a hia ha kele.
 30. *ioaku aui molemole,*
hui pakapaka.
mahe ke ungu,
mahe ke venguwengu.

Then follow references to coconut palms bearing full bunches of nuts, to thunder, etc. These take up about another thirty lines, and the prayer concludes :

61. *ioki mai, ke po uliuli,*
'Ahinge, hulihuli.
sulu manga ke la.
ha pili pili kou hau kamole.

65. *kikilo meaku ke maka-angipu,
 kai ke ouaha, ke mua kalo,
 kai vusi somo.*

Although even to-day most of the adults can recite this prayer and give its general meaning, it is difficult to translate, because the precise meaning of some of the individual words have been lost. The translation below is as literal as possible.

- Hail, hail, glowing one,
Our sacred Ke luahinge !
Lo, the glowing sacred one, sacred one,
From the shore of Ngiua,
5. From the shore of Samangi,
 From the shore of Hoi.¹
 The women lay aside their pillows.²
(Because it grows dark and they can no longer see their work)
 The sun goes down.
10. 'Ahinge came first.
 The keel trembles, the spell for wind
 having been uttered.
 (When she saw Kiloma) the sea broke
 over 'Ahinge's canoe.
 Shining 'Ahinge !
 The shadow of your body is sacred.
15. The leaves of the taro grow above,
 The shoots grow up.
 Permit not the caterpillar
 To eat the leaves of the taro.
 Of the *susu*, the *ngongo*, the *aepea*,
20. Of the hermit crab and of the rat,
 Of the *houli* and the *homea*,
 Take away the teeth,
 (because they destroy the taro)
 And throw them into the bush.
 Ngegeva³ (look after) the planting of the taro,
25. (Make) the grass grow,
 The leaves of the banana grow,
 And the sugar cane and the *ika* tree ;
 (Make) the trees bear fruit,
 The *hia* and the *hakele* trees.

¹ Nothing is known of Samangi and Hoi.

² Pillows are made of wood covered with pandanus leaf matting.

³ Ngegeva is another name for Ke luahinge.

30. (Make) the smooth *ioaku* grow
 (a coral growth)
 And (send) the flat stones which lie on the shore.
 (a special prayer to increase the area of the islands)
 (Send) abundance of clam shells,
 And many *venguengu*.
61.
 Come, now it is night,
 'Ahinge hasten.
 The sun goes down.
 Your coronet of fragrant leaves has been
 placed on your head.
65. Go, look and see the taro shoots,
 The young taro, the taro shoots,
 In the garden, see to it that they grow.

Offerings of food were made to the gods every time the prayers were recited. These offerings were left in the *hale-aiku* for a day, and then removed to be consumed by the *maakua* and their families.

IV

SICKNESS AND DEATH OF A *MAAKUA*

The *maakua* were public officers. It was their duty to ensure the favour of the gods so that abundance of food might be provided for the whole tribe. They were also expected to persuade the gods to pass unpunished any neglect of ritual or ceremony. If a public disaster did occur they had to find the suitable atonement.

A *maakua* who became ill at once put the community in a state of extreme danger. He was unable properly to carry out the ceremonies decreed by the gods, and it was felt that some catastrophe might take place in consequence. Ritual precautions were at once taken to give him a good chance of recovery. If, in spite of these, he grew worse and his disease threatened to be fatal, he was expected to take his own life as quickly as possible in order that some one more fitted to perform ceremonies might be appointed in his place.

To commit suicide the *maakua* had only to place a charm called *ngoho* around his neck. It was made from pandanus leaf, coconut leaf and hibiscus fibre by his sister's son, and had been given to him as soon as he assumed office. Once it was placed around his neck nothing mortal could save him from death. No physical violence was shown to compel him to wear it, but he was allowed to see that he was expected to do so.

While I was living at Luangiua there was an epidemic. One of the persons taken ill was the man who would have been *maakua* of Kepae under the old rules. Although he never actually performed any of the ritual, for some reason he had a *ngoho*. As his illness grew worse one heard people around the village saying that he ought to put it around his neck to induce death. Some of them even said that the epidemic would go on until he had done so, though they were careful never to be overheard by his relatives. One morning the rumour went around that he wanted to wear it, but that his wife had prevented him. He grew steadily worse, and one day I saw that it had been put around his neck. Two days later he was dead. I do not cite this example to show the psychological power of the charm, for he was certain to have died in any case, but to illustrate public opinion.

When a *maakua* died, the tribe lost an official who had acted on their behalf. This affected them even more deeply than his illness, and they all took part in the funeral ceremonies. These ceremonies were somewhat similar for all *maakua*, though when the major *maakua* who was in office at Luangiua died they were most elaborate. I shall content myself by describing these only.¹

As soon as death had taken place the body was washed and laid out. There were no ceremonies to be observed till

¹ The following account of the funeral of a *maakua* was derived from informants. The details are to-day only known to the old men. Three accounts were obtained with the help of an interpreter, and then compared. Many points were later verified in general conversation.

the following day, and in the meantime the mourning was of a private nature. News was sent to all the outlying islands, and all the people made their way to the main village. All but necessary work was forbidden from the moment of death until the grave had been filled in. The women might cook, but they were not supposed to engage in any other task. The men's club houses were tapu, and no one was permitted to enter them.

When an ordinary person died, his relatives were forbidden to engage in any work till after he was buried. His spirit, it was believed, would punish an offender with illness. If any person did unnecessary work while a *maakua* lay unburied it was thought that everyone was liable to suffer. The gods were not only sure to punish him, but would punish the whole tribe.

On the morning following the death the body was oiled and decorated in full *maakua* regalia. The 'aso'a was placed around its neck, the fan and mat put under the left arm, and the staff laid in the right hand. Black feathers of the frigate bird were bound to the arms, and a white cowrie shell fastened to the brow. The exchange already mentioned then took place, the regalia of the dead man being put on the man who was to succeed him, and his in turn laid on the corpse. The body was afterwards carried to the *hale-aiku* and placed at the foot of the image of Ke luahinge, where it remained for a couple of hours. Later it was removed and borne in solemn procession to the *malae*. Here a sort of tug-of-war took place. Two ropes were made fast to the body. That on one side was held by the blood relatives of the dead man, and that on the other by his relatives by marriage. He was pulled up and down the *malae* and then taken to the house which had belonged to his mother.¹

¹ Every *maakua* had his own house at Luangiua, and his wife came to live with him in this house. The marriage of a *maakua* was thus an exception to the general rule, for it was patrilocal.

For two days the body lay in this house. The proceedings on the first day were exactly the same as on the death of an ordinary headman. The members of his own and of his mother's joint family mourned, while his brothers- and sisters-in-law and his children-in-law sat motionless in festive array before the fire.¹

On the afternoon of the second day that the corpse lay in this house, all the men of the tribe, which had by this time assembled, set out to gather dry coconut spathes.² Each gave what he gathered to the headman of his joint family. The headmen took the spathes to the house where the corpse lay and threw them to the ground, calling out in a loud voice as they did so, "*lolosi mangava 'angau*" (protect my kindred). This was a prayer to the spirit of the dead man.

That night all the people assembled in and around the house. The spathes were kindled and served to illuminate the scene. Dirges were sung to the accompaniment of the sacred gong, the *samu*.

Every joint family has a song of its own, its *hamaha*. These songs usually tell of the deeds of the founder of the group or of some incident in its history, such as a fight. Towards morning the dirges gave place to these *hamaha*. Each headman sang the *hamaha* of his group alone, while his kinsmen made appropriate ejaculations at the end of every few lines. When the headman had finished he advanced to where the dead man lay and again addressed a prayer to his spirit, asking that it might intercede with the gods on behalf of his joint family should the need arise.

It was already day by the time that all the *hamaha* were finished, and although the body had been rubbed with oil every few hours, decomposition had generally set in. Prep-

¹ See my article "Transition Rites at Ontong Java," *Journal of the Polynesian Society*, 1930.

² These spathes are used regularly as tinder and frequently also as torches.

arations for its burial were therefore no longer delayed. It was wrapped in mats, carried to the cemetery,¹ and laid in a grave.²

If the funeral of a *maakua* was a tribal event, so also was his failure to avert a calamity, such as drought or famine. Theoretically, when this occurred the major *maakua* in office was put to death. It was thought that he was obviously unfit, since the gods would not listen to him, and that he ought to make room for someone more efficient. In actual practice, however, a *maakua* was very rarely put to death.

The last time a *maakua* was put to death was about 1870. There had been a serious drought, and the taro had shrivelled up and died, while the coconuts fell to the ground when they were no larger than acorns. There was in consequence a shortage of food and, naturally, general discontent. The *maakua* at Luangiua prayed to the gods for relief, but they were deaf. At last the king sent messages for the whole tribe to assemble. They met together on the *malae* and he addressed them. He told them that their *maakua* was obviously no fit person to speak to the gods on their behalf, and he proposed that he be thrown into the sea to make room for a better man. He ordered him to lay aside the sacred tokens of his office. This the man did, giving them to the next senior man of his joint family, and, at a sign from the king, the people rushed upon him. Ropes

¹ The cemeteries of Ontong Java are very like our own. The graves are arranged in rows, each with a slab of coral rock as a headstone. The body lies with its feet towards the west.

² Parkinson in his *Dreissig Jahre in der Sud-see* speaks of the funeral rites of the Luangiua priests. His information is so incorrect that it is not worth contradicting in detail. Williamson (*Social Systems*, vol. 3, pp. 385 ff.) quotes an article of Parkinson from the *Internationales Archiv für Ethnographie*. I have not seen this article myself, nor do I think it can have much value. He says that the priests were chosen by the king. This is quite incorrect. He also says that they were called *e ngoho i karinga*. As it stands this conveys nothing. I presume he meant *e ngoho i ke linga* or *ringa*. Far from being a title, this is a statement which may be translated, "to sit down for the *linga* ceremony".

were quickly brought, and he was bound hand and foot and thrown into the sea.

More recently, at the suggestion, or possibly the threat, of the reigning king, a *maakua* voluntarily handed over his regalia to another man. This was during one of the first epidemics to follow the visit of European ships.

Both these unfortunate men owed their fate to the direct intervention of the king. I would point out that the kingship is a comparatively recent institution, and it seems possible that, prior to the establishment of the kingdom, although in theory an incompetent *maakua* might expect to be killed, in practice he seldom was, because no one had sufficient power to lead an attack against him.

V

THE SANGA CEREMONY

It will be remembered that Ke luahinge ordered that *sanga* should take place once every year both at Luangiua and Pelau. No record of the years is kept, and the time for the festival was reckoned in months from the time that the last festival had ended. This proceeding was only altered if a major *maakua* had died at either village, in which case *sanga* was held there at once. The months were then counted from its conclusion, and not from the end of the last regular festival. *Sanga* might thus fall at any season of the year and continue to be held at that time until the death of another *maakua* at the main village concerned. In both places it lasted about a month, and twelve lunar months elapsed before the next celebration. I shall describe only the Luangiua festival, for that of Pelau was practically identical, although the two were almost entirely independent of one another.

At Luangiua *sanga* lasted thirty-four days. Each day had a different name. The list is as follows :—

1. *ke aho ke lii* (*ke aho* = the day),
2. *makahiki,*
3. *nga lo,*
4. *nga hui oau'a,*
5. *ke 'okai* (also *ke aho ke apo*),
6. *ke si a maakua,*
7. *ke si a maakua,*
8. *nga pumea a nga hale-'api,*
9. *vavai nga pumea nga hale-'api,*
10. *vavai nga ke si nga maakua,*
11. *nga pumea nga ke kulau,*
12. *nga kali a Oko,*
13. *sa maakua nga Kemalu,*
14. *nga kali,*
15. *Kepae,*
16. *nga Keila hulumai,*
17. *nga kali Keila,*
18. *ha malama nga hale,*
19. *ngahaka,*
20. *ngaiku,*
21. *ngamaku,*
22. *ke ngiu,*
23. *nga mosanga,*
24. *hulihuli,*
25. *mokomoko,*
26. *apilipili nga mokomoko hale-aiku,*
27. *ke lahu,*
28. *nga kua,*
29. *nga maakua e lalao* (also *ke aho haku kongukongu*),
30. *nga susu'a,*
31. *e seu nga susu'a,*
32. *kapa'au,*
33. *Ke ui,*
34. *ha mangongi.*

I shall give a brief account of the proceedings of each day.¹ The ceremony which I saw myself is but a poor relic of what took place formerly—the four days : *ke aho ke lii*, *ke aho makahiki*, *ke aho ngahaka*, and *ke aho ke ngiu*. My information about the other days is derived from informants and from general conversations. The more intimate details

¹ At a later date I hope to publish a complete account.

of ritual were recorded from a handful of old men, frequently through an interpreter.

1. *Ke aho ke lii*.—This was the official beginning of *sanga*. The people had not yet assembled at Luangiua, and only those who happened to be there at the time took part. In the north-west corner of the village there is a clear space called *ke kipa*. Certain officers, known as *polepole*, collected all the men at this spot. The major *maakua*, his *ka'ala* or executive officer, and the *ko'oi* made their way to the place when all had assembled. The *ka'ala* addressed them, saying that *sanga* had now begun. He finished his speech by crying "*ke lii*," and all the men ran off to the common land to gather *lii* coconuts, a variety with a sweet, edible husk. There are not many of them on the island, and a man was lucky if he managed to gather more than a dozen. As each one returned to the village he left a couple of coconuts at *ke kipa*. These were taken by the *polepole* and divided between the two *maakua* and the *ka'ala*.

That night, and every succeeding night till *ke aho ngamaku*, love songs, *lalangi*, were sung. One may hear these songs to-day, for they are still very popular. All the unmarried girls and practically all the men, except the very oldest, assembled at *ke kipa*. The girls arrange themselves into two groups, one being composed of those who live in the *sa'upu* end of the village, and the other who live in the *ko'olau* end. The men and boys also break up into groups, but not with any special reference to where they live. There are usually about four to eight groups of men to the two of girls. Everyone is anointed with sweet smelling coconut oil, and most have wreaths of scented leaves around their heads, and strings of pandanus seeds round their necks. They walk up and down, hand in hand, each knot of persons singing a different *lalangi*.

There are hundreds of these *lalangi* songs, some composed by men to be sung by men, and others composed by girls

to be sung by girls. The one below will serve to illustrate their general tone, though it has far fewer sexual references than many of the others.

Kou hinga, i lunga ke va'a.
'u 'oki ki ohu.
pale-i'a, i lunga ke va'a.
'u 'oki ki ohu.
kaua kalakala.
ke miko e hungu.
kukie ke mosu'i.
e kaloe'a, e kaloe'a.
kou hinga, i lunga ke va'a.

My sweetheart, come aboard my canoe.
There, you have come.
My loved one, come aboard my canoe.
There, you have come.
The two of us will talk together.
Your vulva is covered with hair.
Cut away the scale of the fish.
We copulate, we copulate.
My sweetheart, come aboard my canoe.

Judged from some standpoints the Ontong Javanese are an obscene people. Most of their jokes are sexual, even though such matters are discussed openly at all times, unless a brother and sister are present together. The *lalangi* sung during *sanga* are perhaps rather more obscene than the usual run of jokes.

The singing of these *lalangi* songs must be typical of the way many ceremonies were carried out. Everyone puts an enormous amount of energy into what he is doing, but the effect produced on a stranger is one of the utmost confusion. Every few minutes one or other of the groups will pause while the individuals have a heated discussion over the correct wording of the song, or over which one is to be sung next. It would still be difficult for them to hear one another if they were not all talking at once, because of the

noise the other people are making, either singing or arguing. After talking to no purpose for perhaps five minutes, blocking the road while they are doing so, the argument is finally settled by some one beginning a new song in a loud voice. The rest join in, if they can hear, and the crowds move on again, only to stop a quarter of an hour later to begin a similar argument.

The *lalangi* began at about half past nine o'clock and went on till twelve. The crowds then dispersed for bed, but they were up again at five to sing the *huakanga* songs. These songs were of a different type. The words tell of persons who were haunted by *kipua*, but they always finish with the anger of the *kipua* either being averted or else appeased. The joint families of each of the three major *maakua* had *huakanga*. On the first morning those sung were the songs of the joint family of the major *maakua* who was at that time in office at Luangiua. The following morning the songs of one of the other joint families were sung, and on the third day those of the remaining group. The cycle was repeated until all the *maakua* had arrived, when other songs took the place of the *huakanga*. Anyone might join in and sing, but as a rule a person associated himself with one or other joint family, and so only sang every third morning.

An official known as the *puloko* acted as master of ceremonies. He was the headman of a certain joint family which owned the title. The headman of this group was always the *puloko*. The singers formed a ring, and he sat in the centre, beating time with a fan.

From *ke aho ke lii* till *ke aho ke ngiu* the young girls were given no work to do, but were allowed to devote their time to the cultivation of their beauty. The standard of feminine beauty is the appearance of a woman pregnant for the first time for four or five months. The girls slept most of the day and ate a great deal in order to approach the standard

as closely as possible. A white skin is also much admired, so they were from time to time massaged with scented oils, and never went out unless they were well protected from the rays of the sun.

2. *Ke aho makahiki*.—Early in the morning, after the *huakanga* were finished, a *linga* was held. The men all assembled as before at *ke kipa*. At a signal from the *ka'ala* they all raced off to the common land and proceeded to gather green coconuts. Each one tried to bring back as many as he could in the shortest possible time. If he brought back too few or stayed away too long he was called lazy. Generally each man brought back between sixty and eighty nuts. They were piled up in separate heaps at *ke kipa*.

While the men were away gathering coconuts the women set off to the gardens for taro, returning well laden at about eleven o'clock. As soon as they had taken the baskets of roots to their houses they went to *ke kipa* to look at the pile of nuts. The men who had brought back too few, or who had stayed away a long time to bring back a great many were subject to jesting taunts and insults, such as, "Have your bones become soft?" "Did you have a backache?" "I am glad he is not betrothed to me." "Are you going to feed all your relatives?" etc.

At about noon the *ka'ala* came to distribute the nuts. He ordered a number to be taken from each pile and made into a separate heap. The names of the owners of the piles were then called in turn, and, with the assistance of their female relatives, they took them to their homes. The big heap was later divided between the two *maakua* and the *ka'ala*. That evening the taro was made into puddings, and each house had its feast.

3. *Ke aho nga lo* (*lo* = coconut oil).—The men collected a small number of ripe coconuts and took them to the house of the *maakua*. These nuts were grated and made into

coconut oil by the women of the village, each one taking some part in the operation. This oil was sacred (*kapu*)¹ and was used by the *maakua* whenever they required oil in any of the *sanga* ceremonies.

After the oil had been made, news was sent to all the outlying islands that *sanga* had begun. Later in the day four taro roots were taken from every garden. The bulk of these were distributed among the *ka'ala* and the two *maakua*. A few were left in the temple of Ke ui, *ke lahu*, as an offering.

4. *Ke aho nga hui ouau'a* (*ouau'a* = a husking stick).—Coconuts were gathered from the common land and presented to the two *maakua*.

5. *Ke aho ke 'okai* (*'okai* = a pap made from coconut flesh).—The women of the village made *'okai*, which was then taken to the club houses and divided among the senior men.

6. and 7. *Sa aho ke si a maakua* (*si* = coconut flesh).—Coconuts were collected by the children. These were given to the *maakua* of day 10, *ke aho vavai nga ke si nga maakua* (*vavai* = to distribute).

8. *Ke aho a nga hale-'api*.—The women went to the gardens for taro and came back and made them into puddings. These were given to the *polepole* officials on day 9, *ke aho vavai nga pumea nga hale-'api* (*pumea* = pudding).

11. *Ke aho nga pumea nga ke kulau*.—On this day the *maakua* of Keuolei and the *maakua* of Oko or Akaha arrived at Luangiua. If the *maakua* of Oko was already in the village the next day (12) was *nga kali a Akaha* instead of *nga kali a Oko*.²

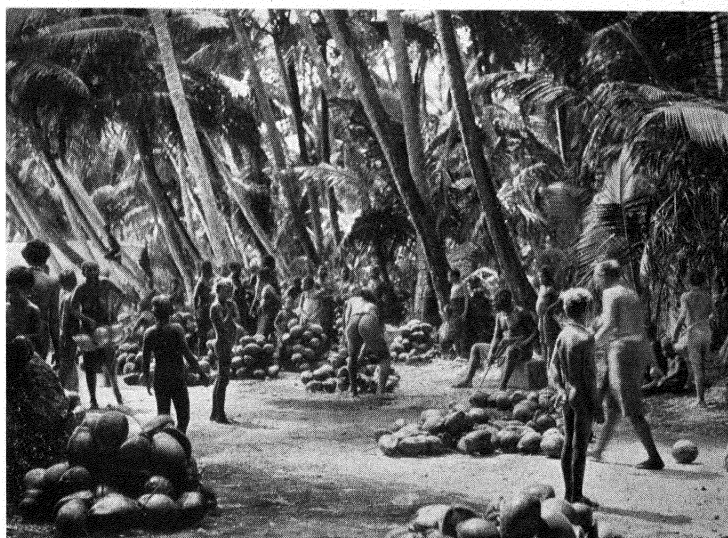
13-16. It will be noticed that the word *kali* occurs two or three times in the names of the next few days. This word means an exchange of gifts. The exchange in question took place between brothers- and sisters-in-law. Thus on *ke aho*

¹ The ordinary Polynesian word *tapu*.

² The two *ko'oi* were respectively *maakua* of Akaha and Oko, so that one of them was bound to have been living at Luangiua for the preceding year.



6a. BASKETS OF TARO READY TO BE MADE INTO A PUDDING FOR A CEREMONIAL
EXCHANGE OF GIFTS



6b. DISTRIBUTION OF *linga* COCONUTS

nga kali Keila, the men of Keila joint family presented their wives' sisters with coconuts. The women in return gave them puddings. The word *hulumai* also occurs. This must be translated as arrival ; *nga Keila hulumai* = the arrival of the people of Keila. I have given the names of the days as if the *maakua* of Kiloma was the major *maakua* at Luangiua. If, instead, the *maakua* of Keila had occupied this position the day would have been *nga Kiloma hulumai*.

By the seventeenth day the whole tribe had assembled. An exchange always took place between brothers- and sisters-in-law on the day following the arrival of any group.

The *maakua* who in the following year was to remain at Luangiua did not go there direct. Before he left his island he took several objects, every one of which was of value to the people, but for which they were entirely dependent upon the sea. Among these objects were pumice, picked up on the beaches and used for sharpening shell adzes, a piece of light wood used for stopping leaks in canoes, a piece of gum,¹ which when ground up was useful as a perfume, the bones of three common fish, the *veke*, the *ngangue* and the *longo*, etc. These he tied in a bundle and towed behind his canoe on the voyage to the main island, and the tow-rope he continually twitched. Before landing at Luangiua he went to an island in the south, where he remained till nightfall. As soon as it was dark several of his kinsmen took coconut leaves and young coconuts and went across to the village. They went up and down the streets making a sweeping motion with their leaves, and afterwards they sprinkled the fluid from the coconuts everywhere. When they had finished they plaited coconut leaves into the design known as *koumalo* and tied them to several trees.

The purpose of this ceremony was to remove the evil *kipua*. Whenever anything is to be ritually purified it is always done in this manner, first the sweeping, then the sprinkling, called

¹ Ambergris ?

ha mali'i, and last, the tying of *koumalo* on the cleansed object.

When all was finished the *maakua* came from the island to the village. Before going to his house he deposited his bundle in the *hale-aiku*.

18. *Ke aho ha malama nga hale*.—The word *malama* is a difficult one to translate. Primarily it means light.¹ It is also used for the moon and for a clearing in the bush (e.g., *kua-malama*). In the context here I propose to translate it as purify or purification. The full name of the day is, the day of the purification of the (club) houses. The club houses were ritually swept, sprinkled with coconut fluid, and then *koumalo* was tied on the corners.

On this same day the women of the joint families of the eight *maakua* plaited a thick rope from sennit. Scented flowers and herbs were tied to it when it was finished. This rope was taken to the *hale-aiku* in readiness for *ke aho ngaiku*.

With the eighteenth day ended we enter upon the festival proper. So far, we might regard the first day as taken up with the official announcement, and the second by the feast with which any big undertaking began. The next eight days were occupied by presentations of taro and coconuts to the retiring *maakua*, and on the eight days following, the people from the outlying islands arrived, presents were exchanged, and general preparations were made. The first day of the real festival was number 19, *ke aho ngahaka*. All the girls who were shortly to be married were oiled and powdered with turmeric. They wore a belt of beads around the waist, but otherwise they were naked. One by one they walked down the full length of the *malae* under the critical gaze of the whole population. On their right hand was the headman of their joint family, provided he was not a person classified as a brother, and on

¹ The other meanings are possibly metaphorical extensions of this primary meaning.

their left was the headman of the group of their future husband. Later on fish were caught and presented to the girl's parents by the parents of the future husband.

20. *Ke aho ngaiku* (*aiku* = spirit, image).—Early in the morning the whole community, men, women and children, assembled on the *malae*. At a signal from the *ka'ala* as many of the men as could possibly squeeze in entered the temples and took up the images of the gods. These images were then carried around the village in procession. At the head of the column went the men with the images, then came the *maakua* in full regalia, after them all the rest of the men, who had been unable to lay hold of an image, blowing shell trumpets, and, last, the women and children, singing *lalangi* songs at the top of their voices.¹

After the village had been encircled the images were put down on the *malae*. They were tied up outside the *hale-aiku* so that they faced west, looking down the *kala-ngiu*. These images were very sacred, and it was forbidden to walk in front of them. In order to warn the villagers the rope that had previously been prepared was tied across all the paths leading to the *kala-ngiu*.

At noon the natives again assembled on the *malae*, behind the images. When all was ready the *maakua* came from the *hale-aiku* in procession and blew their shell trumpets² (*pu*). This was the signal for the *ka'ala* to place a mat over the faces of the images. The ropes were removed from the paths, and, so long as their faces remained covered, it was not tapu to walk across the *kala-ngiu*.

In the afternoon, and on the afternoon following, there were various dances. These were of three kinds, *suelele*, *lopu* and *sea*. The old dances are no longer performed, except on rare occasions, and I was able to see only a few of them. The desired end in every one seemed to be to

¹ A photograph of this procession, taken by Mr. H. A. Markham in 1910, is included in the plates illustrating *Tribal Ceremonies at Ontong Java*.

² *Casis cornuta*.

bring into play as large a number of rhythmical movements as possible. The whole community took part in them all. Sometimes, as in the *lopu*, the senior men danced, while the younger ones and the women provided an orchestra by singing and beating time with sticks. In others, like the *sea*, some of the young men danced while others sang, the older men and women meantime standing by to watch. The *lopu* were directed by the *puloku*, the man who acted as master of ceremonies for the *huakanga*. The *samu* or sacred gong provided the music for the *sumele* dances. The *samu* was played by one man only, the headman of a joint family which owned the instrument.

Towards sunset on this day and those following, another interesting ceremony took place. At about five o'clock the women gathered on the *malae* in two groups. In one were those whose fathers belonged to the two club houses on the east side of the village, and in the other were those whose fathers belonged to the two on the west side. It will be recalled that there were only the four club houses. The two on the east were respectively called after the islands of Kepae and Kiloma, and the two on the west after Keila and Kemalu. As a rule a man belonged to the club house of his father. When the women had all assembled they proceeded to malign one another. They began with a formula. One group said that Kemalu was full of mosquitoes, and the other replied that if one went to Kepae one would be sure to contract some pustular disease. This was followed by each praising its men and their ability at fishing. Once this formula had been recited each woman in turn, if she had a sister-in-law in the opposite group, began to abuse her. Those who had not directed their abuse at persons classified as sisters-in-law.

This kind of thing went on for about an hour. The women were then dispersed by the men, who charged them with the cry, "*e li nga mea pulau*" (grab at their stinking genitals).

On some afternoons, instead of grouping themselves on the principle of the club houses, these women divided into a *sa'upu* and a *ke'olau* group, according to the part of the village in which their houses were situated. The abuse began with a different formula, but was otherwise similar. One of the abusive statements of the formula ran, "You people on the other side of the village are thin and covered with sores. When you are dead we'll get your husbands. They will be sleeping with us instead of you."¹

Although marriage regulations do not prescribe marriage with a person whose father belongs to a different club house, or with one who lives on the opposite side of the village, it usually happened that in one ceremony or the other a woman and her sisters-in-law were in opposite groups. There was no definitely appointed leader, but it seems that the women who had influence through their force of character acted in that capacity.

21. *Ke aho ngamaku* (*amaku* = a ripe coconut).—At dawn the mats were removed from the faces of the images, and the paths across the *kala-ngiu* were again blocked. Then everyone set off for the common land to collect ripe coconuts. Each person was entitled to keep as many as he or she collected. At noon the faces of the images were again covered.²

22. *Ke aho ke ngiu* (*ngiu* = a green coconut).—The images were again uncovered, only to be hidden once more later. The day began before dawn with a race to the far distant northern point of Luangiua. The winner was privileged to demand as many coconuts as he liked from the men in the *linga* that followed.

This was the occasion on which boys were publicly given clothing by their fathers, at the age of about twelve. Previously they were not allowed to wear it.

¹ See Brown: *Melanesians and Polynesians*, pp. 414 ff. His facts are incorrect, as are his interpretations.

² If a great many coconuts were available, and one day was insufficient to pick them all up, *ke aho ke ngiu* was postponed.

At about noon another parade of girls took place. This time all those who were unmarried but over about twelve years of age took part. Girls are usually married when they are between eighteen and twenty. They were oiled and powdered with turmeric, but were naked except for a string of beads around the waist. Two by two they walked across *ke kipa* before the gaze of the whole tribe.

There was nothing very exceptional in the nudity of these girls, for during rain storms they still frequently remove their skirts and dance in the rain. At such times the men are supposed to avoid the place where they dance, but I have often seen them in houses nearby with their eyes glued to a crack, provided that a sister was not present. Once a woman is married she is forbidden to remove her skirt in public, but until then she is free to do so if she wishes.

When I saw the parade of girls on *ke aho ke ngiu* in September, 1928, twenty-six girls took part. The event had been looked forward to for weeks, especially by the youths of the village. As the girls passed the bystanders made remarks, praising the shape of this one's leg, that one's pubic hairs, and so forth. Brothers retired as soon as a sister appeared, and, if they were not real brothers but only men classified as brothers, this led to further outbursts of laughter and talk. A typical jesting remark was, "He runs away now, but he would not be afraid if we were not here." It was considered in the worst taste to call attention to any ugliness or abnormality in any of the girls. Thus, if a girl had narrow hips, a feature looked upon with disfavour, no one would mention the fact. Instead, perhaps the beauty of her breasts would be commented upon.

Before the parade every man took with him to *ke kipa* some gift, such as coconuts, a mat, or beads. When all the girls had walked past, these gifts were distributed amongst them by the *ka'ala*.

In the afternoon, in addition to the dances already men-



7. THE PARADE OF UNMARRIED GIRLS

tioned or perhaps instead of them, races were held. At night the joint families of the winners sang songs, called *olioli*, around the streets in their honour.

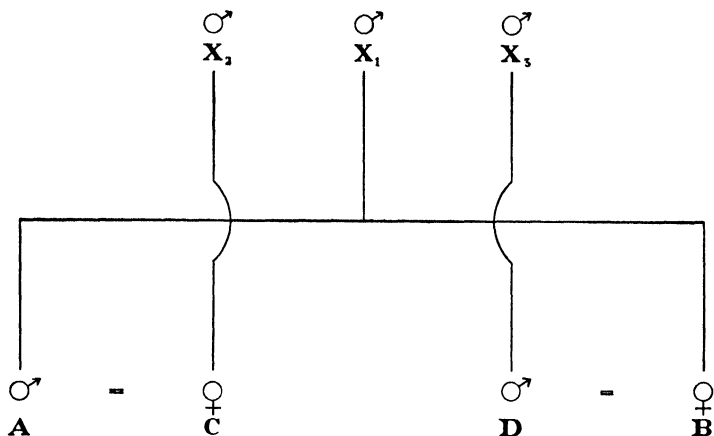
23. *Ke aho nga mosanga*.—On this day canoe races were held, and again *olioli* sung in honour of the winners. I quote the following as a characteristic example.

*Mai, kaku vaka, oalau ;
ku kangahu kai kala-ngiu,
Akevai 'angau, oalau ;
ku kangahu kai kala-ngiu.
i vakai kai-hengua.
(‘u kangivalu, Hengihengi).
kaku vaka leipo i mangu.
vakamai Ke ulu ke kau.
(‘u kangivalu, Keaua).
va’a ’angau leipo hi kala e lele.
longoiho ke haiva nga momoe.
ke ahu pe’au
ngi kilia ke vaka.
palangoiho kanga haiva.
nga miomoi.
ke ahu pe’au
ngi kilia ke vaka,
kilekoki.*

Hasten, canoe of mine ;
When we have won the race we shall go to the *kala-ngiu*,
My Akevai, hasten.
When we have won the race we shall go to the *kala-ngiu*.
Let us go and return to the beach of the lagoon.
(Paddle strongly, Hengihengi).
This canoe of mine flies like a bird.
We will go to Ke ulu ke kau.
(Paddle strongly, Keaua).
My canoe wishes to fly like a hawk.
The news will travel and they will run to see us.
In the thunder of the waves
The canoe rocks.
The news will travel.
(As we turn we make) a whirlpool.
In the crashing waves
The canoe rocks.
It pitches and rolls.

24. *Ke aho ke hulihuli*.—During the early afternoon a very elaborate exchange of food took place. Each man presented fish to the headman of his joint family, while the women gave taro puddings to the headman of the joint families of their husbands. The headmen kept a portion for themselves and then distributed the fish amongst the women to whom the members of their joint families were married. The puddings they divided between the members themselves. Thus each man took fish and brought back puddings, while each woman took puddings and brought back fish.

Six days later there was another exchange. This time each man gave fish to the headman of his wife's joint family, while each woman presented a pudding to the headman of her own group.



A diagram will perhaps make these exchanges easier to follow. X_1 is the headman of A and B. A marries C, whose headman is X_2 , and B is married by D, his headman being X_3 . At one exchange A and his brothers give fish to X_3 , and C and her husband's brothers' wives give puddings to him. In return A gets pudding and C fish. At

this same exchange D gives fish and B pudding to X_3 , and each gets the opposite in return. At the other exchange A gives fish to X_2 , and C gives him pudding. Again each gets the opposite in return. At the same time D gives fish to X_1 , and B gives him pudding.

The presentation was a public affair, but, as always, there were definite limits to the amount of goods given. If a person gave less than a certain quantity he immediately lost social prestige, but, at the same time, if he gave too much he made himself equally noticeable as ostentatious and a braggart. The upper limit was as a rule about half as much again as the lower.

In the evening of this, the twenty-fourth day, the images were returned to the temples.

25. *Ke aho mokomoko* (*mokomoko* = a coconut at a certain stage of ripeness).—The men of the joint families of the *maakua* collected *mokomoko*. About half of these were on the following morning (day 26) divided among the eight *maakua*, and the rest were taken to the *hale-aiku* as an offering to the gods.

27. *Ke aho ke lahu*.—The temple of Kc ui (*ke lahu*) was decorated with leaves, everyone taking part.

28. *Ke aho nga kua*.—The only noteworthy feature, apart from the usual dancing, was the removal of the coconuts which had been offered to the gods. They were taken from the *hale-aiku* by the men of the joint families of Oko and Ahaka under the direction of the two *ko'oi maakua*.

29. *Ke aho nga maakua e lalao* (*lalao* = to steal).—Early in the morning the *maakua* went to the *hale-aiku* while the people assembled outside. When the *maakua* found that the coconuts had gone, they all with one consent began to accuse one another of theft. They argued for a long time, each one denying all knowledge of the removal of the nuts. One would have thought, to have heard them, that they

were angry, but the people stood and laughed, for they knew, and they knew that the *maakua* knew what had really happened. Finally, the major *maakua* suggested that, since they could not find the thief, they had better make amends by decorating the images.

30. *Ke aho nga susu'a*.—This was the day on which the second food exchange took place.

Later a ceremony for the increase of certain totem species was performed. Each joint family has its totem, usually a fish or a bird, but only the *maakua* took part in the ceremony, which was solely for the increase of their own totems.

All that night the *maakua* walked about the village, but other people were forbidden to leave their houses.

31. *Ke aho e seu nga susu'a*.—Offerings of puddings were made by the women to the gods. They were laid before the images in the *hale-aiku*, but were later eaten by the *maakua*.

32. *Ke aho kapa'au* (*kapa'au* = a mat made from coconut leaf).—Every household presented a coconut leaf mat to the *ka'ala*. These were laid on the floor of the *hale-aiku* by the *polepole*. Everyone took part in the manufacture of these mats, the men cutting the leaves, and the women weaving them into shape.

33. *Ke aho Ke ui*.—The people gathered coconuts, some of which were placed before the image of Ke ui at the northern end of the *malae*. The rest they kept for themselves.

34. *Ke aho ha mangongi* (*mangongi* = fragrant).—The *maakua* rubbed the images with fragrant leaves and placed ornaments upon their heads. The major *maakua* who was giving up his place at Luangiua took from the *hale-aiku* the bundle to which I have referred, containing pumice, gum, etc. The *maakua* who was to take his place, laid his bundle before Ke luahinge's image and prayed that she would send pumice and fish.

'Ahinge, *mangau kai-hongu*,
kai-keke, kai-pupu,
hukiamai mangau kai-huanga,
ko la'au, ko 'alo, ko lupo,

ko ngangue, ko save,
mangau he ko aku.
malama nga hale moanga,

nga hale uliuli.
alualumia, mai vave.

'Ahinge, (send) for me high
 tides,
 Angry seas, surging seas,
 Bring for me pumice,
 Your trees, your 'alo and your
lupo timber,
 Your *ngangue* and your *save* fish.
 And for me your bonito.
 Bring light¹ to the houses of the
 ocean,
 The houses of darkness.
 And send these things, send
 them quickly.

The next day the *maakua* began their homeward journeys, and *sanga* was at an end.

VI

SOCIAL SIGNIFICANCE OF CEREMONIAL: (1) FUNERAL CEREMONIES

The importance of these ceremonies from the point of view of our enquiry is in their effect in quickening those tribal beliefs which tended to produce a spirit of unity among the people as a whole.

Every child in the tribe knew something of Ke luahinge, and every adult knew her story in full. They all believed that she and the other gods were responsible for their food and for certain other things. But when *sanga* was not in progress this belief found no obvious expression in the behaviour of the ordinary individual. He made no prayers and performed no ceremonies, but left them to the public officers, the *maakua*. These *maakua* acted as intermediaries between the tribe and the gods. They prayed daily for the continuance of the food supply, and it was thought that unless their prayers were recited the gods would send famines and plagues. The whole tribe consequently relied

¹ An equally good translation would be, "Purify the houses of the ocean," or even, "Thou light of the houses of the ocean." Stormy seas were desired because after tempests a good deal of debris was always to be found on the beaches, drift logs and pumice especially. Almost all the canoes are still made from driftwood.

upon these men for food and health. The place where their prayers were made was a symbol of the tribe, the supporting poles being named after the principal islands.

Since the *maakua* were so significant it is not surprising to find that their bodily condition was regarded with interest. They were not able to carry out their duties properly if they were ill, and if that happened every man considered that he was in danger, and that he would remain in that condition until someone more fitted was appointed. If a *maakua* proved unworthy in time of trouble, as in a drought or famine, obviously the best course was to replace him with someone else.

The possession of a common belief and a tribal *hale-aiku*, and the reliance of all upon the *maakua*, were among the chief bonds holding the members of the tribe together. These bonds, along with others, such as the common language and material culture, gave to each of them a sense of tribal unity, of membership in a group of persons who were all linked closely together.

Because this sense of tribal unity existed, every individual unconsciously tended to respect the rights of his fellows and carry out his obligations towards them. Nevertheless, although they were not frequent, there were occasions when he failed to do so. Similarly, despite the fact that generally speaking every joint family respected the rights of the rest, at times some of them did not. Rules were broken, hostilities grew up, and fights occurred.

Of the tribal ceremonies in general we may say that the effect that many of them produced was an intensification in each individual of the feeling that he and the rest of the community were closely linked together. He thus became mindful of his fellow men, and paid more respect to their rights, at the same time, too, fulfilling his obligations with greater consideration. Any tendency for joint families to join battle was also greatly reduced.

Let us first deal with the funeral ceremonies.

Death always touches those closely associated with the dead man. A companion has gone from their midst, and many ties have been broken. Survivors hence as a rule feel sorrow, which finds expression in some kind of reaction.

Knowledge of the gods, the belief that they gave food to men, and acquaintance with the *maakua* ritual were so widespread that many persons were affected and felt sorrow when a *maakua* died. Many were probably also afraid on account of the neglect of ceremonies, even though it was only temporary. They found relief for their emotions by performing together the standardised reactions provided by the funeral ceremonies. In this way their state of tension was relieved.

As well as the persons who felt sorrow, there were others who did not, chiefly the younger members of the community who were not yet aware of what they owed to the *maakua*. They, too, were compelled to perform the ceremonies. Under such conditions emotions are contagious. They thus acquired sentiments associated with the death, which were the same as those of their elders. By following the ceremonies in detail they also became familiar with the ritual which it would be necessary for them to know when they were full members of the tribe.

Now as to the ritual actions themselves. The *maakua*, besides his official duties, had others; he was also the headman of a joint family. This group was doubly affected by his death. It had lost its leader as well as the priest who prayed to the gods on its behalf. As a result we find that the funeral ceremonies were divided into two parts. In the first, only the members of the affected joint family and their relatives took part, and in the second they took their place with the whole tribe. The ceremonies of the first part were exactly the same as those for an ordinary headman.

Relatives were always forbidden to perform unnecessary

tasks until the body of a kinsman had been buried. All but necessary work was forbidden to the whole community when a *maakua* died. For the funeral of an ordinary man, relatives by marriage collected coconut spathes to serve as fuel for the fire to illuminate the house of mourning. Everybody collected coconut spathes when a *maakua* died. The kinsfolk wept and sang dirges when a death occurred. The tribe wept and sang dirges on the death of a *maakua*.

So far the second part of the funeral ceremonies appears to have been no more than an extension of those performed at ordinary funerals. In both cases the affected persons took part, the tribe in one case and the relatives in the other. There is no need to go into the question why the ceremonies took this particular form, beyond saying that normally persons who are sorry do not perform their ordinary tasks, but instead sit mournful or weeping. The important fact for us to note is that each individual saw everyone else weeping or singing dirges and neglecting his work. This he was able to do because of the illumination provided by the bonfires for which he had helped to collect fuel. He thus felt himself to be one of a large number of persons all equally affected. The sentiments surrounding the death were in this way inevitably associated with the tribe as a whole. The reliance of all the members upon the *maakua* was brought home to him, and hence he realised more clearly than before that they were firmly united.¹

The singing of the joint family songs, the *hamaha*, was a unique feature of the funeral of a *maakua*. Only relatives attended other funerals, so that the only *hamaha* that could have been sung was that of the bereaved family. On the death of a *maakua* not only did each group sing its *hamaha*, thus expressing its own unity, but it also had to listen to other groups singing theirs. This demonstrated that even

¹ Never having witnessed the funeral of a *maakua* I cannot, of course, give any concrete evidence definitely proving that afterwards there was a quickening of tribal life.

the joint family was part of a larger unit, and that the loss was felt by them all. The smaller groups were set in their true perspective, and, once again, there was an association with the whole tribe.

The prayer to the spirit of the dead *maakua* forms another unique feature. The gods were able to send good or evil to the community, while the spirits of ordinary men could only influence the fate of their relatives. The spirit of the *maakua* came within the range of both ideas. It could punish the relatives for their sins, and it could also intercede with the gods on behalf of others. When we recall how closely the conduct of the *kipua* followed the conduct of the man when he was alive, and when we remember that the *maakua* was the intermediary between the tribe and the gods, there is nothing exceptional in this belief.

I can offer no explanation for the tug-of-war with the corpse between the blood relatives and those by marriage. Perhaps if I had actually seen the funeral of a *maakua* I might have had some clue. It may have been a ritual expression of the bonds uniting the two groups of relatives, or it may have been that the relatives by marriage represented the community as opposed to the blood relatives.

VII

(2) THE *SANGA* CEREMONIES

Many of the ceremonies of *sanga* produced a similar effect to those following on the death of a *maakua*. They intensified in each individual the sense of tribal unity.

Throughout the year by far the most important group, apart from the individual family, was the joint family. Many of these cut themselves off from their fellow tribesmen by leaving the main village and migrating to outlying islands. In a situation of this kind it was only to be expected that in course of time the interests of this small group would

be emphasised even at the expense of the rights and claims of others. At the end of the year everyone came back to the main village to carry out the ceremonies of *sanga*. These had the effect of making each one of them realise that not only was he a member of a joint family, but that he was also a member of a tribe. This was the more easily accomplished because during the festival each joint family, instead of living apart, was scattered through the village. A man always lived in the house of his wife and her sisters when he went to the main village. The husbands of the sisters as a rule belonged to different joint families from his own, so that, except for his children, he had no close blood relatives in the house. The bonds of the joint family were therefore much looser than they would have been had all the persons closely related to one another lived in a corner of the village by themselves.

The head village was consecrated before the main part of *sanga* took place. Petty quarrels had broken out there during the year, thus impairing the general harmony, and it was necessary to have a purification ceremony so that a fresh beginning could be made. The club houses were purified for the same reasons.

It was thought that if anyone neglected his part in *sanga* he was liable to be punished, and the tribe with him. Failure of one individual to make the usual offerings to the gods might cause a famine, which inevitably brought suffering to everybody. The actual offender ran the greatest risk of incurring the divine wrath, but no one was wholly safe. For a whole year many persons had not seen one another. Now they had to play their part in actions on which both their own lives and those of the others depended. This brought home to each in a concrete manner the inter-relationship of all the participants.

The fact that the belief in the gods was universal was strongly emphasised by the ceremonies which centred

around their visible representations, the images. These figures were decorated and borne through the village in triumphal procession in which everyone, man, woman and child, took part. Then they were set up in the open. For a part of every day they remained uncovered, and no one was permitted to pass in front of them. After a mat had been put over them anyone might approach, and many of the ceremonies and festivities that followed took place almost within their shadow. Offerings of food were made by every person in the tribe, the men presenting coconuts and the women puddings. Finally, after the images had been returned to the temple, it was relaid with mats in the manufacture of which again everyone shared.

The sentiments connected with the gods were strengthened by these ceremonies, and, at the same time, they were associated with the tribe as a whole, for in everything he did each individual found himself duplicating the actions of everyone else.

The making of the coconut oil also brought out the universality of the beliefs. This oil, made by all the women in the village, was the only sacred oil and was used by the *maakua* in many of the ceremonies ; for example, when they anointed the feet of the images after they were returned to the *hale-aiku*.

The place of the *maakua* themselves in most of these ceremonies served to point out that the whole community was dependent upon them. They frequently acted as leaders, and at other times they had special privileges ; for instance, the right to walk about the village on the night when everyone else had to remain indoors. They were also presented with large quantities of coconuts and other food. On several occasions they had to make prayers to the gods, but, on the other hand, it was they who ate the offerings.

In addition to the ceremonies connected with the gods there were other activities in *sanga*. In a number of these

the individual was pitted against the rest of the tribe. Most of the activities of this kind, though not all, were connected with the collection of coconuts from the common property. On some days both men and women gathered nuts, each striving to pick up as many as possible. This was apt to lead to quarrels and even to fights, but there was no general discord, because the fights were only between individuals. The relatives did not interfere, but left the persons actually concerned to fight the matter out for themselves. The division of the common property which was mentioned earlier¹ is said to have been intended to prevent such fights.

The men alone took part in the *linga*, the ceremony in which each sought to bring back a number of green coconuts to *ke kipa* in the shortest time. This rarely gave rise to any trouble, for they were all in such a hurry and so many nuts were available that they did not interfere with one another.

Individuality was also brought out in the foot races. Each man did his best, regardless of the joint family to which he belonged. There were sometimes disputes over races, but again it was a matter of individuals, not of groups. The canoe races required teams, though in other ways they were similar.

To some extent every person who took part in a dance was pitted against the rest. True, the movements had to be carried out in unison, but this gave free play to individual effort, and each performer strove to surpass the others in skill and grace.

These activities which pitted the one against the many all fulfilled the same social purpose. The individual was separated from his relatives and had to stand on his own merits. This did not mean that the unity of the joint family was destroyed, but it did mean that a clear demonstration was given that this was not the only group that mattered.

¹ See above, p. 130.

In some of the other celebrations the individual did not stand alone, but was taken out of the ordinary social groups, especially the joint family, and put into new ones. The whole tribe was, at it were, put into the melting pot and then allowed to re-crystallise on a different principle. Among the most important of the new groups were those in which all the members were of approximately the same age. In some of the dances, for instance the *lopu*, only the old men actually danced, while in others, such as the *sea*, it was only the young men. The girls formed a separate group on the days when they paraded. All the girls between about twelve and twenty took part in one parade and those who were betrothed took part in the other. Again new groups were formed when the *huakanga* songs were sung. The tribe divided itself into three, those who sang the *huakanga* of Kiloma, those who sang the Keila songs, and those who sang the Kepae songs. At other times the women divided into separate groups, either according to where they lived or according to the club house to which their fathers belonged.

In each of these new groups the members had to co-operate although at other times perhaps they rarely saw one another. This co-operation served to remind them that the more permanent groups were not all-important, and that they themselves were in a measure bound to people who had similar rights to their own.

Several of the ceremonies seem to have had as either their main or subsidiary function the creation of a general atmosphere of goodwill which caused old hostilities to be buried and reduced the chance of new ones growing up.

No ceremony was more effective in this way than the feasts, even though food was always eaten within the privacy of the household. The collection of the coconuts from the common land enabled these feasts to take place, and many of the nuts were consumed almost at once.

The dances also increased the general goodwill. The rhythmical exercise created a sense of individual well-being and put the performers into harmony. They radiated their feelings to everyone present, in this case the whole village, and a sense of universal friendliness was the result. One can actually see to-day how goodwill pervades the dances, though they are not the same as those of former times.

The singing of the *lalangi* songs was another lighter diversion which tended to create general cheerfulness. The obscenity indulged in may also have given a stimulus to the persons who took part in the lengthy and at times arduous festival.¹ It is certain that they looked forward to singing the indecencies with keen relish.

An element of stimulus, perhaps, entered into the naked parades of the unmarried girls. At the same time these parades gave the tribe an opportunity to admire their beauty. The presents were an expression of the goodwill of the whole community, not towards the girls of any one group, but towards them all.

The gift exchanges also seem to have created a good deal of heartiness, for everyone likes to give and to receive. At the same time, because of the publicity given to the transactions, the individual had a chance to acquire honour by presenting more than was actually demanded by custom. This gratified his vanity and tended to make him regard his fellows in a friendly manner.

In one exchange the headman received fish from his male blood relatives and taro puddings from his female relatives-by-marriage. In the other he received fish from his male relatives-by-marriage, and puddings from his female blood relatives. On both occasions he kept some of the gifts for himself, and then gave to each person the opposite to what he or she had presented. Expression was thus given to the

¹ Cf. Evans-Pritchard : " Collective Expressions of Obscenity in Africa," *Journal of the Royal Anthropological Institute*, Vol. 59, 1929.

ties called into being by marriage, as well as those of blood, and the individual was reminded that he had a circle of social relationships far wider than his joint family.

The peculiar ceremony in which sisters-in-law abused one another helped in a different way to create goodwill. It is a well-known fact in this society that there is liable to be friction between sisters-in-law. If any native is asked why the ceremony was performed he will say that it was to give women who stood in this relationship an opportunity to say what they thought about one another. He will add that afterwards their anger generally disappeared, for the time being.

In the ordinary course of events it was regarded as blame-worthy for sisters-in-law to quarrel. At this time they were not only free to vent their ill-feeling, but it was obligatory for them to do so. The action which at all other times was held in bad taste became for the moment compulsory. Outlet was thus given to feelings which, if expressed normally, would have had a disruptive influence, but which, if permanently repressed, would in the long run have been as bad. To give words to irritation frequently has the psychological effect of removing it, and, no doubt, afterwards many sisters-in-law were able to meet on more or less friendly terms.

The actual principles on which the women were divided into groups, first on the basis of club houses, and second on the basis of residence, were probably not in themselves of much significance. It is difficult to see how the ceremony could have been arranged without some kind of grouping, but the form was perhaps accidental.

CHAPTER VI

THE LEGAL SYSTEM

THE influence of the *sanga* and funeral ceremonies in maintaining the spirit of tribal solidarity did not prevent occasional breaches of the social order, whose results became manifest in disputes or even fighting between joint families. The mechanism which dealt with such offences is the system of legal institutions which so many writers have regarded as the only form of law possessed by primitive communities.

I

THE EARLIER JUDICIAL SYSTEM

We must consider first the judicial system as it existed before the kingdom was consolidated.

If crime is defined as a specific act which is punished by society, either collectively or through its officers, we may say that in those days there was only one crime. This was the theft of coconuts from the common property or of taro from the swamps situated thereon.

The *malae* was limited on the north by a broad path running right across the island from shore to shore. At either end stood a building, the *hale-'api*. These were the houses of the *polepole*,¹ officers whose duty it was to prevent trespass on the common land and to carry out punishment on any person they discovered doing so. These *polepole* were appointed by the *maakua* and, in later days, by the king. There were about fifty of them, and they took it in

¹ Cf. Hawaiian *polepole* = to ward off, defend (Tregear).

turns to keep a lookout. The *koko'a* (literally, door), almost always a member of the joint family of one or other of the major *maakua*, acted as their head. Permission had to be obtained from him before any person was allowed to go into the bush beyond the village. The women, for instance, were only permitted to cultivate their gardens on the days which he appointed. This was to prevent any woman from taking taro from a garden other than her own.

When a person was found on the common land without good excuse he was brought before the *koko'a*. Criminals were punished for a first offence by having their heads shaved, but a second offence led to something more serious, either exposure naked in the sun without food or water for some time, or more frequently, death. Women were punished with the same severity as men. Unfortunately it is not possible to give details of the judicial procedure because there are to-day no *polepole*. It is, nevertheless, quite certain that theft from the common property did almost inevitably lead to punishment if it was discovered.

II

PRIVATE RETALIATION

Although this was the only offence for which an organised system of repression existed, there were various means of redress for injuries by non-members of the joint family, which may be illustrated by one or two examples. The case of adultery is perhaps the most obvious, and numerous tales are told of the ways in which it was avenged.

Ke ahua, a man belonging to a powerful group, though not its headman, discovered that his wife was carrying on an intrigue with Akiaka, the ne'er-do-well member of a group as powerful as his own. A few days afterwards the two men were sitting together on a log near the *malae*. Ke ahua put his hand around the adulterer's shoulders and

pulled his head down so that he could louse him. Then suddenly he bent back Akiaka's head, and, drawing a dagger from his side, he slashed at his throat. The other was too quick for him, and wrenching free of his grasp, he attempted to run away. He did not get far before he stumbled, and Ke ahua stabbed him to death while he still lay on the ground. The relatives took the body and buried it with full funeral rites. They received no compensation from Ke ahua, nor did any of them attempt to retaliate.¹

In another case of this kind the adulterer was stabbed in his sleep. Unlike Akiaka, he had no powerful relatives, while the wronged husband was an important man. Again no compensation was paid, and there was no retaliation.

Adulterers were not always poor men and ne'er-do-wells. There is the well-known case of a *maakua* who had an intrigue with the wife of the son of one of his colleagues. The young man, bent on having his revenge, set out to kill the *maakua*. He was only persuaded from his object by his father, who convinced him that there would be a public calamity if a priest was murdered. Later on the *maakua* made amends to the husband by sending him a present of mats, several plates of turtle-shell and strings of beads.

When the joint families of the two men concerned were of equal standing they might call upon their relatives to back them up. This almost inevitably led to a fight. The etiquette of fighting demanded that formal notice be sent before an attack could begin. The joint family of the injured man assembled and sent a challenge to the other group, stating where it proposed that the matter should be contested. Battle was joined the next day and went on until one or two men had been seriously wounded. The headmen then made peace, and exchanged presents. The old men tell of several such fights.

¹ This incident, as well as the others quoted in this chapter, was known to a great many persons, and I had it from several different sources.

A personal combat without weapons often took place if the wronged husband was of inferior position to the adulterer. No one interfered as a rule, though if it became plain that the husband was going to get the worst of it, his brother or even his headman might change places with him. This is what happened when Pahiengi was found sleeping with the wife of Hou.

Thus there is a whole gamut of possible retorts. Sometimes a husband was content to beat or divorce his wife and let the matter go. Sometimes the adulterer was killed with the tacit approval of his relatives ; sometimes they might avenge the death as they would an unjustified murder. Personal combat or a fight between the joint families were yet other alternatives. As is the case, probably, in most societies, adultery commanded so much sympathy in all but the persons directly injured that the degree of retribution varied with circumstances quite irrelevant to the offence. It was condoned if the guilty person had given no other ground of disapproval, even vindicated by his relatives if they were sufficiently powerful, while their acquiescence in his punishment was at least as often due to general dislike, or inability to protest, as to the feeling that it was deserved.

Perhaps the most remarkable case on record is that of a husband who killed, not the adulterer, but his brother. This brother was a notoriously bad lot, while the adulterer himself was a popular man. The relatives took no action, probably being glad to be rid of him. The husband took his vengeance in this way presumably because he feared the consequences of murdering an esteemed citizen, as did the young man injured by the *maakua*. The latter case is instructive as indicating the guilty man's consciousness that some amends should be made.

The right of private retaliation applied also to theft. Petty thieving from houses, except by children, was never of frequent occurrence. Few adults cared to run the risk

of being nicknamed "*ke moki*", sneak thief, which meant a stigma for life. Thieving from island property did sometimes occur. Naturally it was only the poorer classes who were guilty, for the rich had no need to take the coconuts of others.

One day the people of 'Alunga island caught a man in the act of making off with a canoe-load of coconuts. He could not explain satisfactorily how he came by them, so they killed him. This incident is closely paralleled by others which took place on islands owned by joint families. The punishment entirely depended upon the feelings of the offended parties. Generally, as at 'Alunga, the thief was knocked on the head at once.

III

INVOCATION OF SPIRITS

Though normally the *kipua* are believed to concern themselves only with offences committed by their own descendants, it is said that they might be persuaded to avenge an injury done to one of them by a member of another group. Two cases bore out this statement. In both the offended man was a member of a poor group, while the culprit was wealthy. It was believed that the *kipua* of the former person's joint family had convinced the *kipua* of the other man's that he was a wicked man, and that they had accordingly killed him.

While we are speaking of this subject it might be well to mention that a *kipua* may satisfy a private grudge against an enemy of another joint family by poisoning the minds of the *kipua* of that person's relatives against him.

A man named 'Ohuki had marked out a certain tree for himself and intended out of it to shape a canoe. Before he was able to do so he was taken ill and died. The tree was then claimed by another man, He sao. This man cut the

tree down and began to fashion a canoe. Not long after he too became sick. A *koulaiku* was called in and announced that his father's *kipua* had been persuaded to kill him by the *kipua* of 'Ohuki because he had used his tree. I was present when this information was brought to 'Ohuki's family. They were much concerned and sent a small present of food, explaining that they themselves bore no grudge. Notwithstanding this, He sao grew rapidly worse and died in great pain.

A somewhat similar incident followed on the death of the headman Kakasoe. Mention has already been made of the trouble over the succession when this man died.¹ The two claimants for his position were Sivao and Ke mangava, and the members of the group could not decide who was the elder. The king at last interfered, and, since both of them were young men, he decided to appoint a stranger as headman. The man chosen was Kilamu, of the 'Alunga group. This choice was very unpopular, both in the joint family and in the village at large. The day after it had been announced one of the leading *koulaiku*, Pipia'a, a member of Kilamu's own group, told him that in the night the *kipua* of Kakasoe had spoken to her and said that it had persuaded the *kipua* of the king's ancestors to kill him as a punishment for choosing a stranger as headman of the joint family. When I went for a walk in the village about nine o'clock, this dream of Pipia'a was the universal topic of conversation. By ten it was announced that the king had revoked his decision and declared that Ke mangava was after all the most suitable person for the position of headman. This incident is a striking illustration of the power of the *koulaiku* in making public opinion effective.

IV

SORGERY

An alternative method to violence in retaliation for an offence was recourse to witchcraft, for, like most other primitive communities, Ontong Java had its sorcerers. They were not a numerous body, and I doubt if they were of the same dominating social importance that they are, for example, in parts of Africa. To-day there are none left, or at least no one has that reputation. Any information I obtained about them was, therefore, not at first hand, but derived largely from what the older people of the village told me. Except in the one instance of which I shall presently speak, sorcery was never the topic of ordinary fireside conversation.

The systems of black magic were the property of some of the joint families. The headman of the group was the sorcerer, and he taught the system to his relatives in order that his successors might have the same power as himself. The men of the joint family who stood closest to him in age knew as much about the subject as he did, and were able to use the spells if they wanted to. Generally, however, it was only the headman who actually did so. The word for black magic is *pa'ava*, and that for sorcerer, *kama e loa pa'ava*, literally, a man who knows black magic.

Tradition says that all the systems were introduced from foreign places, either by visitors or by Ontong Javanese natives who went abroad and learnt them. One system is said to have been brought by a man from the distant island of Maianga.¹ He came to live at Ontong Java, married and founded a joint family. He taught the secrets of black magic to his son, and they remained in the group until it died out some years ago. Another system was brought

¹ Unidentified.

to Ontong Java by a black (Melanesian?) woman who drifted there in a canoe. She taught a local native some malignant spells which she knew, and they thus passed to his joint family. Two or three other systems were supposed to have been introduced from the Tokelau Islands (Ontong Java, Ko'olau). In recent times, about twenty-five years ago, a man signed on as a labourer to work at Roviana, New Georgia, Solomon Islands. He learnt the black art from Melanesian natives there, and when he returned he used it against his own countrymen. All the descendants of this man are now dead, so that it is impossible to say exactly what he did learn.

Pa'ava is not the only art that is believed to have been brought from foreign parts. All esoteric magic resembles it in this respect. The man who performed magical rites over a log about to be fashioned into a canoe similarly possessed secret knowledge of the spells that went with them, which had been brought by one of his ancestors from abroad and handed down in his joint family, the actual invocation being the prerogative of the headman. The same is true of the specialist who had to assist at the building of a new house, and many others.

When a sorcerer decided to kill a man there were several methods open to him. One way was to get hold of something closely connected with him, his hair, nail-parings or saliva, the last being the favourite. The sorcerer watched where his victim spat, and when he had passed on, took the wet earth and worked spells over it. It is said that the man would sicken very soon, and, unless something was done for him, he would die. Another method was to make spells over some such object as a stone, a human bone, or a few grains of sand. The sorcerer either threw the object into the house of the man during the night, or buried it near the door. This was believed to be equally fatal. The third way will also be familiar to students of black magic. An

effigy of the victim was made from pandanus leaf. This was stuck through with skewers, and as each one was put in the man is said to have felt a sharp stab of pain. The figure was buried, and as it decayed the pains which the man suffered grew more and more acute. The conditional curse was employed at times. The sorcerer made spells over his property, and then any interference led to the death of the offender.

These spells, like all others at Ontong Java, were direct appeals to the spirits of the ancestors. The founder of each of the systems was, as I said, a foreigner, and his spirit was appealed to first of all. Then came other appeals to the men who had practised the magic, the forebears of the man using it at the moment. Since no one now practises *pa'ava* I recorded none of these spells, but over and over again I was assured of the truth of this statement. This is in accord with what I know to be the case with other spells.

V

METHODS OF COUNTER-SORCERY

I have never been present at a *séance* when *pa'ava* was believed to be the cause of a sickness, but I was informed that the *kipua* would say if it had been used. Our previous knowledge of the *koulaiku* gives us the clue to what really happened. As soon as the man was taken ill his actions were discussed to see if he could possibly have injured a sorcerer. If he had done so the sorcerer was immediately suspected of having used black magic against him. The *koulaiku* merely confirmed popular suspicion.

When it was known that *pa'ava* was at work there were three possible ways of dealing with it. A more powerful sorcerer might be called in to work counter-spells, the one who made them in the first place might be persuaded to undo his work, or he might actually be killed.

I was fortunate enough to find a man who knew exactly what would happen if a more powerful sorcerer were called in. I have no idea how he happened to know this, but he made no secret of his knowledge. I gathered from this man's remarks that no sorcerer would be willing to undo the work of another unless he had the backing of public opinion ; that is, unless the bewitched man was being unjustly treated.

The process was as follows. A number of white coconut leaflets were tied together and oiled. Two similar leaflets were then put around the sick man's neck, one being called after the sorcerer who had caused the illness, and one after the sorcerer who was making the cure. The latter took the bundle and waved it over the head of the man while he recited a spell. The particular spell known to my informant ran as follows :

Angameilongu *ke kama*,
 Meihala *ke kama*,
 Kumangava *ke kama*,
 Emangava *ke kama*,
moukala kea ngi halelo.
moukala kea ngi haku,
moukala kea ngi hiu,
moukala kea ngi loli,
moukala kea ngi 'aka,
moukala kea ngi hangipapa.
 kou Meilongu, Meihala,
auaiho nga ngi hiu, nga ngi hali,
nga ngi lape, nga ngi haku, nga ngi loli.
kingo malili, kingo makala,
kingo e longo, he oka mangingi.

The four names are those of certain ancestors of the sorcerer making the cure, and it is they who are being appealed to ; *kama* is simply the word for man, " the man Meihala ", etc. ; *moukala*¹ is to sprinkle ceremonially. Sea slugs and other things regarded as unpleasant are mentioned,

¹ Cf. Maori *tala*, to influence by charms (Tregear).

e.g., *loli*, *bêche-de-mer*, *'aka*, snakes and *hiu*, coral points. A translation of the second section runs, "I ceremonially sprinkle you to remove slugs," etc. The ancestors are then mentioned again by name, and asked to remove these things from the belly of the sick man and make him well, giving him clean bowels once more.

All these objects were apparently thought to be placed inside the man by the spirits of the ancestors of the sorcerer who had worked against him. All that it was necessary to do to restore him to health was to remove them by similar supernatural means and then purify him with ceremonial sprinkling. Splendid presents were always made to the sorcerer if the man recovered.

Should no sorcerer be available to carry out this ceremony, or none have sufficiently strong magic to counteract the original spells, the next course was to try to persuade the one who had made the spells to remove them. Presents of coconuts, taro or mats might be offered to secure his favour. The last resort, to kill him, was apt to be so dangerous to everyone that it was seldom attempted.

VI

RECORDED CASES OF SORCERY

During the memory of the oldest man living at Pelau, the smaller of the two main villages at Ontong Java, there had been eight sorcerers. One of the most famous was *'Ohou*. One day a woman stole taro from the garden of *'Ohou's* wife. Not knowing who the thief actually was, and being very angry, *'Ohou* made spells against whoever it might be. Within two days a woman named *Langiaka* was taken ill and died. She confessed on her death-bed that she had stolen the taro.

One day coconuts were stolen from a tree belonging to *Ke lopianga*, the man who had visited New Georgia.

He suspected who the thief was and made spells against him. This man also died, confessing his guilt before he did so. On another occasion a man became seriously ill and sent his relatives with a present to Ke lopianga, asking for forgiveness because he had stolen taro from the sorcerer's wife's garden. The sorcerer accepted the present, and the sick man recovered. Ke lopianga naturally had protected all his own property and that of his wife with provisional magic. It is interesting to note that he was in no sense regarded as a social outcast, but took his place on all occasions on an equal footing with ordinary men.

Ke haki was the headman of a joint family which had knowledge of the black arts. When it came to his ears that his wife was carrying on an affair with another man he made spells against him, and, sure enough, the culprit was taken ill. His relatives sent presents to Ke haki, but he refused to accept them. The sick man grew steadily worse and finally died.

There are several other well-known cases of *pa'ava* being employed against men with whom the wives of sorcerers had been unfaithful, and others of its use against men who had interfered with their daughters.

In all these cases the sorcerer had good reason to be angry with the man against whom he worked his magic. Black magic was simply the means by which justifiable vengeance was carried out, and may be compared with the dagger with which the husband killed the man who had wronged him : both were weapons by means of which property and interests were safeguarded. Sorcery was perhaps the stronger of the two because it enabled a trespasser to be punished even without his identity being discovered. Society backed up both forms of retaliation in the same way, by its passive approval.

VII

ONE CONTEMPORARY CASE

There was one actual case where black magic was suspected while I was living at Ontong Java.

It was not until I had already been there a few months and had made some acquaintance with the language that I decided to visit Pelau village, in the north of the atoll. About a week before I arrived there one of the leading men, Hangava by name, had died. He was too old for active work and had remained at home to look after the children while the men had gone fishing and the women gardening. While they were away one of the children had accidentally set fire to the house. Hangava escaped, but a few hours later he was taken ill, and in two days he was dead, probably largely through shock. His relatives suspected that sorcery had been used because of the speed with which events had followed one another. The day after I arrived his son began to dig in front of where the house had stood. Sure enough, a human bone was found within a foot of the surface. The whole village was very much shocked, and for a couple of days no one spoke about anything else. Everyone said that here was proof of *pa'ava*, and they began to ask first, who could have done it? and second, who could have borne a grudge against Hangava? There was one family which had reasons for disliking him, but it was ruled out because it had never been in any way connected with sorcery.¹ In the end the most balanced opinion regarded the presence of the bone as mere accident, for, people said, there is only this one family who could possibly have had reason for using *pa'ava*, and they certainly did

¹ This bears out a statement that I had recorded previously to the effect that sorcerers were never approached and asked to use their powers for the benefit of others.

not do so. The relatives, it is true, were unconvinced, and they were still looking for a possible culprit months afterwards.

VIII

SORCERY USED FOR ILLEGAL ENDS

Of course the use of black magic by anyone who was fortunate enough to possess it was not always confined to legitimate retaliation. Hitherto we have only considered events in which the sorcerer was in the right. Now we shall turn to the other side.

A certain sorcerer, Vahialoa, used his powers out of pure malice against all and sundry, not always with success, but sufficiently often to make him generally feared. He ended by becoming a pariah, since everyone was afraid to go near him, and his magical arts did not suffice to replace the assistance of his relatives in the provision of his daily needs.

Another sorcerer, Ke ingoa, was believed to have used black magic against a woman who refused to marry him. For some time he too was avoided as far as possible. As time passed he regained his old place in the community, though until his death no one was ever on sufficiently friendly terms with him to lend him his pipe willingly.

Once an unjustified use of *pa'ava* led to even more serious consequences for the sorcerer. A man known to be skilled in black magic was caught in an act of theft by the headman whose property he was stealing. The latter attacked him and gave him a slight wound. In revenge the sorcerer made spells against this headman, and he became ill. His relatives did not delay but went at once to the sorcerer's house, bound him hand and foot, and threw him into the sea. Another famous sorcerer, Ke pale-i'a, met a similar fate. He made an enemy of an important man of the

tribe, but when he worked charms against him he was speared by the man's relatives.

These few cases show that even the sorcerer could be held in check when he used his powers for anti-social ends.

IX

ESTABLISHMENT OF THE KINGSHIP

Some eight generations ago, so the tradition runs, a man named Ke hangamea organised a body of supporters into a sort of army. With the assistance of these men he set himself up as head of the Luangiua tribe and compelled all to obey him. Anyone who refused to do so was put to death by the army. This led to a good deal of unrest, and he was eventually murdered. Despite the end of his career, his example fired other men, and for a number of years a series of battles took place between claimants for the position. After perhaps three generations it was secured by 'Avi'o, and descendants of his have held it ever since. Succession has not followed any rules of primogeniture within the family but has been on the same lines as succession within the joint family. The holder of the position of the head of the tribe will be spoken of as the king. His native title is *heku'u*, a word without any other meaning that I could discover.

As time went on the kings acquired more and more power. The most powerful of them all began to reign about 1878, a few years after the massacre of the crew of the first European ship to enter the lagoon. This was King Uila. He died in 1905 and was followed by Ke aepea, who lived till 1915. His successor, Mekaike, was chosen by the government representative and is still in power.

X

CASES OF JUDICIAL ACTION BY THE KING

As the king became more and more powerful a change came about : the idea of the king's peace was created. In the times of the early kings the change did not progress very far. Perhaps the only noticeable difference then was the additional security which the relatives of the king enjoyed. Nevertheless, there are several recorded instances of these kings banishing relatives and cutting them off from the privileges of the joint family, because they had wantonly abused the position which their relationship gave them by committing such acts as rape and murder.

In the reign of Ke ulaho, the predecessor of Uila, the change had progressed so far that we hear of persons laying complaints against offenders before him and asking for his help to secure compensation or revenge. The important groups still kept matters in their own hands and settled their quarrels without assistance, but Ke ulaho on two or three occasions seems to have arranged matters so that a wronged husband had the right of retaliation on his wife's lover without any fear of a counter attack from his relatives. This king also kept his own relatives in check so that they did not take advantage of their relationship. Ma'ai, one of these relatives, he banished because he was repeatedly guilty of reprehensible conduct. This man was quarrelsome and had twice violated married women. Soon after he was banished he was killed by one of the men whom he had offended. The king demanded no compensation because he no longer regarded Ma'ai as a relative.

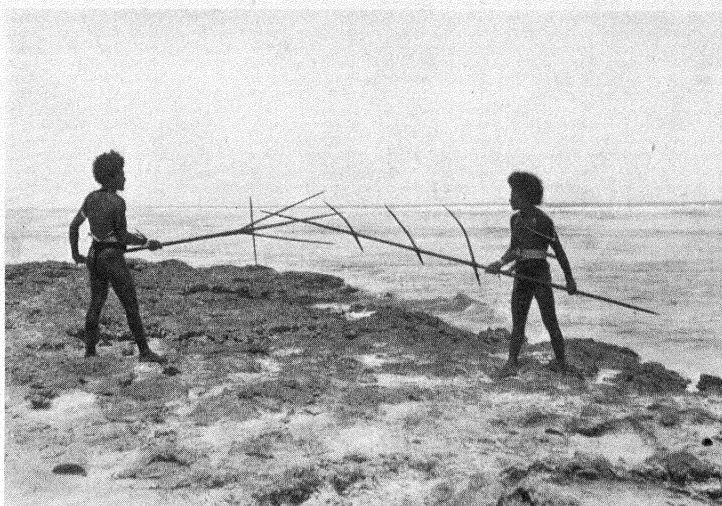
The position of Uila was probably strengthened by a revolt which Ke ulaho suppressed some time before the end of his reign, probably round about 1870. Two brothers, Ke maka and Munguekalu, planned to begin a rebellion by

murdering the heir, Kukeise. They waited till Ke ulaho had gone to visit an outlying island and then set upon Kukeise and killed him. They expected a rally from their relatives, but only the men who actually belonged to their joint family joined them. Some of these, seeing how few their numbers were, wavered and finally deserted them, till there remained no more than two dozen supporters to fight the whole royal line with as many allies as it could muster. Fortunately for them, most of the line had gone with the king to the island of Peiaku. Realising that their case was hopeless, the two men took a canoe and fled to Pelau with a few of their supporters. They did not remain there, but kept on until they reached Nukumanu island in the neighbouring Tasman group.

Meantime Ke ulaho returned to Luangiua to carry out the funeral arrangements of Kukeise. He placed what was known as a *ha ola*,¹ or general tapu, on hoes, for it was with a hoe that the murder had been committed. Then he sent two men, one of them the father of my most valuable informant, Piaka, to seek and kill Ke maka and Munguekalu. They followed them from Pelau to Nukumanu, but were not able to find them there because friends had given them warning, and they were in hiding. So the avengers returned to Luangiua.

Ke ulaho let the affair drop for a considerable period, and in time let it appear to the relatives of the murderers that he had forgiven them. A message was sent, and they, in good faith, returned. They did not come direct to Luangiua, but went to their island to collect coconuts as a present for the king. This is just what Ke ulaho wanted. He secretly assembled a number of his men and sent them off in canoes to the island. They reached there during the night and, contrary to all the rules of war, surrounded the

¹ It is said that this word is derived from the stem *Ola*, meaning, to live; *ha ola* would then be, to cause to live.



8a. FIGHTING WITH SPEARS (POSED)



8b. CENOTAPHS ERECTED IN MEMORY OF THE MEN KILLED IN THE BATTLE
FOLLOWING ON THE MURDER OF THE KING'S HEIR ABOUT 1870

village. In the morning the two men and their relatives came outside to find any chance of escape gone. They hastily took their spears and gave battle, but they were completely overwhelmed, and several were killed, including the two brothers.

A short post was later put in the ground on the field of battle to commemorate every man who had been killed, about twelve to fourteen in all. These, or posts that have replaced them, are still standing and are decorated every year with coconut leaves by the descendants. Plate 8 (b) shows a few of the posts with the decorations that were laid upon them in 1927.

After the miserable fate which had overtaken these rebels the will of the king never seems to have been disputed. Another factor which probably strengthened his position was the arrival of Europeans, but the importance of this must not be over-estimated, since white men do not appear to have had much influence until after the atoll became part of the British Solomon Islands Protectorate in 1900, though two trading stations had been established prior to that date.

No matter what the cause, Uila was in a position to intervene when any breach of the peace occurred, and he generally regulated the rights of private retaliation. The following cases are characteristic and form topics of conversation to-day.

It was well known that Ke mangingi was carrying on an affair with the wife of Pupuso. One day, when they were both at Luangiua, the latter lay in wait and killed him. Unknown to Pupuso, Ke mangingi's brother was close by, and when he saw what had happened he attacked him. Pupuso defended himself, and a regular fight began, while bystanders gathered around to watch. News of the contest soon reached Uila, and he sent two men with orders to separate them and bring them to him. He heard what

they had to say and then declared that Ke mangingi had deserved his death. He ordered the two combatants to abandon their fight and go about their business. In spite of this the brother made an attack on Pupuso the next day. It was reported to Uila, and he condemned him to be stripped and exposed in the sun for four days.

On another occasion, when two groups were preparing to fight, he ordered them to lay aside their weapons and fight with their bare hands. In the same way he forbade two men who had quarrelled over a fishing net to fight with anything but their fists.

Certain men who cannot win the favours of any woman are a danger to girls and young married women. They wait until the menfolk are out of the way and then creep into the houses and violate the women.¹ They rely on mistaken identity to prevent their detection, and on darkness to cover their escape if they should be unsuccessful. It is a risky proceeding, and sooner or later the man is sure to be caught. In the old days he was liable to a beating at least from the men of the house. Uila dealt with all such offenders in the same way that he dealt with Ke mangingi's brother, by having them exposed naked in the sun.

Joint families were always liable to quarrel over the boundary line between their property. Generally not more than four or five trees were claimed by both sides, but the dispute sometimes led to contests with weapons. On the few occasions when this occurred while Uila was king he intervened and settled the argument by an arbitral decision.

Despite all these measures, Uila's relatives were in a better position than other people. They were often able to commit with impunity actions which he would scarcely have tolerated from others. The most striking case of this was the murder of Ke eviki by 'Akiha. 'Ohuki, the

¹ Dr. Margaret Mead has recorded the same practice in Samoa. See *moetotolo* in her *Coming of Age*, and also below, p. 284.

headman of the group which owned half of the important island of Kepae, had married 'Akiha, but, since he was wealthy and could afford it, he desired a second wife. He cast his eyes on Ke eviki, a beautiful young widow, and decided, since she was willing, to marry her. 'Akiha was violently jealous and stabbed her to death when she heard of it. Naturally there was great excitement about the murder, but Ke eviki's relatives took no action because 'Akiha's sister was Uila's favourite wife. Nevertheless, 'Ohuki presented a large number of turtle shell ornaments to the bereaved brother, presumably as compensation.

Always when a husband took a second wife it was obligatory for the first wife publicly to insult her and to destroy some of her property. The matter never went as far as murder at any time save this once. The judgment which public opinion now passes on 'Akiha is that she was in the wrong.¹

The reason that the relatives of the murdered woman did not kill her was that they feared the influence which her sister had with Uila. In any other circumstances it is felt to be quite certain that he would himself have punished her, or allowed Ke eviki's relatives to do so.

Apart from this case and a few others of similar nature, Uila seems to have been most dispassionate in his judgments, his main interest being peace and the well-being of his subjects. As far as I know he did not attempt to regulate the use of *pa'ava*.

XI

THE MODERN JUDICIAL SYSTEM

It is impossible to determine what would have happened to the Ontong Javanese judicial system if there had been no interference by the administration. It would probably have

¹ She is still alive and proved a satisfactory informant.

gone on as it was, the kings regulating the right of private vengeance in all cases except that of sorcery. But in 1915 the present king, Mekaike, was taken to Tulagi, the capital of the Solomon Islands Protectorate, and for some months instructed in the principles of British justice. He returned to Luangiua and from that time has himself sat as the president of a formal court. All disputes are settled through this court, and he tries all offenders, meting out punishments according to their deserts. This punishment varies from the shaving of the offender's head, a mark of great disgrace to a man, to a sentence requiring him to work on the roads of the island for any period up to a month. The village constables, appointed by the district officer, take the place of the old *polepole* and help the king to keep order and peace.

This modern state of affairs is but a logical development of Uila's ideas. In the very early days the right of private retaliation existed, restricted only in a vague way by public opinion. As the kings acquired more and more power they began to regulate this right. By the end of the nineteenth century, through Uila, the right of private retaliation had become almost entirely restricted by the will of the king, which, nevertheless, was generally in conformity with public opinion. Finally, the right was withdrawn altogether. All offences are in theory regarded now not so much from the point of view of the injured party as from the point of view of the community at large, and punished accordingly. A wronged husband may no longer challenge his wife's lover. Instead the matter is taken out of his hands ; the lover is tried, and if found guilty, sentenced to so many days of public work. An offence against the individual has become a crime against the government, and where government represents the society, as in the present case it does, this is a logical development.¹

¹ "The evolution of criminal justice may be looked at . . . as an extension of the conception 'tribal' offence till it covers every serious wrong done to a member of the tribe." Hobhouse, *Morals in Evolution*, p. 92.

The natives do not in any sense resent the change, so it may be regarded as a justifiable one. One must, nevertheless, admit that there is very little tangible hostility towards the criminal. Whenever individuals were asked their opinion of a criminal up for trial, their reply, if disinterested, was always, "He is a bad man." Yet it was nearly always difficult to get witnesses to come forward and give evidence against him, because, unless they had been injured personally, they said it was none of their business. They realised that the culprit deserved punishment, but they hesitated to assist the State when it tried to carry it out. "The base acquiescence in success, the inexpressed and cowardly toleration that exists in all hearts," as Conrad calls it, seems very strongly ingrained in Ontong Java. The only time I can recall witnesses willingly coming forward was when a man notorious for the number of times he had committed rape was up for trial for the fourth or fifth time.

The Pelau tribe has followed the Luangiua tribe in practically every detail. A kingdom was established in Pelau village at much the same time that 'Avi'o established himself at Luangiua. In course of time the kings modified the rights of private vengeance, and the present king, Pongavalo, is the president of a court which closely resembles that of Mekaike.

PART III
OTHER POLYNESIAN SOCIETIES

PART III

OTHER POLYNESIAN SOCIETIES

CHAPTER VII

SOCIAL ORGANISATION

THERE is enough information available to make possible a comparison of the social mechanism of some other Polynesian societies with that of Ontong Java on the lines which have been followed in describing the latter. Although there are considerable differences in the structure of the different communities, the forces which were found to be at work in Ontong Java can be discerned here too in the organisation of social groupings, the belief in the supernatural punishment of certain offences and in magical means of redress for an injury, and the consolidating influence of tribal ceremonies, while organised repression has also its place in each. The societies to be dealt with are those of Tonga, Hawaii and Samoa.

In all three societies the political organisation was more highly developed than in Ontong Java ; each had a graded hierarchy of authorities, and in Tonga and Hawaii the subordination of each to his next superior is expressed in concrete form in the payment of tribute. The material available from Hawaii deals only with this system of organised authority, but in the other two areas there is a certain amount of evidence bearing on the importance of other forms of social grouping.

I

RANK AND KINSHIP IN TONGA

In each of these communities a definite system of rank, entitling each individual to a special type of respectful behaviour from those below him in the scale, ran through the whole society. In Tonga this system is intimately connected with the classificatory system of kinship. In the family itself the father held the highest rank, the daughters came next, and then the sons in order of age.¹ In accordance with the general principle that in the classificatory system behaviour to more distant relatives is modelled on behaviour to members of the family, the same grading was extended outside the family. Thus elder brothers and their children were of higher rank than younger brothers and their children, while any man and his children were of lower rank than his sister and her children. The father's sister was the relative treated with the greatest respect. She chose the spouses of her brother's children and directed the arrangements for their marriage ceremonial, and a man often had to work for the children of his father's sister. To the mother's brother the approved behaviour was particularly free. A child was said to be *fahu*, above the law, to this man, and was permitted to help himself to his property without asking, though public opinion did not approve abuses of this privilege.

Outside this closer body was a group made up of brothers and their children and grandchildren, which I propose to call the extended family. At its head was a person with the title of *ulumotua*.

The kinship terminology provided a term for every member of the extended family, and its organisation was based on the behaviour associated with these terms. Persons

¹ This account of rank is from Gifford, *Tongan Society*, pp. 17 ff.

descended from elder sons were of higher rank than persons descended from younger sons, and had to be respected. The person whose rank was highest, the eldest son of the eldest son, acted as leader, the *ulumotua*. Sometimes women held the title, but in such cases they were of equally high rank, eldest daughters of eldest sons. In a private communication Gifford says that the extended family in which a woman was supreme was that of her siblings and their offspring, and not the family which embraced her husband's and her own offspring.

The *ulumotua* had the same place in the extended family as the father in the individual family, and the members had to obey him and show him respect. He held the power of life and death, with the right to dispose of certain of their property if he saw fit.¹

A number of related extended families together formed a still wider group, the *matakali*. The individuals forming a *matakali* all traced a real or imaginary descent, normally through males, from a common ancestor. Once again those derived from elder sons were of higher rank than those derived from younger sons. The man of highest rank, who traced his descent through a succession of eldest sons, usually acted as head of the group.

Several *matakali* went to form the *haa*, called the lineage by Gifford. At present there are thirteen *haa*.² The members of the *haa* regarded themselves as all related, for they believed that they had all descended from a common remote ancestor. The man whose rank was highest, the descendant of a succession of eldest sons, acted as their chief. The distinguishing mark of a chief was an individual title, and there were actually several holders of titles in each *haa*; they with their immediate relatives formed the chiefly class.

At the head of the whole system were the *tui* Tonga, the

¹ *Ibid.*, p. 20.

² *Ibid.*, pp. 39 ff.

sacred king, and the *tui kanokupolu*, the secular king. Of these the *tui* Tonga had the higher rank. He was frequently the sister's son of the *tui kanokupolu*, and so *fahu* to him. The ordinary principle of rank applied here too, so that, high in rank as the *tui* Tonga was, his sister and her children were still higher. The sister had the formal title of female *tui* Tonga, and her eldest daughter held the highest rank in the whole community, with the title of *tamaha*.

The formal marks of respect which every person had to show to his superiors in rank were to refrain from eating in their presence, from standing when they were seated, or in any other way raising his head above theirs, and to *moemoe* them, or place their feet on his head, whenever he met them. When a chief passed, all commoners had to bow their heads, and when the *tamaha* passed the whole population had to sit. The latter spent most of her time on a small island, and when canoes passed near it the occupants had to get out and swim, guiding their canoes with their hands.

The privileges reserved for chiefs as a class were such rights as that of bathing in special wells, of wearing a distinctive dress, eating certain foods and playing certain games. Another privileged class was that of the *matapule*, or principal attendants on chiefs, with their near relatives. The titles of *matapule* too were hereditary. To this class was reserved the right of practising certain crafts, which were graded in order of importance and were largely hereditary in certain families, while cooking and cultivation were left to commoners.

This bare reference to economic specialisation is the only hint to be found in Gifford's account of the interdependence of the three classes in the ordinary intercourse of daily life. Of the mechanism of co-operation which it presupposes, and the forces which ensured the performance of his part in it by each individual, we have no information which would

make its analysis possible, though an interesting quotation from Mariner shows that such organisation was one of the functions of political authority.

Referring to an assembly summoned by his friend King Finau, he writes, "These *fonos*¹ are frequently held, and often upon subjects of minor importance, such, for instance, as the expediency of repairing Finau's canoe : on such an occasion, the owner of a certain plantation would be appointed to provide the carpenters with provisions, another to provide them with canoe-timber, a third with a peculiar kind of wood for wedges, a fourth with plait, etc.—the same with more extensive matters, as constructing a large house, planting of yams or bananas, supplying provisions for feasts, burials, etc., so that in all these matters a tax is laid upon the people, every principal owner of land providing his share." After the main *fono* had ended the minor chiefs held others among their dependants, and allotted to their workers their share in the provision of what had been required.

II

RELATION BETWEEN CHIEFS AND COMMONERS

On the reciprocal relations between king, chiefs and commoners, between those exercising authority and those subject to it, more data are available.

In Tonga political authority was intimately connected with the right to allocate land for occupation and cultivation. The whole of the archipelago was theoretically conceived as belonging to the *tui* Tonga who reserved certain districts for his own use and allotted the rest among the great chiefs. They in return paid tribute twice a year, at the ceremony of firstfruits and at another time which varied from year to year. The *tui kanokupolu* received land on

¹ Mariner, *Tonga*, vol. 1, pp. 273 ff.

Tongatabu island on the same terms as other chiefs, as did the *tui haa Takalaua*, a relative of the *tui* Tonga who relieved him of some of his duties. They were responsible for the due payment of their tribute by the other chiefs on the island. There were also governors, *hau*, who looked after the interests of the *tui* Tonga in the Vavau and Haapai groups.

The great chiefs apportioned some of their districts to the lesser chiefs, who in turn gave areas to the *matapule* and to some commoners. Other commoners cultivated the chiefs' lands. Tribute was paid by the commoners and *matapule* to the lesser chiefs, and by the lesser chiefs to the great chiefs.

"In ancient times," says Gifford, "the commoners (*tua*) lived on their respective tracts (*api*), and were thus scattered over the hereditary lands (*tofia*) of the various chiefs. . . . In olden days a commoner could not change from chief to chief."¹

In theory the Tongan social system thus very closely resembled the feudal system of Mediaeval Europe. At the apex of the triangle was the *tui* Tonga, and at the base were the commoners. The intervening stages were occupied by the chiefs and *matapule*. The *tui kanokupolu*, the *tui haa Takalaua* and the *hau* supervised matters so that all ran smoothly. Theory and practice, however, were not always in agreement. In Mariner's time one of the *hau* refused to permit any *inasi* tribute for the *tui* Tonga to leave the Haapai islands. Later the same man attempted to abolish the office of *tui* Tonga altogether. So powerful did the *hau* become at one period that they were far more important than either the *tui* Tonga or the *tui kanokupolu*. They were probably at the high water mark of their power between 1799 and 1810.

¹ Gifford, *Tongan Society*, p. 110.

III

THE PAYMENT OF TRIBUTE

The payment of tribute, which Gifford tends to regard as a pure imposition, in fact has its place, despite the absence of any return in kind, as an element in a reciprocal relationship. We must remember that the people lived on land which was believed to be the property of the *tui* Tonga ; he parcelled it out to his chiefs, and they divided it among their dependants. The payment of tribute was the complement of this belief. The commoners gave presents to the chiefs in return for permission to live upon their land, and they gave presents to the *tui* Tonga in return for the original allocation. Tribute was thus an acknowledgement that commoners were dependent upon their chiefs for their means of livelihood and that the chiefs were dependent upon the *tui* Tonga. It served to bring home to each individual his true place in the social system.

Tribute, as has been mentioned, was paid regularly by the commoner to his *matapule* or minor chief. The minor chief retained some of what he received and passed on the rest to a higher chief. The latter kept his own portion and paid the remainder to the *hau* if he lived in Haapai or Vavau, or to the *tui kanokupolu* if he lived in Tongatabu. These officials passed on the tribute to the *tui* Tonga.¹ It consisted of food of various kinds, and *tapa*, beaten bark cloth, and was paid once at the ceremony of *inasi*, or offering of firstfruits to the gods, about the beginning of October, and again at whatever time of the year the high chiefs thought proper.

The quantity of tribute was sometimes determined by the chief of each district, but usually each individual was left to decide how much he should give. As a rule he sent as

¹ Mariner, *Tonga*, vol. 1, p. 231.

much as he could for fear that the superior chief would descend upon him and take all that he had.

In addition to the regular payments, presents were continually being made to those of higher rank, right up the whole social scale.

IV

RANK AND THE MAINTENANCE OF ORDER

The significance of the system of rank in the maintenance of order is obvious. Its outward signs gave distinction and prestige to the superior in the eyes of his inferior, and created an atmosphere in which his command would tend to be respected and obeyed. But we have still to look deeper for the bases of this authority.

The first point which must be considered is that the system of rank began within the family. From his earliest years the child saw around him persons of higher and persons of lower rank, and from the beginning he was taught how to behave towards them. As he grew older and came in contact with more and more persons his behaviour towards the members of his own family provided him with the key to his conduct. Persons of higher rank had always to be treated in a certain way, no matter if there were elder brothers, *ulumotua* or chiefs.¹ On the other hand, liberties might be taken with those of lower rank, younger brothers, subordinates or subjects.

The second point to be noticed is that the system of rank was reinforced by supernatural sanctions.

The Tongans thought that when persons of high rank died, their spirits, *otua*, went to Puluotu, a fabulous island in the west, where the gods lived.² These spirits, with the gods, rewarded or punished the living according to their

¹ This, of course, does not imply that elder brothers and chiefs were treated in exactly the same way.

² Mariner, *Tonga*, vol. 2, p. 99. The gods were also called *otua*.

deserts. People of low rank were thought to have no spirits, and when they died they were believed to perish utterly. The *otua* were especially interested in matters of rank, and always punished anyone guilty of breaches of the social rules in this respect.¹ It made no difference whether the breach related to conduct between brothers or between a commoner and a chief. The man who placed himself higher than a superior, who talked when he passed the house of a chief, or who wore ornaments in his presence, ran the risk of incurring this supernatural punishment. In addition, he was in imminent danger of a beating from the man he had offended. Similarly, eating the food of a person of higher rank, even of the same family, is said to have been liable to cause a swelling in the throat or chest. Use of the couch of such a person led to premature greyness. It does not appear that the spirits were responsible for these last punishments, but rather that they followed automatically. Performance of the *moemoe* by the affected person was sufficient to bring about a cure.

It was believed, too, that any person of superior rank might pray to the *otua* to kill an inferior.² We do not know how often this was done or how effective it was thought to be. It is interesting to note that Mariner records that the *otua* were liable to punish wanton murder by chiefs.

V

THE RIGHT OF PUNISHMENT

In addition to the privileges attached to their rank Tongan authorities had the right of punishment. The father was entitled to punish his children, the *ulumotua* members of his extended family, and the chief his subjects.³

¹ *Ibid.*, vol. 2, p. 146.

² Gifford, *Tongan Society*, p. 331.

³ All the authorities refer to this power of chiefs. See Mariner, vol. 2, p. 151; Thomson, p. 323; Vason, p. 100; Hale, p. 32; Wilson, p. 267; and Frazer, p. 63.

One of the duties of the *matapule* was to see that the chiefs' privileges were respected. For example, one variety of coconuts was reserved absolutely for their use, and commoners were not permitted to touch them. Large pigs and fish had always to be sent for their consumption, as well as extra fine bunches of bananas. Men caught eating any of these foods were either thrashed by the *matapule* or else had their tongues cut out.¹

But though the power of chiefs was doubtless sometimes abused—instances of arbitrary cruelty are quoted by Mariner—it was not unlimited. If their traditional rights were ignored the subjects had various means of redress.

A *tua* oppressed by a minor chief had the right to lay a complaint before the *matapule* of a higher chief. The high chief then generally intervened and punished the minor chief. A minor chief who interfered with the *tua* of another ran the risk of a conflict with this chief unless he had first approached the superior of them both.²

Respect for the rights of commoners was also secured by the *fono*. On this point Mariner may be quoted again : " It not infrequently happens that young chiefs molest women whom they meet on the road ; then the husbands, if they are married women, make complaints to the older chiefs and *matapules*, and Finau, in consequence, orders a *fono* to be addressed to the people, in which the impropriety of the conduct of the young chiefs is pointed out : the offenders receive suitable admonition, and are ordered to desist from such ill behaviour for the future. From one cause or another, there is usually a *fono*. . . every fourteen or twenty days. The speech is generally made by some old and principal *matapule*."³

¹ Cf. Gifford, *Tongan Society*, p. 104.

² West, *Ten Years*, p. 262.

³ Mariner, *Tonga*, vol. 1, p. 274. Thomson says that the *matapule* summoned a *fono* whenever a breach of public morals occurred (*Diversions of a Prime Minister*, p. 86), Gifford only speaks of the first purpose of the *fono*. He says that general matters were not discussed, and that the *fono* was simply the means whereby the chiefs made their wishes known (*Tonga*, p. 181). Williamson quotes a

Mariner quotes cases in which the unpopularity of a king actually provoked revolt, which was sometimes successful. It is clear then that even this apparently despotic system rested in the last resort on mutual obligations ; if the commoners were required to accept the authority of chiefs and king, these in their turn had definite limits set to their authority by public opinion, and were expected to conform to an approved standard of behaviour. For all but the highest chiefs, their own superiors exercised a check upon their treatment of those below them, and those who took upon themselves to admonish the young men doubtless adhered reasonably closely to their own precepts. It seems almost a truism to suggest that the tyrannical exercise of authority for purely selfish ends which is often ascribed to primitive kings could only be carried out with the support of overwhelming armed forces indifferent to the opinion of the community as a whole, such as they did not in fact possess. But the assumption is so common that the point is worth emphasising.

VI

CHIEFS AND KING IN HAWAII

In Hawaii the system of rank did not provide a definite place for each individual, but divided the society into three classes, kings and chiefs (*alii*), priests, each of whom was attached to a king or chief, and commoners. Here too kings and chiefs were entitled to formal marks of deference, which varied with their position. In the presence of an *alii* of the highest rank all inferiors had to prostrate themselves. He might only go abroad at night because everyone had to fall to the ground as he passed. When his name was

private communication from Radcliffe-Brown which states that there was no discussion at a *fono* and that only the convener spoke, presumably through his *matapule* (*Social Systems*, vol. 2, pp. 475 ff.).

mentioned in a song all present had to bow, also when his food, drinking-water or clothing was carried along the road. Men of lower rank were forbidden to put on any of his clothing, to enter his enclosure without permission, or even to cross the shadow of his house. With *alii* of lower rank it was only necessary to kneel or bow as they passed by.¹

The political system has many points of similarity with that of Tonga, the king being regarded as owner of his own land and the neighbouring sea. At the beginning of the European era the islands were united under a single king, Kamchameha. He divided the land among his chiefs, who held it on condition of paying tribute and rendering military service, and also made grants to the priests.

The higher chiefs divided their land among an order of lesser chiefs, who owed to them the same service and obedience as they did to the king. These lesser chiefs divided their estates among the common people, who in their turn paid them tribute, which here consisted of vegetables, hogs, fowls, fish, *tapa*, calabashes, and feathers. The commoners also worked for a stated period every month in the gardens of the chiefs.²

The duties of the king are summed up by Malo as follows :—

“The king was appointed. . . . that he might help the oppressed who appealed to him, that he might succour those in the right and punish severely those in the wrong. The king was over all the people ; he was the supreme executive. . . .

“His executive duties in government were to gather the people together in time of war, to decide all important questions of state, and questions touching the life and death of the common people as well as of the chiefs and his comrades in arms. It was his to look after the soldiery. To him belonged the property derived from the yearly taxes,

¹ Malo, *Hawaiian Antiquities*, pp. 83-4.

² Alexander, *History of the Hawaiian People*, pp. 27-8.

and he was the one who had the power to dispossess commoners and chiefs of their lands.

“It was his to assess the taxes both on the commoner and on chiefs and to impose penalties in case the land tax was not paid. He had the power to appropriate . . . or seize at pleasure, the goods of any man. . . . It was his duty to consecrate the temples, to oversee the performance of the religious rites in the temples of human sacrifice. . . . to preside over the *makahiki* festival, and such other ceremonies as he might be pleased to appoint.

“From these things will be apparent the supremacy of the king over the people and chiefs.”¹

VII

CHECKS ON THE KING'S AUTHORITY

This description emphasises the responsibilities of royalty almost more than its privileges. But Malo also records specific checks on the abuse of the king's authority.

First, every king had an official in his court, the *kalaimoku*, a man learned in statecraft, whose duty it was to advise him and remind him of his obligations to his people. This man gave counsel on all occasions. For instance, when the king was going on a journey he told him that the proper course was to camp at night on the highway. “If the people put up a house for him, well and good. If not let his own retinue set up for him a tent, and let him eat the food he brought with him. The king who would follow this plan would not have to issue orders to the districts for food; he would be called a king of superior wisdom, a prudent king.”² So too, he ought not to sleep at a farm on his journey, for then his men would plunder and eat the food of the farmer, and the king would get the blame. He should keep to main roads, for if he went along by-passes

¹ Malo, *op. cit.*, p. 79.

² Malo, *op. cit.*, p. 256.

his men would ravish the women, and again he would be blamed. If he went by canoe he ought to go straight and not tack backwards and forwards. Thus he would avoid the fishing fleets, which his men would be sure to plunder, and so make him unpopular with the people.

"When the people bring presents of food to the king, the best course for him to pursue is to eat of the food then and there, so as to make it easy for the people. It were a wise thing for a king to invite all of the people to partake of the food, that they might not go away fasting."¹ "Both he and his queen should deal out food and meat, as well as *tapas* and *malos*² with a liberal hand. Thus he will dispose the men to be as a shield to him in the day of battle."³ To this end he should erect large storehouses so that he might have plenty in time of famine.

There was no regular army, and the king had to depend upon his subjects in time of war.⁴ This fact obliged him to pay some regard to their wishes, for the lower classes were not fixed to the soil, but had the right to move to another part of the country if they were oppressed.⁵ Jarves, in his *History of Hawaii*, says that "The greatest safeguard of the people consisted in the self-interest of their masters, whose wealth and power depended chiefly on the number of their bondmen."⁶

Unjust kings were sometimes put to death. The king, says Malo, "was the supreme executive, so long . . . as he did right."⁷ In the old days, he goes on, the people made war against bad kings, and several were defeated and killed because they had been guilty of robbery, spoliation, murder, extortion, or ravishing. "But the commoners were sure to be defeated when the king had right on his side."⁸

¹ *Ibid.*, p. 256.

² Clothing.

³ *Ibid.*, p. 257.

⁴ Most of the people were trained in the use of weapons. (Alexander, *op. cit.*, p. 31.)

⁵ Alexander, *op. cit.*, pp. 28 ff.

⁶ Jarves, *History of Hawaii*, p. 18.

⁷ Malo, *op. cit.*, p. 79.

⁸ *Ibid.*, pp. 85, 258.

VIII

KINSHIP IN SAMOA

The Samoan system, as being very much less centralised, presents considerable differences from those which we have described. Here the theoretically supreme authorities functioned only in case of war, and not always then, and the persons whose position was significant for practical purposes were the *matai*, or heads of kindred groups, who combined in council to form the village or district *fono*.

The kinship unit on which the Samoan social organisation was based is what Dr. Margaret Mead has called the descent group. She describes it as follows. "The Samoan descent group is a curious bilateral grouping in which all the descendants in the male line are balanced against the women of the family. The male line are *o tama tane*, the descendants of the women, *o tama fafine*. . . . The *tama fafine* have the right to veto any important plans of the *tama tane* for alienating property or election of titles. . . . While the *tama tane* is theoretically a local group, all living in one village and owning allegiance to one chief and one family god, the *tama fafine* are scattered throughout many villages, among many lines, serving many gods. . . . As intermarriage between families known to be related in any way is not permitted, every individual is *tama tane* in one family and *tama fafine* in another ; in one family he inherits, in another he vetoes and supervises negatively."¹ It is clear that the *tama tane* corresponds to the extended family, while *o tama fafine* are the sister's children, who, as in Tonga, have rights over their mother's brother and his children.

The descent group varied in numbers according to the time which had elapsed since the common ancestor was alive. The longer the period, the larger was the group.

¹ Mead, *Manua*, p. 18.

At its smallest it corresponded with a biological family, while at its largest it contained fifty individuals.¹ These did not all live in one dwelling, but were scattered through the village. They had a common meeting house which was used for guests when occasion arose.² Sometimes a village had as many as twenty descent groups.

IX

AUTHORITY IN THE DESCENT GROUP

Each of the descent groups had one or more titles which it could bestow. Where there were several titles one was always higher than the rest, and the person on whom it was bestowed became head of the group. Nevertheless, in these cases the bearers of the other titles enjoyed partial independence and actually were in charge of a portion of the group, usually those who lived in the same house as themselves—perhaps the brothers, a sister or two, and their families.³ All title holders were known as *matai*.

Titles were of two kinds, *ali'i*, translated chief, and *tulafale*, translated talking chief. There were gradations of rank in each class, but the two were always distinct, some groups having chiefs' titles to bestow, some talking chiefs', and some both.

The striking feature of the Samoan system of rank is that titles were not hereditary but were bestowed on individuals who had shown particular merit, while no person who had not a title had any rank at all.

"The individual has neither rank nor sanctity in his own right, nor by virtue of the blood which flows in his veins. It is only as the holder of a title, the accession to which has been validated by large distributions of property, that

¹ Mead, private communication. See also *Coming of Age*, p. 39.

² Mead, *Manua*, p. 46, and Turner, *Samoa*, p. 173.

³ This fact has led to a good deal of confusion in the early accounts, especially that of Turner.

he is honoured and obeyed. Coincident with this attitude is a disregard of the rules of primo-geniture and of direct descent—not to the extent of ignoring them entirely, but sufficiently to set them aside in favour of special ability in heirs-aspirant with a weaker blood claim upon the family title. Each large family can hold several titles of varying importance. As a result there is no chiefly class as opposed to a class of commoners. . . . Selection for a title is based on two major considerations—personal qualifications of strength, charm, leadership, integrity, and the possession of special abilities : skill as a carpenter, orator, or fisherman.”¹

After the descent group had decided who was to hold the title, their choice was ratified by the village *fono*, the assembly of all the titled men in the village. The *fono* also intervened if the group was unable to come to a decision.²

A man became eligible for a title at about thirty, when he reached the last grade of the *aumanga*, the body of young men which a boy entered at puberty, and in which he was trained in some specialized craft. Titles were given preferably to gifted individuals, and for this purpose were sometimes taken from old men and given to young ones. The old men were given courtesy titles, which carried no authority, but which gave them the right to retain their seats in the *fono*, in order that they might not lose all dignity. Nevertheless, they were subject to the young men who now held their old honours. Sometimes the *fono* took the matter up and conferred a title on a promising young man if his relatives had none to offer him.

The fact that the *matai* was actually chosen by the descent group or household he was to rule meant that in most cases he was the best man available. Thus the ineffectual leadership which sometimes results from a system of automatic succession was avoided.

¹ Mead, *Rôle of the Individual*, pp. 481 ff.

² Mead, *Manua*, p. 16.

Although a title brought so many advantages, it had also its drawbacks. Public opinion looked upon ambition with some disfavour, and precociousness was liable to be spoken of as *tautala lai titi*, talking above one's age. This remark was applied to the ambitious as often as it was to the impertinent. The young man had also to consider that once he became a *matai* he was hemmed in by prohibitions. His dignity made it impossible for him to frolic with the other young men, and he was answerable to the village assembly for the misdeeds of the members of his household.¹

X

RESPONSIBILITIES AND POWERS OF THE *MATAI*

The *matai* was responsible for the welfare and economic existence of his household or descent group. He superintended the planting of crops, harvesting, and the storage of food, and directed the manufacture of *tapa* and mats. To him the men brought their hauls of fish for distribution and the women their baskets of shell-fish.² "The *matai*," says Dr. Mead, "directs activities, administers justice, provides protection, shelter and food for those beneath his roof. The members of his household in turn obey him, serve him, and depend upon him."³

Obedience to some authority was a necessary corollary of the mutual dependence of the members of such a group. The gardens could not be cultivated by one person alone any more than a single individual could, by his own unaided efforts, construct a house. The whole group worked together under the directions of the *matai*. His commands were carried out largely because otherwise there would have been chaos. Training, the bonds of kinship, and pride in the household also determined this obedience. Finally, if

¹ Mead, *Rôle of the Individual*, p. 485.

² Mead, *Manua*, p. 24.

³ *Ibid.*, p. 40.

one of his subordinates did fail in his social duties the *matai* had the right to turn him out of the group.¹

Theoretically the *matai* had power of life and death over his dependants, but in practice if a man suspected that his *matai* was about to punish him severely he fled to a distant village where he had relatives, and spent some time there. He did not return until he knew that he had been forgiven. "Under the shadow of [the] far flung recognised relationships children wander in safety, criminals find a haven, fleeing lovers take shelter, the traveller is housed, fed and his failing resources reinforced, property is collected for a house building or a marriage, and a whole island is converted into a series of cities of refuge from poverty, embarrassment or local retribution."²

Just as the *matai* had the power to evict one of his dependants, so had they the right to take away his title from him if they disapproved of his conduct. In that case a new leader was chosen, and the title conferred upon him. Brown concludes from this fact that the *matai* had no great powers.³ Yet from his own evidence elsewhere, and from that of Turner, it seems that he had considerable influence. The implication is that so long as he did not exceed his traditional rights, he was obeyed. Once he disregarded these rights he ran the risk of losing his position.

XI

MUTUAL AID IN THE DESCENT GROUP

Mention has been made of the mutual dependence of the members of the descent group. Husband and wife were also mutually dependent, for there was a division of labour based on differences of sex. Men did all the work in wood, making houses, canoes and all utensils. They also cleared the

¹ Mead, *Coming of Age*, p. 273.

² Mead, *Manua*, p. 40.

³ Brown, *Melanesians and Polynesians*, p. 286. Cf. Turner, *Nineteen Years*, p. 284.

ground for cultivation, did most of the harvesting, and all the open-sea fishing. Women, on the other hand, plaited mats and beat *tapa*, did the lighter harvesting, collected shell-fish, and performed most of the work of preparing meals.¹ Neglect on the part of either person in a marriage usually led to divorce. If the husband failed to carry out his obligations to his wife she left him, and the marriage was at an end. "Such freedom is possible because women always retain a claim on their parents' property, which needs only to be validated by actual participation in the labour of the household and on the plantation."²

Relatives by blood continually helped one another in various ways. They gave assistance in feuds, and food and shelter in time of need. A relative could ask for any of a person's possessions and refuse to take no for an answer. Usually relatives took one another's property without asking.³ The earlier writers call this mutual aid communism.

But there is another side to the picture, which appears in Dr. Mead's account. It is true that a man had always to be prepared to help his relatives. When it was required he had to give food, shelter, assistance in a feud, and gifts for exchanges. "No definite payment is made at the time such services are given, except in the case of a distribution of food to all those who share in a family enterprise. But careful count of the value of the property given and of the service rendered is kept, and a return gift demanded at the earliest opportunity."⁴ If we are to call this communism it must be in a different sense from the ordinary use of the word. Elsewhere Dr. Mead says that the relation was reciprocal, and strictly enforced reciprocity served to keep it in check.⁵

The assistance that relatives gave one another when food exchanges were in progress demands special mention.

¹ Mead, *Manua*, pp. 66 ff.

² Mead, *Rôle of the Individual*, p. 487.

³ Mead, *Manua*, p. 40.

⁴ Mead, *Coming of Age*, pp. 45 ff.

⁵ Mead, *Manua*, p. 40.

When two persons were to be married the parents of the man presented those of the girl with food and canoes. The food was grown and prepared by men, and men also constructed the canoes. This gift was known as *oloa*. It was returned with a gift called *tonga*, consisting of *tapa* and mats, both of which were made by women. Similar gifts were exchanged at various times throughout the life of the couple, as, for instance, when a child was born. They were presented publicly, and a general feast with dancing and sham fights followed.¹

It is more than probable that the parents secured social prestige by making big presentations on these occasions. As in other parts of Polynesia, they could not themselves amass a sufficiently large quantity of goods without contributions from their relatives. These contributions were made because the relatives realised that when the time came for them to make presentations they could then demand assistance in return. Similar principles determined the help which relatives gave one another on other occasions, as in feuds.

There were, of course, individuals who abused their privileges. Williamson points out that the obligation to give was sometimes resented. He quotes a word meaning "you beg like one delirious," and another, "to look cross as at the sight of beggars."²

A reciprocal relation existed between the relatives of a married couple. They continually exchanged gifts, thus reaffirming and strengthening their mutual ties. So strong were these bonds that relatives by marriage were almost as important as relatives by blood, and could be relied upon to give assistance in many undertakings.

This reciprocal relationship was especially important in the marriage of the principal *matai* of a village. He usually chose as wife the "ceremonial princess", or *taupou*, of

¹ Turner, *Samoa*, p. 94.

² Williamson, *Social Systems*, vol. 3, p. 237.

another village, thus establishing ties between his village and hers. These ties were reaffirmed by huge exchanges of *oloa* and *tonga* in which all the inhabitants took part. Each village could then depend upon the other as an ally in time of war.

XII

HIGHER AUTHORITIES

Matai titles were graded according to the sitting place to which they theoretically entitled the holder in a great ideal *fono* or assembly of all the *matai* of Samoa, though this never actually met.¹ In each village, of course, only a few of these titles appeared. Of these the title which carried with it the highest position also carried, again in theory, the right to the office of chief of the village. The chief of the village was master of ceremonies in the village *fono*, the assembly where the *matai* of the village met. Associated with each village chief were a number of talking chiefs who acted as his spokesmen, advisers and bankers, and on certain occasions provided him with food. In return the chief gave them fine mats and *tapa* cloth. Sometimes these gifts were of considerable value.² In actual practice the position of the chief very largely depended upon these talking chiefs. If the holder of the title was poor and unpopular they saw to it that traditions were twisted, and that some other man, actually of lower rank, usurped the premier position. Thus although the talking chiefs did not appoint the chief, they were able, if necessary, to take away dignity from one and give it to another who was richer and more powerful.³

All the *matai* in the village had the right to attend the *fono* of the district in which their village was situated, but only the village chief, through his talking chief, was

¹ Mead, *Manua*, p. 10.

² Mead, *Rôle of the Individual*, p. 492.

³ Mead, *Manua*, p. 21.

permitted to speak. Matters concerning all the villages in the district were discussed at this *fono*, though each village was entirely independent in its own affairs, and had its territory defined by tradition and custom.

Here again the person holding the highest title acted as master of ceremonies. He was the only person allowed to speak, again through the talking chief, in the *fono* of the larger territorial division. This *fono* also had a chief who in most divisions bore the title *tui*.¹

Highest of all was the *fono* of all Samoa except Manu'a. This assembly met at the village of Leulumoenga in Upolu. It was presided over by a *matai*, with the title of *o le tupu* or *tafa'ifa*, who was the lord of all Samoa. This title was not hereditary, and it frequently lapsed, for it was only awarded to a man who was *tui* of two of the divisions of Upolu and chief of two of the most important districts of the third.

Only members of certain fixed households were permitted to occupy the positions of *tui* and *tafa'ifa*.² The titles were conferred by talking chiefs who traditionally held the privilege of selection. The details of the appointment, which do not here concern us, are given at length by Williamson.³ The important fact to be noted is that once a man had been chosen as a *matai* by his family, within certain fixed limits his further progress up the social ladder was dependent on the talking chiefs, who usually preferred persons of ability and wealth.

Within the descent group of a superior chief, that is to say, the head of a village, district or division, two further titles were given, those of *manaia* and *taupou*. The *manaia* was the master of ceremonies of the *aumanga*, the body of young men who acted as the executive agents of the *fono* of the village. The *taupou* or "ceremonial princess" held her title only while she remained unmarried, but during that time

¹ Cf. *tui* Tonga.

² Williamson, *op. cit.*, vol. 3, pp. 180 ff.

³ *Ibid.*, vol. 1, pp. 71 ff. See also Ella, *Australasian Association for the Advancement of Science*, vol. 6, p. 597.

she played an important part in many ceremonies. She was supposed to remain chaste, and her marriage, if she was proved to be a virgin, was carried out with great ceremony, whole villages, as we saw, being involved in gift exchanges. The marriage of a *manaia* was of almost equal importance.¹

Their rank gave chiefs distinction and a certain amount of sanctity, both of which made them important in the eyes of their subordinates. They were given the best food, were permitted to wear special ornaments, and were always addressed in courtly language, though these privileges were largely a matter of etiquette.² Outside their own households or descent groups, however, chiefs had very limited powers. In the various *fono* they seem to have done little more than initiate discussions through their talking chiefs. This no doubt meant that their opinions were apt to carry more weight than those of other persons. Their principal function seems to have been to act as leaders in time of war, but it was only rarely that a larger group than the district united in order to make war.³

The popularity of the chief seems to have depended upon his own personal qualifications and on his generosity. There is but one account of how this generosity was displayed, and it refers only to the *tafa'ifa*, the chief of all Samoa except Manu'a. Probably the *tui* and lesser chiefs met their subordinates on similar ground. The *tafa'ifa*, we are told, after his appointment went through the length and breadth of his dominions distributing mats and *tapa* (*tonga*). The people gave him in return presents of food and yams (*oloa*).⁴ One imagines that the more goods he distributed the more popular he became, and the more anxious were the people to give him their support.⁵

¹ Mead, *Coming of Age*, pp. 42 and 52. See also *Manua*, p. 14.

² Mead, *Manua*, pp. 114 ff. and 122.

³ Williamson, *op. cit.*, vol. 2, chap. xxiv.

⁴ It must have been essential for the chief to have had many wives, for mats and *tapa* were made only by women.

⁵ Stair, *Old Samoa*, p. 81.

XIII

THE FONO AS EXECUTIVE AUTHORITY

The executive functions of the Samoan *fono* resembled those of the Tongan, but it had also judicial functions, for it tried and punished offenders, the actual execution of the punishment being the duty of the *aumanga*. The description of its judicial activities will be given later. In its executive capacity the *fono* decided the details connected with communal work, such as building a guest house, making a fish trap, or erecting a wall around the village to keep out the pigs. In every case the actual work was carried out by the members of the *aumanga*, the body of young men, or the *auluma*, a similar body of the young girls. The *fono* also regulated the food supply, though here direct supervision was necessary only when ceremonies were to be performed for which large numbers of guests were expected, or in times of scarcity due to heavy storms which stripped the trees of nuts and fruit. The balance of power within the *fono* was arranged in various ways. Sometimes there was a high chief with veto power, and sometimes there was a caucus of chiefs to decide particular questions. Whatever the internal arrangements were, the results were announced as the decision of the village. Opinion, however, had always to be unanimous. No formal vote was taken, but argument continued till no dissenting voice was heard.¹

¹ Mead, *Manua*, pp. 15 ff.

CHAPTER VIII

RELIGIOUS BELIEFS AND CEREMONIES

I

THE BELIEF IN SPIRITS

THE supernatural beliefs which served to maintain the social order were of two kinds, those which justified its existence by an appeal to mythology, and those which threatened an offender against it with punishment.

An example of the first type from Tonga is the belief that only persons of high rank had immortal souls, to which may be compared that of the Samoans that differences of rank continued into the life after death—though in their case there is apparently not the same idea that spirits are primarily interested in the observance of respectful behaviour towards superiors. Similarly in Hawaii, the claim to respect of persons of high rank rested upon their supposed descent from gods, and the persons who stood highest in the scale were those whose ancestors had preserved the purity of the lineage by marrying their own sisters.

The influence of the second type of belief is more direct and it requires fuller consideration. The information available is very scanty, and usually refers indiscriminately to “gods or spirits,” so that it is impossible to tell whether the ancestor spirits play the important part that they do in Ontong Java. In all three communities sickness was interpreted as due to the anger of a supernatural being at some offence, and one of the duties of the priests was to ascertain the cause by allowing the spirit to speak through their lips.

In Tonga the belief is reported that the gods dealt out rewards as well as punishments, but elsewhere only the manifestations of their disapproval are described. "They firmly believe," says Mariner of the Tongans, "that the gods approve of virtue and are displeased with vice : that every man has his tutelary deity, who will protect him as long as he conducts himself as he ought to do, but, if he does not, will leave him to the approaches of misfortune, disease and death."¹ He mentions such virtues as honour, justice, friendship, meekness, fidelity, patience in suffering and forbearance of temper as deserving divine approval. Respect for chiefs he describes as "a sacred duty," and "for a man to secure and defend his hereditary rights" he says was "a point of religious duty." But in such phrases the words "sacred" and "religious" are used so loosely that it would not be safe to argue that such duties were backed by specific supernatural sanctions.

The following prayer uttered by Finau before going into battle indicates that scrupulous observance of ceremonies was expected to meet with its reward : "Behold the man who has come to Tonga to fight his enemies : be pleased with him and grant him thy protection ; he comes to battle, hoping he is not doing wrong : he has always held the *tui* Tonga in highest respect, and has attended to all religious ceremonies with exactness."²

Gifford says that the gods rewarded a "good" man by giving him *mana*, which made him successful in all his undertakings ; his pigs multiplied and his yams grew in abundance.³

The actions which the gods punished included neglect of ceremonies, theft, marital infidelity, and many others of an anti-social nature, among which, as we saw, was failure to behave in the correct manner to a chief. One of Mariner's

¹ Mariner, *Tonga*, vol. 2, p. 141.

³ Gifford, *Tongan Society*, p. 326.

² *Ibid.*, vol. 1, p. 89.

friends told him that he thought that the gods had implanted a vicious habit in every man so that they might derive sport from punishing him.¹ This was not a general belief, and most people thought that the majority of the gods were just, only giving chastisement when it was due. They thought, nevertheless, that there might be a few mischievous gods who wantonly annoyed people.

The usual punishment was illness, though the penalty for stealing was seizure by a shark. In consequence, thieves hesitated to swim during the season when sharks were at their worst. Sometimes chiefs sent those accused of stealing into shark-infested waters, and if they were eaten it was regarded as a just retribution.²

When a man was taken ill steps were at once taken to discover how he had angered the gods or spirits. Once this was known recompense could be made. The priests, as intermediaries between the people and the gods, were employed for the purpose. They allowed the gods and spirits to possess them and speak their wishes through their lips. Generally the anger was appeased by sacrifices. In the case of persons of low rank the finger joint of someone still lower on the social ladder was considered sufficient. The eligible relatives frequently squabbled amongst themselves for the privilege of sacrificing a joint, and so common was the practice that there was scarcely anyone of low rank in the community who had not lost a finger or two. Human lives were offered to the gods when a person of high rank was ill. Children were strangled for Finau and his daughter, and the *matapule* prayed that the gods would exact vengeance elsewhere, since Finau had always performed ceremonies diligently (this was not true). When at last Finau died the priests announced that he was punished for "the many instances he had shown of disobedience to religious precepts, and of exceeding disrespect for divine power." He had

¹ Mariner, *Tonga*, vol. 1, p. 413, footnote.

² *Ibid.*, vol. 2, p. 221.

refused to permit any mourning ceremonies to be carried out after the death of his daughter, "an impious and revengeful endeavour to insult the gods."¹

The gods were apt to punish not only an offender, but also his immediate relatives. When a man became ill his sons went as far away as possible lest they also should be ill.² Commoners were in the same way liable to suffer with their chiefs.³

Of the Samoans Turner writes, "As [they] supposed disease to be occasioned by the wrath of some particular deity, their principal desire . . . was not for medicine, but to ascertain the cause of the calamity. The friends of the sick man went to the high priest of the village. He was sure to assign some cause ; and, whatever that was, they were all anxiety to have it removed, as a means of restoration. If he said they were to give up a canoe to the god, it was given up. If a piece of land was asked, it was handed over at once. Or, if he did not wish anything particular from the party, he would probably tell them to assemble the family, 'confess, and throw out'."⁴

Brown tells us that, "The god was supposed to enter into the *taula-aitu*,⁵ or priest, and his presence was indicated by certain preliminary yawnings and coughings, and then by the body of the priest being violently contorted and apparently convulsed. The assembled people would then hear a voice behind a screen. . . . This voice asserted the presence of the god invoked, and the application for his services was then made in the most polite language. The applications were for the recovery of the sick . . . and for the reason of any calamity which had come upon them. . . . As expiation sometimes the 'god' demanded gifts to be given to the priest."⁶

Incest was one of the acts which the gods were believed

¹ Mariner, *op. cit.*, vol. 1, pp. 356 ff.

² Gifford, *op. cit.*, p. 342.

³ *Ibid.*, vol. 2, p. 98.

⁴ Turner : *Nineteen Years*, p. 224.

⁵ Literally, spirit anchor.

⁶ Brown, *Melanesians and Polynesians*, p. 246.

to punish. Turner says that they were against marriage between close relatives, and few dared disobey them. If a couple did so, and misfortune afterwards occurred, such as the death of their child, the gods were at once held responsible.¹

Of Hawaii we only know that a class of spiritual beings, called *aumakua*, were believed to punish by sickness all infringements of tapu, whether or not they related to rank, and that certain specialists were able by dreams and omens to discover the cause of these sicknesses and to cure them.²

There were various ways in which supernatural anger could be expressly invoked against an offender. One such method is the conditional curse, which is reported from Tonga and Samoa. In Tonga, yam gardens, trees and banana plantations were secured by placing special signs upon them, after which the gods or spirits would take vengeance upon anyone who stole from them unless he confessed and made retribution.³ In Samoa trees were preserved in the same way, by a series of signs, each of which afflicted the thief with a different disease.⁴ Other methods are the oath and ordeal, both of which were used in Samoa. The oath was also used in Tonga, while in Hawaii a special magical method of detecting sorcerers is described.

A peculiar magical method of bringing an unknown criminal to justice is described by Gifford. When a thief could not be discovered all who were interested in bringing him to justice assembled at some spot agreed upon. Each carried a fan, and, at a given signal, they all began waving it in the direction of the house of the priest. This drove the "soul" of the offender into the house, where a net had been set to ensnare it. When it had been captured the priest wrapped it up in *tapa* and declared to the assembled crowd who the culprit was. His doom was then thought

¹ Turner, *Samoa*, p. 92.

³ Gifford, *op. cit.*, p. 343.

² Alexander, *op. cit.*, p. 66.

⁴ Mead, *Manua*, p. 120.

to follow automatically. Sometimes he gave the priest cooked pigs and *tapa*, and the "soul" was then permitted to return.¹ Gifford also mentions the use of sorcery against a criminal, and in Hawaii this was the normal method of redress, professional sorcerers being hired for the purpose.

In Samoa the method of redress against an unknown criminal was the curse. Turner includes among his "illustrations to scripture" from Polynesian material the following commentary on an Old Testament curse, "Ulcerous sores, dropsy, and inflammation of the abdomen were considered special judgments of the gods on concealed thieving, adultery and other crimes; and the effect of the curses invoked by the aggrieved parties."² A thief could be cursed, and so punished, even if his name was not known. The effects of the curse could usually be avoided by public confession.

So strong was the belief in the power of the curse that "a man who had injured another and who subsequently lost several of his children by death, went to the man whom he had offended to ask if he had cursed him and so caused the death of his children, and entreated him, if this were the case, to take away the curse. The individual who had been cursed was generally allowed to know that this had been done, though in some cases it was only suspected, but in either case it always caused great fear and often serious illness."³

Actual sorcery was used against thieves in Hawaii. When something had been stolen and the thief remained unknown, the wronged individual went to the *kahuna*—a specialist in detection by magical means—for aid. This man made a fire in a special ritual manner, and then recited a prayer to bring about the death of the thief. This is said to have been in most cases sufficient to make him come

¹ Gifford, *op. cit.*, p. 331.

³ Brown, *op. cit.*, p. 248.

² Turner, *Nineteen Years*, p. 313.

forward and confess. He had to pay a heavy fine, presumably to the injured man. If he did not come forward the king made a proclamation to the effect that the person who had stolen such and such a thing had been prayed to death. "So firm was their belief in the power of these prayers to arouse the venging deity, that the miserable victim generally pined away and fell a sacrifice to his fears."¹

II

TRIBAL FESTIVALS

We have seen the part which was played by the *sanga* festival at Ontong Java in the maintenance of tribal unity. The collective ceremonies of these other communities have not been studied from this point of view, so it is only possible to note their existence and suggest that they probably had a similar function.

A striking instance of the support given to secular authority by religious ritual is the *makahiki*² festival at Hawaii. This was held once a year and began with the collection of the tribute or taxes due to the king. He was partly dependent upon these taxes, but a large proportion was reserved for redistribution among the people in the ceremonies which followed.

The taxes were collected by the king's official tax-gatherers, but they were always accompanied by a number of priests who bore a figure of the god Lono. The priests declared all the land tapu so that no one could leave the place where he was living. This tapu was lifted from each district in turn as the tax-gatherers and priests passed through. If they were not satisfied with the amount of goods contributed, the people of the district were punished by the tax-gatherers and cursed by the priests in the name

¹ Jarves, *History of Hawaii*, p. 20.

² Cf. the name of the second day of *sanga*, above, p. 187.

of Lono. The right to collect taxes was thus backed up by supernatural as well as by legal sanctions. The taxes were finally presented to the king, who made a general feast with the best of what he had received. The people assembled at the court, and races, boxing and wrestling took place amidst revelry.¹

The ceremonies connected with the worship of the god Ku had the same effect as the *makahiki* festival; they emphasised the social position of the king and strengthened the unity of his subjects.

The temples of Ku, known as *heiau*, were supposed to belong to the king. One built by King Kamehameha is described by the missionary Ellis.

“Its shape is an irregular parallelogram, 224 feet long, and 100 wide. The walls, though built of loose stones, were solid and compact. At both ends, and on the side next the mountains, they were twenty feet high, twelve feet thick at the bottom, but narrowed in gradually towards the top, where a course of smooth stones, six feet wide, formed a pleasant walk. The walls next the sea were not more than seven or eight feet high, and were proportionately wide. . . . At the south end was a kind of inner court, which might be called the *sanctum sanctorum* of the temple, where the principal idol used to stand, surrounded by a number of images of inferior deities.

“In the centre of this inner court was the place where the *anu* was erected, which was a lofty frame of wicker-work, in shape something like an obelisk, hollow and four or five feet square at the bottom. Within this the priest stood, as the organ of communication from the god, whenever the king came to enquire his will; for his principal god was also his oracle, and when it was to be consulted, the king, accompanied by two or three attendants, proceeded to the door of the inner temple, and standing immediately before

¹ Alexander, *op. cit.*, pp. 59 ff.

the obelisk, enquired respecting the declaration of war, the conclusion of peace, or any other affair of importance. . . .

“ On the outside, near the entrance to the inner court, was the place of the *lele* (altar), on which human and other sacrifices were offered. . . . About the centre of the terrace was the spot where the king's sacred house stood, in which he resided during the season of strict tapu, and at the north end, the place occupied by the houses of the priests, who, with the exception of the king, were the only persons permitted to dwell within the sacred enclosure. Holes were seen on the walls, all around this, as well as the lower terraces, where wooden idols of varied size and shape formerly stood, casting their hideous stare in every direction.”¹

Certain days were tapu to Ku. The king and priests retired to a temple to pray, and while they were there the people were forbidden to do any work. At other times the worship of Ku demanded their active co-operation, for they had to assemble at the *heiau* and sit before the images while the priests recited prayers. Sometimes they made suitable responses after each petition, and sometimes they sat in profound silence for hours on end. Again for other prayers they gesticulated or clapped their hands.² During the most important, called *aha*, it was necessary that absolute silence should be observed, as it was believed that the least noise would break the spell and destroy the whole effect of the charm. The assembly rose to its feet at given signals and stood with hands towards the sky for half an hour at a time.

Before a war began it was usual to erect a new *heiau*. This was done with the greatest ceremony, and the whole population took part. It was necessary for the sense of unity to be intensified before a war, because a community cannot undertake a campaign unless all its members are prepared to lay aside their grievances against one another.

¹ Ellis, *Journal of a Tour*, pp. 81 ff.

² Alexander, *op. cit.*, pp. 54 ff.

After the king had decided that a new *heiau* was to be built, the priests and their attendants made a ceremonial procession throughout the land. The people then assembled at the spot chosen and were ritually purified by the high priest. A tree was first selected for the image of the god, and a great procession formed to march to the place where it stood. The tree was cut down and shaped, and when it was finished human sacrifices were made. These were followed by a feast, and the procession then returned with the figure. The whole community was supposed to take part, but if any were prevented from doing so they had to remain indoors. Fires were not allowed to be lit until everything was completed.

The rest of the temple was built in a similar ritual manner, everybody taking part. At set intervals prayers were recited by the priests in the presence of the king and people.

When at last the temple was finished the king went inside with the priests and requested them to say whether the gods wished him to make war. One of the priests then entered the *anu* and, to this end, allowed himself to be possessed. The opinion of the gods was always ascertained in this manner before the king made any important decision. This gave it the additional weight of supernatural approval. The priest who gave the message of the gods was probably also influenced by popular feeling. He knew the tenor of public opinion, and if it was sympathetic he said the gods advised the king to go forward.¹ In doing so, however, we may be sure that he was in no way conscious of fraud.

The value of supernatural approval is illustrated by a statement of Malo. "From the earliest times," he says, "down to the time of Kamehameha I, not one of the kings who [had] subjugated under his rule an entire island [had] been irreligious ; every one of them had worshipped the gods with faith and sincerity."²

¹ Cf. Malo, *op. cit.*, p. 249.

² *Ibid.*, p. 252.

In Tonga the principal ceremony of the year was the *inasi*, or offering of firstfruits. When the time for this ceremony drew near the *tui kanokupolu* informed the *tui Tonga* that the first yams were ready, and asked him to appoint a day for the ceremony. After the day had been fixed the yams were collected by the *tua* and passed on to the chiefs. On the morning of the appointed day the yams were brought to the place where the *tui Tonga* was living, generally in Tongatabu. The whole population collected at the spot, but until the first part of the ceremony had been concluded those who had no part to play had to remain indoors. Some of the yams were decorated and carried in procession to the graves of the *tui Tonga*. Here, in the presence of the living *tui Tonga*, a *matapule* asked the gods to shower them all with favours, send them good crops and give them peace. The yams were afterwards divided between the gods, the *tui Tonga* and the *tui kanokupolu*. The share of the gods was taken by the priests. Dancing and wrestling followed, in which everyone took part.

A similar ceremony was the *tautau*. Offerings were made to the gods, and prayers recited by a principal *matapule* in the presence of the whole community. When the prayers had been concluded there was a general scramble for the food offerings. Afterwards the people divided into two parties according to where they lived, and a sham battle took place.¹ Everyone was allowed to choose his opponent, and a *tua* sometimes fought the *tui Tonga* himself.

It was firmly believed that neglect of these ceremonies would be punished by the gods with public calamities, such as plagues or famines.² We read that on one occasion, when the *tui Tonga* was living at Vavau, the *hau* forbade any communication with Haapai. However, he permitted the inhabitants of those islands to bring their *inasi* tribute

¹ Mariner, *Tonga*, vol. 2, pp. 197 ff. Cf. also Wilson, p. 264.

² The *inasi* of Tonga bears a strong resemblance to the *sanga* of Ontong Java, described above, Part II, ch. V.

to the *tui* Tonga for fear that if they did not there would be a national disaster.¹

National ceremonies resembling the *inasi* were held when any event of importance occurred in the life of the *tui* Tonga. There was a great public festival and distribution of food when he married, and on his death for a time everyone went into mourning. These ceremonies again had the effect of strengthening the unity of the group, and thus were also responsible in part for peace within the nation.

Of Samoa we only know that every year in April, May or June each village held a festival in honour of its god. Offerings of food were made, and feasting and dancing took place. Though it is impossible to be certain on the point, the end achieved by these festivals was probably an intensification of the feelings of unity of the villagers.

¹ Mariner, vol. 1, pp. 426 ff.

CHAPTER IX

PENALTIES

I

ORGANISED PUNISHMENTS—SAMOA AND TONGA

SUPERNATURAL sanctions are in their essence deterrent, since it is not in fact possible to ensure that the divine anger will visit the actions which are believed to arouse it. We must next turn to consider the provisions of these societies for the deliberate punishment of specific breaches of the social order.

It has been mentioned already that those of Samoa are by far the most highly developed. Here "justice . . . was administered by the *fono* which enacted the laws, tried offenders against them, and passed sentence on the guilty. The high chief, although he might dispense punishment for an infringement of his ceremonial rights, seems to have done so merely by virtue of his superior rank, not as a constituted law giver." Dr. Mead gives a list of "crimes against the village," which include disrespect to a high chief or the *taupou*, failure to conform to a village edict, insulting the village god, trying to make trouble between two *matai*, habitual theft, uncalled-for cruelty on the part of a *matai*, incest, and "prolonged blood feuds which threatened the peace of the village." All other offences were family affairs, and were settled by the descent groups concerned without reference to the *fono*.¹

It is worth noting that the vendetta is recognised as the first step, and that the intervention of the *fono* only occurs

¹ Mead, *Manua*, p. 169.

if this fails eventually to settle the matter. Destruction of property and banishment to another village "was . . . at times inflicted by one family upon another, if the aggrieved party was strong enough," says Stair. "This, although irregular, was connived at by the leading members of the community ; but if the punishment was considered excessive they would then interfere."¹

The most usual method of settlement of disputes between families was by means of a custom known as *ifonga*. The *matai* of the offending party went and sat before the house of the wronged man. All day he remained there in humiliation. If the man was prepared to accept compensation he invited him inside and gave him food and *kava*. Later a present of fine mats was made. When a more serious crime had been committed sometimes the whole descent group followed this procedure. They ran the risk of death, for the injured party was not always prepared to accept compensation. They generally guarded against this risk by posting a spy in the bush to watch his every movement and to give warning if anything suspicious occurred.²

In both public and private punishments the *matai* was responsible for his household. It was he who paid the fine or led the *ifonga*.

Punishment for incest by the family concerned is mentioned by Bülow, who says : "The man would be excluded from the community for ever, or until he dissolved the marriage, and during the period of his excommunication he would lose the protection of the family, the right of inheritance, and the right to use the land of the family and its products ; the girl lost the right to her *sanga*, or dowry of fine mats."³

Dr. Mead goes on : "The *fono* is judiciary as well as

¹ Stair, *Old Samoa*, p. 91.

² Brown, *op. cit.*, p. 290 : Stair, *op. cit.*, p. 96 : Cf. also Mead, *Manua*, p. 43.

³ Quoted in Williamson, *op. cit.*, vol. 2, p. 126.

legislative, trying and condemning offences against the village, or against the high chief or the *taupou* whose honour is conceived as the concern of the whole village. Crimes against other individuals are ordinarily left to private vengeance. Thus the man who commits adultery with the wife of a high chief, or who seduces the *taupou* is drowned or beaten to death. The murder of a high chief would be similarly revenged. Murder or adultery are revenged or compounded by individuals, and the *fono* interferes only when it is felt that injustice is being done, as when a reprisal is threatened for a death which might have been due to accident, or when a definite feud results, which is disorganising the affairs of the village, and both sides refuse to compromise. The infringement of village regulations is punished by fine and by special hard labour, like trail making ; in special cases by the destruction of property and banishment.”¹

When a criminal was to be tried by the village *fono* all the *matai* assembled on the *malae*, or village square, in a circle, with the accused in the centre. Speeches were made on both sides, the plaintiff usually making the longest speech.² If several men were suspected of the same crime, or if the culprit was unknown, an oath was required. All the persons concerned were required to swear by some god that they were innocent. It is said that the guilty one frequently confessed because he feared the vengeance of the god. At times, instead of swearing their innocence, the persons accused were made to dip a knot of sennit into a bowl of *kava* and then to drink some of the liquid. If any were taken ill or died soon afterwards the gods were said to be punishing them.³

Punishments were decided by the whole *fono*. Light punishments consisted of fines and sentences to perform

¹ Mead, *Manua*, p. 17.

² *Ibid.*, p. 170.

³ Turner, *Nineteen Years*, p. 292, and Stuebel, *Samoanische Texte*. Quoted by Williamson, *op. cit.*, vol. 3, p. 7.

village work, such as wall building or road making. Heavy punishments were destruction of property and banishment.¹

Once the *fono* had decided that a man was guilty he was punished at once. Stair tells of a man who was put to death because he had murdered five or six other persons. He was bound by the ankles to a palm, and the rope was then wound slowly upwards until at last he choked. Other missionaries state that criminals were punished by exposure in the sun, by being hung head downwards from a palm tree, or being made to walk naked through the village, to beat their heads on a stone until blood flowed, to catch a fish which had poisonous spines, or to bite an acrid root which took skin off their mouths.²

Sometimes the *fono* carried out punishment on a whole household.³ "In the judicial proceedings of the *fono*, the punishments may be classed under two heads, *o le sala*, and *o le tua* ; the former consisting of the destruction of houses, live stock, and plantations, with, at times, the seizure of personal property and banishment ; the latter consisting of personal punishment." *O le sala* was generally inflicted by the whole of the available force of the *fono*. If the household was not stronger than the *fono* it would submit tamely, but if it were strong enough to resist there might be a battle. When the punishment was to be carried out, "the leading men of the settlement, rising from the place of meeting, proceeded towards the residence of the obnoxious family, attended by their followers, where they quickly seated themselves upon the ground in full view of the family they had decided to banish. The latter often heard of the sentence in sufficient time to enable them to remove their mats and other household property to a place of safety ; but the live stock generally fell into the hands of the expelling party,

¹ Mead, *Manua*, p. 170.

² Turner, *Nineteen Years*, p. 286, and Brown, *Melanesians and Polynesians*, p. 291.

³ The following account is from Stair, *Old Samoa*, pp. 91 ff.

who reserved them to feast upon after the work of the day.

“ Formality was still the order of proceeding, and the anxious family had yet a little time to make preparations for their departure, as one of the judicial party rose to make a speech . . . for the benefit of the head of the doomed family, in which he informed him of the decision of the *fono*, and that they had come to enforce it. On the conclusion of this speech one of the judicial party rose up and commenced to ring the breadfruit-trees. . . . The commencement of this work of destruction was either the signal for resistance to be offered, or for the family to gather up their belongings, and remove from the dwelling. . . .

“ Whilst those proceedings were going on . . . the old men sat around the spot . . . chatting together apparently quite unconcerned, and waiting for the return of the young men who had been dispatched to plunder the taro patches. . . . On the whole of the provisions being collected, they were cooked and eaten by the expelling party, who then returned to their homes.”

The punishment was not always as drastic as this. Perhaps only a part of the property would be destroyed, for example, the breadfruit-trees, and there would be no banishment. In any case, banishment was rarely permanent,¹ and after a time the exiled household, especially if it was a strong group, would be asked in conciliatory terms to return to the village.

Punishments were always carried out by the *aumanga* as the executive agents of the *fono*. The young men of this assembly also prepared the feasts made with confiscated property. Fines levied by the *fono* were generally in food, which was later consumed by the whole village.

The above account perhaps gives the impression that the

¹ The banished group simply went to stay with relatives in another village for the time being. Property could not be permanently confiscated. (Mead, *Manua*, p. 70.)

village *fono* had strictly defined powers and a fixed procedure like an English law court. Certain actions, such as murder and theft, it is true, were normally punished, but this was not always the case. Two incidents illustrate this point.

A powerful chief committed adultery with the wife of another, whereupon in punishment the *fono* banished him to a neighbouring island, although he had many friends both in his own village and on the island to which he fled. These friends began to intrigue for his return, and several attempts were made to conciliate the *fono*. At last the chief assembled them all and returned. The *fono*, seeing that there would be a battle if it did not acknowledge him, gave its approval. The chief, notwithstanding, thought it inadvisable to remain, and, having won his argument, he went back to the island.¹

The other case concerned a youth who stole a canoe-load of produce which he saw lying unattended. The *fono* of his village decided to take him tied up like a pig to the village to which the owners of the produce belonged, so that they might either take vengeance upon him and so spare the village, or else be seized with pity when they saw his humiliation. The household of the youth was a powerful one, and preferred to fight. A compromise was finally reached, and some of the elder members of the *fono* took a present to their neighbours in compensation for their loss.²

From these cases it would seem that personal considerations had always to be taken into account before the *fono* passed a sentence. As a matter of fact, the assembly probably met to determine whether at certain times it was expedient to exact the usual penalties.

In Tonga all disrespectful or disobedient conduct towards chiefs was punished by the chief concerned or his *matapule*. Murder was also punished, though the manner is not clear.

¹ Stair, *op. cit.*, p. 94.

² Brown, *op. cit.*, pp. 289 ff.

“ Whether or not a murderer’s family was jointly responsible with him for a killing was not definitely ascertained. One aged Vavau informant thought that only the murderer was responsible, and was uncertain whether punishment was meted out directly by the injured family or only through the chief. One informant said that the murder of one commoner by another resulted in a vendetta between their respective families which continued until their chief or chiefs ordered it stopped. If a chief killed a commoner no blood vengeance followed, as a rule.”¹

Seduction of the relative of a great chief was another crime. The offender, even if he was a chief himself, was brought before the chief and publicly beaten. The girl was subject to the same punishment. Adulterers too ran the risk of being beaten, and sometimes were even killed. Adultery was not common, for women feared to be involved in the consequent scandal. Wives of chiefs were surrounded by female attendants, every one of whom had to be bought if adultery was to be kept secret.²

Gifford tells us that if a girl who had not yet menstruated was raped, her relatives had the right to pursue and kill the man responsible for the outrage, though the brothers on no account took part in the chase. “ No compounding for the crime of raping a young girl was tolerated. If a daughter of a high chief was raped and the culprit knew that the chief had knowledge of the fact, the man would go and tell his whole family what he had done. The family would ask the grandson of the chief to intercede, and wearing girdles of *ifi* leaves around the neck and waist, would go to the father of the outraged girl. The man and his family would sit down outside the chief’s house, bow down their heads and send his grandson to him. The grandson would call out the chief’s name and say : ‘ Excuse me. These people have come here with me. Excuse me,

¹ Gifford, *Tongan Society*, p. 183.

² Mariner, *Tonga*, vol. 2, p. 161.

don't be angry, or if you are angry do what you like to me, but let these people go free.' The grandson and not the son of the chief would be the interceder because the son must show respect to both father and sister, while the grandson may take liberties. If the chief were clement, the affair was ended It was customary for the chief to forgive, even if the offender was a commoner."¹ A seducer who had not been forgiven was killed at the first opportunity.

Two special punishments are mentioned, but it is not known to what crimes they were applied. They were leg and arm binding (*hai*) and execution (*tamatei*). The first was apparently a form of exposure, the criminal being tied up in a public place.²

II

PRIVATE RETALIATION—HAWAII

In Hawaii offences against private individuals were usually punished by personal retaliation, though property disputes were settled by the chiefs. Councils were sometimes called, but they do not appear to have had judicial functions. National affairs were discussed, and by this means the king was enabled to test public opinion.³

In cases of theft the offended party took what he wanted from the thief's house, sure that public opinion was on his side. Murder and adultery frequently resulted in prolonged family feuds, in the end requiring intervention by the king.⁴

A man who had been injured and who was not strong enough to retaliate had the right of appeal to the king. The accused person was then summoned, and both sides were heard before judgment was pronounced.⁵ Malo is sceptical about the disinterestedness of the justice meted out.

¹ Gifford, *op. cit.*, pp. 184 ff.

² Jarves, *op. cit.*, p. 18.

⁴ *Ibid.*, p. 17.

² *Ibid.*, p. 183.

⁵ *Ibid.*, p. 20.

"If a man's wife was abducted from him," he says, "he would go to the king with a dog as a gift, appealing to him to cause the return of his wife—or the woman for the return of her husband—but the return of the wife, or of the husband, if brought about, was caused by the gift of the dog, not in pursuance of the law."¹ Nevertheless, King Kamehameha had an adulterous high chief strangled, and one of his priests was executed for the same offence.² Murderers were also at times banished.³

Regular places of refuge were scattered throughout the islands. Here even criminals were safe. These sanctuaries were sacred to the god Keawe, and if they were violated by bloodshed the priests of this god killed the person responsible. Fugitives remained within the sanctuary for a few days and then returned to their homes without fear, for divine protection still rested upon them.⁴

Sorcery was a common method of taking revenge. The more famous sorcerers let themselves out for hire, charging fees proportionate to the number of their victims.⁵

Sorcery seems often to have been used for anti-social purposes. So much was this the case that when a rich or distinguished man died, or one who had been much beloved, it was at once suspected that black magic had been used against him, either through envy of his property or of his distinction. In such circumstances the *kuni* ceremony was performed to bring about the death of the sorcerer. A friend of the dead man took a pig to the *kahuna*, the specialist who directed the ceremony. He made a prayer to Uli, the god of sorcerers, and then explained what he wished to be done. The pig was released, and its movements watched, for the natives thought that these would help to reveal the wrong-doer. If the pig went to the left, one of the relatives of the wife was believed to be responsible,

¹ Malo, *op. cit.*, p. 84.

² Jarves, *op. cit.*, p. 43.

³ *Ibid.*, p. 17.

⁴ *Ibid.*, p. 29.

⁵ Alexander, *op. cit.*, p. 69.

if to the right one of the younger brother's people, if behind, an outsider, and so on. The friend afterwards returned to where the corpse lay and made preparations for the *kuni*. Fowls and dogs were caught, a fireplace and a stone table made, and gourds and candlenuts gathered. When all was ready the *kahuna* came, and more prayers were recited. The body was then dissected by two men specially selected. The liver was cut into small pieces and stuffed into the mouths of the fowls and dogs, which were then thrown into the fire alive. While this was being done a long spell was uttered to bring about the death of the sorcerer. Sometimes his name was actually mentioned by the *kahuna*, and the disease from which he would die foretold. The spell being finished, the body was buried, the fireplace burnt, and the materials thrown into the sea. The *kahuna* was then paid, and, last of all, another *kahuna* came to purify all who had taken part.¹

¹Malo, *op. cit.*, pp. 135 ff.

CHAPTER X

OTHER INFLUENCES

TO complete the analysis of the information on these three societies a brief mention must be made of the social rules whose breach was followed by no other reaction than public disapproval. Sometimes the offender was laughed at and sometimes he was scorned.

The example of the way in which Mariner's adopted mother taught him how to conduct himself is probably typical of the way children were brought up. She "would laugh him out of all little habits and customs, in dress, manners and conversation, that were not strictly according to the Tonga fashion, or not considered sufficiently polished and becoming an *eiki* (noble)."¹

Cannibalism, not widely practised except in times of famine, was treated in a similar fashion. On one occasion when some young men had eaten the body of an enemy, the women told them to go away because they were man-eaters.²

A somewhat strange case of the influence of public approval is mentioned by Gifford. "If a young man was reputed to have a wide sexual experience previous to marriage, regardless of his physical attractions or lack of them, he was held in high estimation by old and young and was especially admired by young unmarried women. Girls were warned to keep away from him, intimately, but taught to admire him. Such a man was said to be wise, and was expected to treat his bride with more consideration during the first nights of married life."³ A youth who had refrained

¹ Mariner, *Tonga*, vol. 2, p. 94.

² *Ibid.*, vol. 1, p. 194.

³ Gifford, *op. cit.*, p. 191.

from cohabitation was not regarded as an altogether desirable husband.

Another paragraph from Mariner is interesting for the light it throws on another of our conclusions, that which relates to the importance of upbringing in conditioning the individual to automatic obedience to social rules.

"Many of the chiefs," he says, "on being asked . . . what motives they had for conducting themselves with propriety, besides the fear of misfortunes in this life, replied, the agreeable and happy feeling which a man experiences within himself when he does any good action, or conducts himself nobly and generously, as a man ought to do." "There is implanted in the human breast a knowledge or sentiment which enables us sometimes, if not always, to distinguish between the beauty of disinterestedness and the foul ugliness of what is low, sordid, and selfish ; and the effect of this sentiment is one of the strongest marks of character in the natives of these islands."¹

This "knowledge or sentiment" was not innate, but was "implanted" by early training and education.

From Samoa there are a few more examples of this kind. Thus Brown says that when the carpenter built a house there was no fixed payment. If he suspected that he would receive a poor recompense he went away before he had finished. The owner of the house was thenceforward stigmatised as mean, and no one would finish it for him. The only way to erase the stain was to give a magnificent present to the first carpenter, thereby imposing an obligation on him to finish the job.²

All young girls were supposed to be chaste, and those belonging to the household of a chief had to submit at marriage to public defloration by a talking chief. If the hymen was already broken the girl was considered to be no longer a virgin, and the disgrace which followed so

¹ Mariner, *Tonga*, vol. 2, p. 141. ² Brown, *Melanesians and Polynesians*, p. 268.

public a revelation is said to have been a powerful incitement to chastity. Nevertheless, premarital intercourse was very common, for elopement was an easy loophole of escape from an unpleasant situation. The only danger was that the parents might not make the necessary exchanges to legitimise the union.¹

Young men were permitted to have love affairs so long as they kept them secret. Some who found it hard to make assignations went around the village at night raping women. These men, who were called *moetotolo*, relied upon mistaken identity and flectness of foot to make their escape. If caught they were not actually punished, but they were never afterwards able to persuade young girls to accept them as husbands.² They also became a laughing stock on account of their lack of success.³

¹ Mead, *Rôle of the Individual*, p. 488.

² Mead, private communication.

³ Mead, *Coming of Age*, pp. 93 ff.

PART IV

PART IV

CHAPTER XI

CONCLUSIONS

FROM this survey certain definite conclusions emerge. One is that the body of social obligations which have binding force—that is to say, for whose breach an individual is in some way penalised—is very much wider than the series of prohibitions which constitute criminal law. Primitive societies have their civil law, although they are without the institutions to which we are accustomed—the “restitutive law” of Durkheim—for compelling the fulfilment of a contract. The forces which make these rules effective can be analysed into elements much more concrete and specific than the hypothetical “collective consciousness.” Malinowski has traced in the life of the Trobriand Islanders the chains of mutual obligations—gifts and counter-gifts, services and repayments—which run through every social activity, through economic pursuits, marriage and family life, religious ceremonies, the system of government. In Ontong Java we have seen the same mechanism at work in the co-operation of daily life, in the mutual dependence of husband and wife for the family food supply; of the fishing group on one another, and in particular on the one or two who possess specialised knowledge, for canoe construction and expeditions; of the members of the joint family on mutual aid for the provision of customary gifts, the performance of religious ceremonies and the organisation of retaliation for an injury. We have seen how

a marriage creates a series of links not only between the couple themselves but between their relatives, and how the obedience which the headman of the joint family receives from its members is the return which comes to him for organising the assistance of the group to any member who asks for it. All these ties are ties of family or kinship, and in the last resort an individual who fails to perform his obligations is penalised by the dissolution of the tie and the loss of the claims that go with it. Divorce is the commonest instance, expulsion from the joint family the extreme case.

Elsewhere in Polynesia we have only hints of a complex system of economic co-operation, but there is ample evidence of the reciprocal relationship between authority and subject, while in Samoa we find that authority is the reward for a type of behaviour pleasing to the society.

In these societies criminal law—the institutions for the repression of flagrant breaches of prohibitions, and the penalties exacted—have been described in considerable detail relatively to other aspects of social organisation. But enough has been said already to show that among them organised punitive action is as much a weapon held in reserve for the last resort, as much a means for setting right an abnormal state of affairs, as it is in our own.

While every rule carries with it a specific sanction, the play of other social forces in making the rules effective cannot be left out of account. We have seen how in Ontong Java education is largely directed to this end, and how the obedience of the fishing group to its head is an extension of the kinship sentiments formed in childhood. Similarly in the other societies considered, the attitude of respect for persons of higher rank is first formed within the family. Such attitudes become largely habitual unless some individual has a strong personal motive for departing from them. Another subsidiary force is that of social approval for the lavish performance of obligations, enhanced in the

case of such duties as the exchange of gifts by the publicity with which the presentation is made. The general publicity of primitive life makes social opprobrium also very powerful.

Most important of all these influences is that of religious beliefs, which makes itself felt in a number of different ways. In the first place there are certain rules—those relating to tapu and the performance of ceremonial—which find their sanction here and here only, in the belief that their breach will be supernaturally punished. In Ontong Java the prohibition of incest is enforced in this way, and mythological examples of its consequences form part of the education of children. Again, the belief that acts of violence within a kindred group—murder, adultery and displacement of the heir—are punished by the spirits, enables the resentment of the group to find an outlet without their feeling compelled still further to increase their affliction by themselves taking action.

But religious beliefs are even more widely effective in reinforcing general social approval and disapproval. The *kipua* of Ontong Java are believed to punish, not actual breaches of obligation, but failure to reach a socially approved standard of performance. The fact that death may be ascribed to their anger at an action which is not illegal but merely ungenerous or unkind, shows that there is a sense of duties over and above those which are strictly required by law. The *kipua* are in fact a powerful form of “organised public opinion.”

Collective religious ceremonies play a special part in stimulating or renewing the general sense of unity and thus creating a spirit of readiness to join in the co-operation necessary for the smooth working of tribal life. It is only from Ontong Java that we know in any detail the nature of such ceremonies, but here their importance is fundamental, since the whole food-supply was formerly believed

to depend upon their correct performance, and the failure of any individual to do his part might bring the disaster of famine upon the whole group. Thus the consciousness of common interest and mutual dependence was strengthened in the tribe as a whole, while its ritual expression helped to impress it forcibly on the minds of the children who witnessed the ceremony, and build up an attitude of general respect for tribal obligation. Specific parts of the ritual, such as the grouping of individuals in a manner which brought them into contact with distant tribesmen, emphasised the feeling of unity, while others, like the ceremonial abuse of sisters-in-law, gave an outlet to resentments which might otherwise become a source of discord, and elements such as the feasting created an atmosphere of good-will and pacification.

We see then that it is impossible to look for a single force on which social order can be based—a sovereign will, an all-powerful religion, or a collective mind—and completely misleading to take the institutions to which we are accustomed as the culmination of a process of evolution, and attempt to interpret all others as earlier stages. Either of these lines of approach, by isolating single aspects of culture from their context, is bound to overlook essential elements which only become apparent when the culture is considered as a whole. Our analysis has attempted instead to regard these Polynesian societies as organic structures in which all the parts are interrelated, and to find the answer to our original question not in a single word but in the convergence of a number of influences which at first sight might have seemed entirely disparate.

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