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**‘Towards Effective and Legitimate Governance:
States Emerging from Hybrid Political Orders’**

Project Output: Reports

Vanuatu Report

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Executive Summary and Recommendations

In contrast to some of the other case studies in this enquiry, Vanuatu is not struggling with a legacy of violent conflict; nor is the country as a whole, or parts of it, marked by serious problems of law and order. On the contrary, the country is peaceful and relatively stable. Nevertheless, Vanuatu has suffered some serious violence in the past and certainly faces real threats to social stability and order. Its current stability is under challenge from the impacts of rapid social and economic change coming from globalised markets in both their legal and criminal dimensions.

Custom in Vanuatu is a huge source of social resilience underpinning community governance. While this is true to a greater or lesser extent throughout the Pacific Islands region, it is particularly pertinent in Vanuatu. Custom works as an expression of contemporary indigenous identity and in Vanuatu it has also become an important source of national identity. In addition, bodies able to link the different sectors of national political life contribute significantly to social resilience through enabling communication and defusing potential conflict associated with rapid change.

Customary authorities in Vanuatu have formed a ‘hybrid’, national organization loosely linking customary authorities across the country through the Malvatumauri National Council of Chiefs (MNCC). This enables a ‘customary voice’ to speak at the national level on issues of importance to custom and by extension of importance to much of the rural population, which includes approximately 80 percent of ni-Vanuatu.

The Vanuatu Cultural Centre (VKS), another ‘hybrid’ organization, is contributing to stability in Vanuatu by playing an active, bridging role between customary interests and the emerging, non-Church based civil society, as well as working with government on critical issues such as land tenure, sustainability and juvenile justice.

Churches also make important contributions to social resilience and stability, being the only bodies in Vanuatu with well established networks reaching from the capital to villages

¹ This is the shortened version of a much more comprehensive report submitted to AusAID in January 2008. The longer version addresses in more detail the contributions and attitudes of the actors from government, civil society and the sphere of custom with regard to the fields of governance analysed (political economy, order and security etc.). It provides a more detailed presentation of the specific views of actors from the different spheres, based on the interviews conducted during the field trip to Vanuatu in September/October 2007.

throughout the country, capable of reliable two-way communication, planning and action, and providing some education and health services.

The challenge for aid partners is how to effectively support the strengths of customary authorities, organizations such as the MNCC, VKS, civil society and churches in their contributions to governance and social order, and how to support complementary interactions between them and formal government, as the basis for an evolving form of state that is effective and legitimate. This report examines these questions and looks at the main threats to social stability and order, seeking to identify practical ways in which Australia, as an aid partner and neighbour, can assist Vanuatu.

Key threats to stability include the considerable friction, confusion and regulatory ambiguity in the interaction of the custom and market economies. The potential for serious social erosion, criminality and civil violence is probably greatest here. Land is under great pressure from the growth in tourism and other developments, as well as from movement of people from outer islands to the two main towns and rapid population increase. Customary land tenure does not fit easily with the demands of the commercial market, yet local commercial enterprise and appropriate foreign investment are vital for economic growth and the provision of services which people increasingly value. Understanding of the commercial economy is often extremely low in rural areas. Accommodation between customary and commercial approaches is not impossible but careful planning and management are needed to prevent likely points of conflict and to protect the customary economy from predation, unsustainable resource extraction and the consequences of regulatory ambiguity. The National Land Summit in 2006, and the reforms expected to flow from it, are of critical importance.

The growing gulf between those with access to cash and those without is another major tension point. These pressures are complicated by the nexus of demographic change (the 'youth bulge'), rapid urbanisation, increasing pressure on rural resources, unemployment and the emergence of landless poor, living in squatter settlements around the capital. As a result, crime is becoming more prevalent in urban and peri-urban areas.

Vanuatu's critical liability as it faces these problems is the disconnection of the formal, national political structures of government from much of the social reality of the country and the erosion of traditional mechanisms of social control without a corresponding emergence of new ordering mechanisms. Interactions and tensions between the introduced system of representational democracy and patterns of customary obligations have over time created a distorted electoral dynamic where the local member's role is understood to revolve around distribution of cash and resources in return for votes. In the context of poor government reach and weak service delivery, this has set the system up for corruption, and politicians are widely held in low regard. The problem is not that customary and state governance are in conflict, and still less that there is a conflict between custom and parliamentary democracy. What requires change is the destructive interaction between them. The question is how to harness what seems a widespread desire for legitimate, accountable, and ethical governance. Self-directed and incremental change is most likely to be effective. Supporting dialogue and exchange of information on political processes are practical ways to facilitate that change.

Recommendations

1. It is important for development agencies to recognise that custom is a huge resource underpinning community governance in Vanuatu, and the capacity for customary approaches to be creative and adaptive in dealing with emerging issues and problems should not be underestimated. It is therefore vital to gain an understanding of the

operation of customary authorities and institutions and of their interaction with arms of government.

2. Constructive, low-key support for positive interaction between customary mechanisms and formal government is one of the best ways for the Australian Government to ensure that evolving governance dynamics in Vanuatu are broadly consistent with hopes for legitimate, stable governance. Practical and effective ways of providing this support include dialogue processes, public forums and summits, but could also include support for projects focussing on critical issues where customary authorities, government and civil society can play complementary roles, e.g. land and natural resource management, community development and sustainable livelihoods, urbanisation and citizenship.
3. Approaching customary authorities solely as if we have something to give or to teach and they have something to learn can lead to resentment and withdrawal. In contrast, partnerships that build relationships based on equality and flexibility can be productive.
4. Vanuatu is fortunate to have some key bridging organizations such as the Vanuatu Cultural Centre (VKS) and the Malvatumauri National Council of Chiefs (MNCC) that form links between and interact productively with customary authorities, local communities, government and civil society; and continued support to enhance the organizational capacity of such bridging organizations is vital.
5. Some of the weakest institutional links are between central and provincial levels of government. Provincial level forums or processes linking provincial or island level bodies with central levels would provide valuable and practical support.
6. Economic development proposals that bear on land need to be extremely sensitive to customary land tenure arrangements, and small enterprise schemes which enable communities to raise cash and so reduce internal incentives to alienate land in unsustainable ways could be supported.
7. Proposed changes to legislation and administrative processes relating to land need continued support, to ensure implementation of the resolutions from the National Land Summit agreed by stakeholders and the Council of Ministers in 2006.
8. To reduce the risks of criminal exploitation, and to assist the process of full consultation of relevant customary land owners, long term processes of public education and discussion involving customary and community leaders should be supported to increase people's knowledge and understanding of :
 - legislation and administrative processes relating to land, commercial leasing and contractual negotiations and rights,
 - ways in which custom land tenure and custom governance principles apply to different parts of the country.
9. Programs supporting law and order should focus not only on police, but on exploring the actual points of interaction between justice and policing mechanisms and customary mechanisms, with follow-up programs of assistance supporting positive interaction at specific points of intersection.
10. Provision of education and health services through external aid partnerships with Churches should aim to build on the existing relationship of complementarity between the Vanuatu government and churches, with the government maintaining its role of co-ordinating and monitoring all services, and where possible, directly providing a significant proportion of government schools and health services.
11. Support for citizenship and for tackling the destructive political dynamic that reproduces a

system of representation based on politicians buying votes requires engagement with local villages, areas, or island groups as a means for encouraging greater understanding and awareness of how to participate in broader political processes at local, provincial and national levels, with the aim of incorporating positive indigenous values into political processes, including respect, dialogue, and consensus.

1. Introduction

Vanuatu as an emerging state

Fostering functioning and effective states is one of the four organising principles of Australia's overseas aid program, as set out by the Australian government White Paper (AusAID 2006). It is worth considering some fundamental orientations here – a state is functioning and effective to what end? In broad terms we could say that a state needs to be able:

- to provide security and social order for the people of that state (to meet fundamental social and security needs);
- to be economically sustainable (to meet needs for sustenance and economic well-being) and
- to enable its people to some reasonable extent to shape the decisions that in turn shape their collective lives (to meet needs for political participation).

These are the broad orientations according to which functioning and effective statehood are considered in the following discussion of Vanuatu.

All states could be understood as being in the process of meeting these broad goals – although there are spectrums of effectiveness, and no state once and for all, finally arrives; all states have strengths and weaknesses. These principles and goals then pose the following questions of all Australia's aid partners: how might we (as Australian analysts) weigh the country in question in relation to this goal; to the extent that we and our bilateral partners might agree that this goal has not been achieved, how might external partners, such as Australia, support the emergence of effective national political communities? These are profoundly complex and 'living' questions – our responses to them will change and develop over time, in exchange with local interlocutors; a discussion paper cannot definitively answer such questions. This paper does, however, contribute to the conceptual tools by which we – as aid practitioners, policy-makers, and scholars, but very importantly as neighbours and partners of Pacific Islanders – can better understand and work with ni-Vanuatu in the long process of state-building.

Whatever a fully functioning state of Vanuatu might look like in the future, it would be a mistake to assume that its institutional structure and political economy (using both those terms in a broad, encompassing sense) must mirror Australia or other OECD states. Nor should we wish upon Vanuatu that it follow the path of state formation taken by the European states and their colonial offshoots, as this was an extremely lengthy history of war, violent division, imperialism and repression at least as much as one of accountability, participative citizenship and economic well-being (e.g. see Tilly 1985).

It is important to recognise that independence and formal statehood are very recent phenomena for Vanuatu, only being achieved in July 1980. For most of the century Vanuatu was jointly administered by French and British colonial powers in a condominium arrangement popularly known as 'the Pandemonium'. According to Rodman, the 'Condominium was created largely to provide the legal machinery for processing the claims of those who alienated land from customary owners' (1987:2). The Condominium left a legacy of divided institutions – two justice systems (or two plus, since islanders were largely not covered by the metropolitan systems), two police forces, two commissioners – and two languages of colonial settlement and occupation. There was little interest in administration of the local people. This meant, however, that there was 'no attempt to formalize or objectify

local practice, something that did happen in other places, such as Fiji' (Bolton, 2003:9). 'The unworkable nature of the Anglo-French Condominium acted as a brake on any attempt to systematize native culture . . . So the "traditional" culture is not the result, as it is in other colonial situations, of Europeans interpreting "traditions" to natives and natives in turn manipulating such models to fit (as profitably as could be managed) the colonial order' (Jean-Marc Philibert 1986:11, in Bolton, 2003:10, 11).

By contrast, missionaries, present in the islands since about 1820 and increasingly active, had significant impact culturally and socially. All schools, for example, were the result of missionary activity, until some were taken over by the administration in the 1960s, and the newly independent government absorbed many schools into public education services in the 1980s. By and large, 19th and 20th century missionaries presented Christianity in opposition to traditional practices (although there were varying degrees of accommodation, with the Anglicans and Catholics most open to local culture). For all the more established churches, this opposition has gradually modified. Christianity has become significantly interwoven with cultural life across the country, and identified with Vanuatu as an independent state (to the extent that the national emblem bears the words *Long God Yumi Stanup*, suggesting spiritual reflection, moral injunction and assertion of independence and self-determination).

The independence movement (under the Nasional Pati, later Vanua'aku Pati) of the 1960s and 1970s took the reclamation of alienated land as the national, unifying program for independence. As a result, with the exception of land immediately around the major towns, the constitution forbids the outright sale of land to foreign parties. Leasing arrangements, however, enabled the continuation of plantations and other non-local interests. At the same time, culture as *kastom* was put forward as the basis for national identity (in contrast to some African experience, for example, where traditional culture was seen as opposed to the new, modern state, but also in contrast to East Timor). The term *kastom* thus emerged in part as a modern, nationalist identification of traditional values and practices. *Kastom*, as both national self-assertion and traditional cultures, is closely bound up with land. As one informant (from both the customary and government sectors) noted forcefully, whereas in 'other' (OECD type) states, the government in the last analysis owns the land, in Vanuatu, it is customary land-holders, not the government, who own the land.

In common with its Melanesian neighbours, Vanuatu is characterised by significant diversity. Pre-colonial political life was not unified around a single structure, nor did islanders share a single language. The country is an archipelago of around 80 generally mountainous islands with relatively rich soil. The population is composed of about 221,000 people who speak approximately 100 native languages, a version of Melanesian pidgin (Bislama, now the national language), French and English. The population is also very young – in the last Census in 1999, 43 percent of people were under 15 years old (Lamoureux 2001:1). The population has grown from 143,000 in 1989 to 221,000 in 2008 – an increase of approximately 50 percent in under 20 years (Government of Vanuatu 2007).

Also in common with other Pacific Island countries, independence and state-building for Vanuatu has meant the development of liberal governance structures on top of many small scale, traditional, clan-based political, economic and social orders. While the legislative, executive and judicial institutions of the state are more or less respected, their recent emergence means that they do not have deep roots into society, and tend to be disconnected from people's values, practices and local structures of authority. This seriously weakens state institutions' capacity to undertake some fundamental tasks of governance: to forge some

consensus out of conflicting interests or needs, to adjudicate disputes, to manage change (extraordinarily rapid in Vanuatu given its recent independence) or to manage national resources. The relatively thin or confused relations between national political institutions and the population also seriously weakens the demands for accountability that citizens in principle exercise over national governance mechanisms in the OECD. At worst, friction between institutional and local governance mechanisms and norms work to undermine both. More generally this friction causes confusion, creates conditions for corruption, raises problems of legitimacy and makes the tasks of state formation particularly complex.

Governments in Melanesia have tried to deal with weak connections between central state authorities and communities through experiments in decentralisation. Decentralisation, however, has had a vexed history across the region (Larmour and Qalo 1985; Larmour 1990, 1998; Nanau 1998; May 2001). In Vanuatu, provincial governments are poorly resourced and as yet do not offer an effective linkage between the capital and the overwhelmingly rural population.

While state institutions do face significant problems of capacity and resourcing, their relative disconnection from much of the population and customary authorities is a major source of weakness. State-building efforts, however, have by and large focussed on strengthening government institutions rather than exploring whether it is possible to support better links between state institutions and established social mechanisms, and how that might be done. Externally driven efforts to support state-building have tended to deal with the disjunction between liberal governance and local patterns of authority in one of three ways.

- (i) State-builders have overlooked or ignored endogenous political orders, seeing them as simply not relevant to modern political community or as something that belongs to the past and will be naturally overtaken by the way of the future;
- (ii) they have categorised them as a threat to statehood that needs to be repressed, seeing traditional norms and values as the problem to be expunged (and so setting themselves an extremely ambitious, disruptive, indeed revolutionary goal); or
- (iii) they have made reference to customary values and practices without engaging with them, perhaps believing that this helped to preserve the integrity of both dimensions of political life.

This report sets out to contextualise discussion in some background information on Vanuatu. It is not possible to consider the interface between customary and state institutional governance mechanisms without some appreciation of Vanuatu's political life. However, the report cannot and does not attempt to give a thorough summary of Vanuatu's political, economic and social conditions. (The parliamentary process, for example, is not much discussed, but is significant.) The interactions of customary and institutional governance occur at nearly all dimensions of a society's collective life, from symbolic worlds to implementing legislation to the most concrete forms of grassroots organization. The concrete processes of everyday interaction, however, are vitally important, particularly in a society such as Vanuatu, which traditionally works on a 'face to face' basis, and where structures are not uniform and settled across the country. What might seem an unworkable contradiction at a conceptual level, may be accommodated successfully on the ground. However, concrete processes, networks and relationships can at best be indicated only very broadly at this early stage of research.

Report Structure

This report is based on fieldwork interviews (conducted by Anne Brown, Anna Nolan and Roselyn Tor) and a literature survey. Interviews and discussions were conducted with people from a wide range of social sectors and parts of the country, although specific travel was limited to Port Vila (the capital), Luganville (the second largest town), the surrounding areas to the south and north of Luganville, and Lanakeal on Tanna island (the most populous island). (The authors' earlier work in Vanuatu has also come into play.) Interviews included semi-structured interviews, group discussions and relatively informal conversations. Interviews and conversations were conducted on a basis of confidentiality – we will therefore not identify any particular interview sources, although where relevant we will indicate the general institutional or social position of the discussant.

In line with other case studies in this series, interviews focussed on the five issue areas of

- order, peace and security,
- social needs,
- participation,
- political leadership
- law and justice.

In order to assist comparability across the case studies, the report is organised according to the following headings:

- Political economy, cash economy, land and resource management;
- Order, peace, security, rule of law, law and justice, customary law;
- Social needs, service delivery;
- Leadership, representation, accountability;
- Participation, citizenship and identity.

We then consider the contributions of state institutions, customary governance and civil society in the thematic areas mentioned above according to capacity, effectiveness, and legitimacy. In many cases the realms of state institutions, customary governance and civil society overlap, for example, a customary chief can at the same time be a church leader, or a government minister or public servant. Moreover, in Vanuatu this overlap is institutionalised: the Malvatumauri National Council of Chiefs (MNCC), for example, is not a traditional customary organization, although council members are all customary chiefs; it is rather an effort to represent traditional governance within the state sphere. This is an important aspect of the hybridity of the socio-political structures. Outside such institutionalised hybridity, people do act in different, but overlapping frameworks. A public servant might talk in one part of an interview about her work in a government department, and in the next part about obligations as a custom leader in her community.

Finally, we assess the relations between the three realms of state institutions, customary governance and civil society with regard to complementarity, substitution, and incompatibility or conflict.

The debate over custom and customary governance

An intense debate is occurring in Vanuatu over what custom and customary leadership are. To an outsider, this debate might at first seem to be essentially concerned with establishing cultural authenticity through efforts to draw clear links with the past. There is a great desire on the part of many people to establish a sense of what is truly 'their own' and a confidence in

‘being themselves’ in the face of rapid, often confusing and often destructive change. Grasping one’s own traditions is one way of seeking that confidence and asserting collective identity. Moreover, custom is also a powerful source of legitimacy across the country; what accords with custom carries a sense of rightness or appropriateness. Clearly, if people or systems are able to call on the mantle of custom, this gives them considerable authority and power. In important ways then, ‘custom’ stands as a source of collective authenticity, but as such it can also become something that can be competed for, claimed, used and misused.

Confusion over custom land boundaries, over the proper roles of customary leaders and at times over who should be recognised as customary leaders, is widespread and was identified as a significant source of problems and conflict. As a number of respondents noted, most people are closer to the values of tradition (than to the values of ‘modern’ life or Western consumer society) but they do not necessarily retain knowledge of whole traditional systems or practices in which those values are embedded. There are moves by the Malvatumauri and other organizations, notably the Melanesian Institute in Pentecost, and in a different way the Vanuatu Cultural Centre in Port Vila, to gradually clarify customary roles and jurisdictions according to the different systems across the country and to encourage appropriate forms for passing on traditions and norms.

Debates about custom engage issues of cultural but also national identity and self-determination – what constitutes local but also emerging national identities, and according to what basis (what way of imagining themselves as political community) ni-Vanuatu can chart a collective path that enables them to ride international and globalising forces, even if they cannot control them. Ancestral practices were largely localised. Custom as a basis for national identity, which became a focus in the drive to national independence and has continued as part of the ongoing process of state formation, is necessarily a modern evolution of custom, which contains but also reshapes ancestral practices (White 1993). A number of scholars argue, for example, that some of the more negative patterns of marginalisation of women come less from traditional practices and more from the re-casting of custom as part of the dynamics of national self-assertion (e.g., Bolton 2003; Jolly 1994, 2000; Brown 2007a). Within Vanuatu these debates are ongoing. ‘Custom is part of life, but as our way of life changes, so must custom. Its strength in the future must lie in its flexibility’ (Vanuatu 1990, in Jolly 1994: 256). While custom is in some respects intrinsically conservative, it also has a strong dynamic and adaptive element.

This dynamic approach to custom can be illustrated by the operation of councils of chiefs in the urban centres of Port Vila and Luganville. Towns are places where people from different islands live together, and questions of how to deal with the frictions of such a melting pot are ongoing (the riots in Vila in March 2007 are an example of this, with the Port Vila Council of Chiefs being disbanded following that violence). Chiefs have nevertheless established mechanisms whereby different islands or custom groupings are represented and managed by chiefs from their locality living in the town, so for example Ambae chiefs in Vila are expected to look after Ambae people living in the capital. These mechanisms are still in the process of being formed and refined, but by and large they have been contributing to social stability in important ways. The dynamic approach to custom is also clear, for example, in the way people talk about urbanisation and how to deal with the problem of growing poverty, and growing numbers of young unemployed people, often with little clear affiliation with custom authorities (or with church or state authorities). Whereas some felt that people without custom affiliation were beyond the scope of custom, others considered that the key role of custom authorities was to work towards peace in communities – therefore creative approaches were

needed whereby custom could play a constructive role for these sectors of the population, living in new, different and difficult circumstances.

To the extent that defining custom is an effort to make something definitive out of what is dynamic, there is nothing stable or straightforward about this enquiry. While most (though not all) people emphasize the importance of custom, many seem unclear about what it actually entails, partly because of loss of tradition in some areas in particular and partly because what people now mean by custom is such a focus of debate. Custom is the context in which people debate their differences with other communities and (quietly) assert the qualities of their in-group (so that intermarriage across major custom boundaries, while not uncommon, continues to be a vexed issue); but it is also the language in which people talk about what they share, as ni-Vanuatu. Questions of leadership, of systems of authority, governance and accountability (who should lead, by what right should they lead, to whom and how should they be answerable) and of gender relations are part of these debates. People in the islands rarely see themselves as involved in 'governance', the 'state' or 'accountability', yet these are some of the issues struggled with. These questions are part of a great, nation-wide debate and part of state formation; not all of them can be answered in any definitive way. Nevertheless, there is considerable practical urgency to some questions of custom, notably in the interlocking areas of leadership and of land, and ni-Vanuatu are looking to find a shared way through these questions.

Civil society and Churches in Vanuatu

The most prominent civil society bodies in Vanuatu, as elsewhere in the Pacific Islands, are the Christian Churches. Local ministers, pastors and religious leaders carry considerable authority at the local level in particular. Religious affiliation in Vanuatu is not dominated by any single denomination – people often seem to be drawn to many small ministries which revolve around one or two charismatic preachers. However, the Presbyterian Church is the most widespread, followed by the Church of Melanesia (formerly the Church of England), the Catholic Church and the Church of Christ. Five other denominations, along with these four, are part of the Vanuatu Christian Council and are seen as the established churches in the country. There are a myriad of other churches, including the Moonies. Fundamentalist evangelism is common and the negative effects of unrestrained fundamentalist evangelising by overseas bodies and individuals create a commonly expressed anxiety. Division and fighting within villages or families over denominational differences is not uncommon.

Different denominations have taken different positions regarding traditional cultural practices. The Catholic and Anglican Churches have historically been open to local culture, seeking forms of intercultural Christianity. The Presbyterians, originally taking a strong rejectionist position, have in the last few decades begun to seek areas of integration (and have been associated with the path-breaking Gospel and Culture in Vanuatu series of books (Prior 1999, 2001, 2002, ...)). The Church of Christ has also been associated with strong identification of cultural practices as evil and 'dark'; although this has been softening over time. The newer religious groupings tend to be the least accepting of local practices, although there are also local syntheses of Christian and indigenous religions. Different denominations are often associated with different geographical areas, following patterns of missionisation, and in the case of the Catholic / Protestant split, with different colonial administrations and languages. This phenomenon also played itself out around the time of independence, with violent division particularly (but not only) between the two affiliations. Regional alliances or frictions can thus be cemented or cross-cut by denominational affiliations. Despite mixed views on customary practices, the Christian Churches widely support customary chiefs – church and

customary leaders are generally the principal authorities at the local level. Discussion in this report will focus on the more established churches which enjoy wide membership.²

The major churches are the only bodies in Vanuatu that have networks reaching from the capital to the grassroots capable of two-way communication and action, being more capable than the government in this regard. They provide some health and education services (although education was to a significant extent taken over by government following independence). They also resonate with ni-Vanuatu in their more holistic approach to life. However, major churches are also part of broader international conversations. While ministers, priests and churches can be highly conservative, they can also provide important links to wider discussions about values as well as providing spaces for discussing traditional practices in connection with religious and political practices elsewhere. Questions of gender are particularly salient here. The different denominations also provide different models of (non-custom) organization and leadership, which are discussed in more educated circles in Vanuatu and become a point of comparison with government. Thus the Catholics and Anglicans offer more hierarchical models, the Presbyterians and Congregational churches flatter structures and so on. Churches have by and large acclimatised to Vanuatu, while ni-Vanuatu have embraced various versions of Christianity. It is now commonly said that Christianity has become 'custom' in Vanuatu.

The Vanuatu Cultural Centre (VKS), founded in 1956, has come to play a significant role in national debates and policy discussion around some critical issues. Because the VKS often works closely with the Malvatumauri National Council of Chiefs (MNCC) and with local chiefs it can in many contexts be said to represent customary interests, even though it is not itself a customary organization. The VKS currently plays an active, informal bridging role between aspects of customary life and emerging, non-Church based civil society. This role has been of fundamental importance in ni-Vanuatu civic life. The VKS provides some voice for grassroots customary life in national arenas through its annual custom symposium, works with the Malvatumauri National Council of Chiefs and the government on critical issues such as land tenure, and also works with government and NGOs on contentious social issues such as juvenile justice. By focussing on different traditional practices across the country, bringing them together around a particular theme each year, the Cultural Centre also links traditional local practices to a national sense of 'custom'. The VKS could be regarded as a 'hybrid' organization, working in the interstices between different elements of the emerging ni-Vanuatu state, helping to link and ground these elements in each other.

There are a growing number of NGOs in Vanuatu, some purely local, some regional and some international. Many are actively working on various issues of governance and leadership, and some are making significant contributions to community awareness. Some NGOs focus on advocacy (eg, the Advocacy Coalition on Economics) or on social commentary and stimulating public discussion (such as the theatre group, *Wan Smol Bag*); others on development. There is a spectrum of models of community in play as well as a range of different approaches to development, including service delivery, social development and community development approaches. There is often a gulf between NGOs and traditional authorities, including different ways of understanding community. International NGOs (and some local NGOs, including *Wan Smol Bag*) can tend to see customary authorities as simply

² Membership of the population in the main churches is as follows: Presbyterian (31.7%), Anglican (13.6%), Catholic (13.3%) and Seventh Day Adventists (10.9%). Other Churches include Church of Christ, Assemblies of God, Jehovah's Witnesses, Mormons, and others. Only 1% of the population in 1999 Census said they followed no faith or religion (Government of Vanuatu 2007).

forces of social conservatism, or merely as gatekeepers, who must be acknowledged but not engaged. Others (such as the Foundation of the Peoples of the South Pacific, or the Vanuatu Women's Centre) are more interested in positive engagement with customary life. At least one local NGO (the Lakalakabula Council) offers 'chiefly services' within Port Vila. NGOs come together under an umbrella organization: Vanuatu Association of NGOs (VANGO).

Other organisations considered under the category of civil society in this study include the Vanuatu Chamber of Commerce, and the two main trade unions representing workers in the formal sector, the Vanuatu Teachers Union and the Vanuatu National Workers Union. Due to time limitations of fieldwork, we were unable to interview representatives of the trade unions for this report.

2. Political Economy, Cash Economy, Land and Resource Management

In common with other Pacific Islands states, Vanuatu is characterised by the co-existence of a market economy (the 'formal' sector), with all the international opportunities and pressures this offers, and the custom or exchange economy. The interaction of these very different ways of pursuing economic development and well-being is an area of critical challenge for government and society. Both economic dynamics seem essential to Vanuatu's contemporary survival and peace and in practical terms, they are extensively interwoven. An active market economy is fundamental to Vanuatu taking its place in the international market and as a state in a world of states, to the funding of the key functions of government, and in the provision of national services, including vital areas of health, education and infrastructure. It is necessary as a source of formal employment to the growing population and underpins people's changing economic aspirations. Growth in the formal economy has thus naturally been a leading focus for development and state-building.

At the same time, however, the traditional economy is the basis of food security and livelihood and the context for the social, political and cultural life for the vast majority (70-80 percent) of the population³. The ongoing provision of food security is notable, given that Vanuatu's rural population has increased by 90 percent from 1980 to 2006, a remarkable expansion absorbed by the custom economy (according to Bazeley and Mullen 2006:7). People's participation in the exchange economy far exceeds their involvement in the cash economy (Reganvanu, 2007:1). Most people require cash for school fees (although they can be paid by custom exchange in some areas), access to a health clinic, and for a small number of commodities. Few people have experience of more complex economic transactions than paying fees or buying something at a market. Customary life provides a non-formal social welfare system that has meant that landless poor are a very recent (and peri-urban) phenomenon in Vanuatu. The traditional economy has also worked as a form of sustainable resource management for Vanuatu's largely fertile land mass and coastal waters (Reganvanu, 2007:6-7). In many respects, the custom economy and community life with which it is interwoven are the major source of the social resilience that the country enjoys. In recognition of this, the national government has supported and promoted The Year of the Custom Economy in 2007-2008. The fundamental importance of the custom economy to the well-being and (domestic) security of the state cannot be overlooked. A sole focus on GDP,

³ Most sources refer to the percentage of rural population in Vanuatu as 80 percent (see for example Kalontano et al. 2003:86; Reganvanu 2007:1), however Cox et al (2007:ii) note that if peri-urban villages around Port Vila are included, the urban population is now 30 percent, leaving the rural population at 70 percent.

however, renders the custom economy's contribution to the population's security and welfare invisible.

Land is particularly sensitive in the interaction of the custom economy and the commercial market. Access to communally held land is the basis of the custom economy and deeply embedded in custom governance and social norms. Ni-Vanuatu see land as sacred, part of themselves, and "part of the web of life that holds together custom, culture, history and the beliefs of each person in a community ... not something that people can own and give away because the land does not only belong to the present generation but also belongs to future unborn generations" (Simo 2005:1-2). Alienation of customary land was the key issue that mobilised support among ni-Vanuatu for independence, but despite the restoration of land to customary landowners in 1980 under Vanuatu's Constitution, the past two decades have seen a boom in long-term leasing of land (up to 75 years), much of it to foreign investors in tourism or primary industry developments, often without adequate consultation, agreement and resolution of disputes with customary landholding groups, and under lease conditions that make its return almost impossible (Lunnay et al 2007:3, 18-21). Two-thirds of Efate Island, and 90 percent of its coastline, is said to be alienated under leases to foreign investors, and land speculation is also affecting Santo, Epi, Malakula and other islands (McDonald 2006; Slatter 2006).

While the national Government's main focus has been on economic growth in the market sector, the government responded to public concern, spearheaded by the Malvatumauri and the VKS, over the sensitive issue of long-term leasing of customary land. From 25-29 September 2006 a National Land Summit was held to discuss key issues relating to leasing agreements and customary land ownership, and to look for possible solutions that would take into account the interests of all key stakeholders. The 20 main resolutions agreed at the Land Summit aimed to address serious inadequacies in government laws, processes and administration of land, and were subsequently endorsed by the Council of Ministers (with some amendments). A temporary moratorium was imposed on new subdivisions, on surrendering existing agricultural leases for residential subdivisions and on the discretionary power of the Minister to approve leases when land is in dispute. A Land Steering Committee was established to discuss and oversee the implementation of the 20 resolutions, including passage of new legislation. The Land Steering Committee is made up of 12 representatives from all key sectors, including from government, the customary sphere, civil society, the private sector and real estate industry. With financial assistance from AusAID, the government commissioned a Review Team under the direction of the Steering Committee to report on the reforms and actions necessary to implement the National Land Summit's resolutions (see Lunnay et al 2007).

The Land Steering Committee has since continued to regularly discuss progress on reform, including new legislation, and on structures necessary for implementation of the legislation. Legislation had not been passed by the end of 2007, however. Key recommendations include efforts to collaborate with custom authorities on better regulation of long term land leasing, by requiring land leases to be checked with area councils of chiefs to ensure that the correct land holders have been fully consulted. However, before this is possible, area councils have to be clearly identified and registered – a highly complex task that the MNCC (with support from AusAID) will be undertaking in 2008. These efforts to respond to land concerns represent significant collaboration among government, customary bodies and civil society – efforts now coordinated by government, although driven by bodies such as the VKS, the MNCC and the Chamber of Commerce.

Much of the land development boom appears to be happening without stakeholders having a clear understanding of implications or alternatives – certainly on the part of many rural people, but also on the part of some indirect non-custom stakeholders (sub-leasees etc). This is an area where complementary training initiatives could be extended by government and civil society. Since 2001 the Chamber of Commerce has been trying to respond to people's lack of familiarity with managing money through training programs and has worked with banks and NGO's to promote sustainable economic development with a focus on rural wealth and job creation through a series of local training initiatives, with the aim of improving rural people's understanding of the market economy and market needs, production, quality control, and so on.

As well as the implications of land and resource management for social order and cohesion, the key question is whether the management of the country's basic resources and sources of sustenance, by whatever mix of traditional exchange and market approaches predominates, will continue to underpin food security for ongoing and rapid population growth, provide reasonable levels of employment in either the market or customary sectors for the growing number of young people looking for employment, and enable well-being for living and future generations. 'Management' here incorporates all forms of governance. To date, Vanuatu has relied on resource rents (e.g. logging, tuna fishing, the Live-Reef-Fish-Food-Trade) to a much lesser extent than many of its near neighbours. Concomitantly, the status of marine and terrestrial environs is relatively healthy and supports local food production. Importantly too, Vanuatu has steered clear of the destructive effects of the resource stripping that has beleaguered some Melanesian neighbours. However, this is not to be taken for granted. The growth of commercial interests, such as foreign owned tuna fishing operations, and rising developmental aspirations within Vanuatu, an increased reliance on cash and changing livelihood and dietary practices are putting increased pressure on ecological systems and the social systems which they support. In terms of both customary and state governance mechanisms, these 'drivers of change' pose significant challenges at multiple scales (community, provincial and national).

For the past three to four years Vanuatu has enjoyed relative stability in politics and government, along with good to high growth figures in the formal economy (just over 7% growth in GDP in 2006 and a similar rate anticipated for 2007⁴). However, the high rate of economic growth, fuelled by the boom in tourism, land development and the 20 percent payrise for public servants at the end of 2006, have benefited only those employed in the capital city and surrounding areas (about 15 percent of the population) - they have so far had little flow-on effect in rural areas (Cox et al.2007: i).

Vanuatu has a very narrow tax base, generated through a VAT, business licence fees, a road tax on vehicles, and import duties. No personal income or company profits are taxed; there is no capital gains tax or death duties. Aid accounts for around one-third of government revenues, a proportion that has gradually increased since independence. (A dilemma raised by such a significant, long-term and growing reliance on aid as a proportion of revenue is the extent to which governments consider themselves accountable to international aid donors instead of to local populations.)

⁴ Source: the 2006 National Accounts of Vanuatu, cited in Australian High Commission, Port Vila Post Memorandum "Vanuatu: Another Year of Strong Growth", Port Vila, 2007.

While most people make little or no contribution in tax to government, people's expectations of services supplied by government is growing. The FSPI report found that people expected 'roads, schools, clinics, opportunities to earn income, transport' as well as assistance from their members of Parliament and possibly a share of the MP's allocation (Kalontano et al, 2003:132). People have come to understand their contribution to government as the process of voting itself, and to see this in some respects as an economic transaction, in which the community 'pays' the MP for government supplied services by their vote and so expects tangible results in return (Kalontano et al, 2003:131).

Over 90 percent of the cash available in the country circulates in the capital (Reganvanu, 2007:7). This extremely uneven pattern of activity in the cash economy has encouraged growing urban drift, leading in turn to squatter settlements, unemployment and real poverty. Growing disparities between urban and rural communities in cash income and access to services and opportunities are likely to worsen with inflation, thereby increasing urban drift and rates of unemployment in urban centres, intensifying social problems (alcohol and substance abuse, property-related crime, prostitution and teenage pregnancies) and increasing the considerable pressures on customary authority (Cox et al 2007:ii).

The experience of ni-Vanuatu workers travelling to New Zealand in 2007 for seasonal labour (fruit-picking etc) under the Recognised Seasonal Employer (RSE) scheme has opened new avenues for rural villages to increase their earnings, with some workers clearing up to 500,000 vatu (about AUD\$6,000) in five months work – a significant amount remitted back into the family and community when the annual minimum wage for an agricultural worker in Vanuatu is A\$300. Vanuatu was chosen as one of five 'kick-start' countries for the RSE scheme, raising issues about the capacity of government and community leaders to support migrant and seasonal workers – in spite of increased cash into the community, there are social costs involved (such as the separation of families, potential for substance abuse, added burden to older women in the village etc), that require government assistance to ensure that the remittances contribute to community development (Luthria et al 2006) and do not become the cause of social fragmentation.

Assessment

The relationship between custom and market economies covers all three categories: competition or conflict, substitution and complementarity. The challenge is how to contain the triggers of conflict, and enhance complementarity. The market economy cannot replace the custom economy in Vanuatu (it seems very unlikely that it would have the strength or resource basis to do that), but it can destroy it. At the same time, a growing market economy is essential to the provision of services. Although there is real friction between the two approaches, lack of understanding and information is in itself a major cause of problems. It is important to appreciate the widespread lack of understanding of the commercial economy in rural areas, including on the part of people with great authority in their communities. There is a great desire in the provinces to better understand economic issues of direct relevance – such as land, but also potentially around management of appropriate local enterprise, resource management, financial accountability, the use of banking etc.

There is a strong culture of honesty in ni-Vanuatu society, however there is little understanding of financial accountability in a commercial sense. There is also considerable difference between introduced and customary systems of accountability. Corruption at government levels can be more complex – it can also be an effect of competing systems of

accountability and obligation, it can simply be personal greed, but it is also an effect of systemic and institutional incentives to corruption, touched on briefly in section 5.

Further work is needed to clarify the interaction of custom and market economies at the local level, points of friction, and possible responses to them. In broad terms, however, processes of public discussion (or ‘social dialogue’) from the grassroots to the national level, are important as a way by which people can come to better understand issues and options, understand the positions of different stake-holders, and construct possible ways forward. Such processes are slow and require resources. Long-term, local processes of public education involving customary and community leaders may also be one way of approaching the current lack of even basic information (and be part of a social dialogue process). However, more creative engagement from the market economy (such as the Chamber of Commerce seems to be promoting) is also important. It is particularly important to minimise criminal exploitation and failure to carry out ‘duty of care’ in contracts. In time, Area Councils of Chiefs may come to play a greater role in countering these dangers, but their own understanding of the issues involved needs to grow considerably.

It is notable in regard to the critical issue of land, that there have been positive efforts on the part of major sectors – the Government, the Malvatumauri National Council of Chiefs (MNCC), the Vanuatu Cultural Centre (VKS) and the business sector through the Chamber of Commerce – albeit from different perspectives, to seek workable accommodation between customary and commercial approaches to land. A climate of exchange among different sectors, such as has begun with the Land Steering Committee, and commitment to find workable paths through inevitable difficulties is critically important. The positive results of this process will be lost, however, if appropriate legislation is not finally passed. AusAID has contributed to dialogue in practical ways by supporting a review process and by committing funds to support structures that will enable implementation of legislation, if passed.

3. Order, peace, security, rule of law, law and justice, customary law

In contrast to some other case studies in this enquiry, Vanuatu is not struggling with a legacy of violent conflict; nor is the country marked by serious, ongoing problems of law and order. On the contrary, it is peaceful and stable. Nevertheless, Vanuatu has suffered some serious violence in the past and certainly faces real threats to social stability and order – in some respects its stability is finely balanced between its social resilience and the impacts of globalisation and rapid change. Vanuatu appears to have significant reserves of social resilience. Local customary leadership is a vital part of this, but the existence of bodies (and individuals) able to play a bridging role between the different sectors of national political life (areas of government, customary authorities, churches, civil society, commerce) is critically important. The National Council of Chiefs and the Vanuatu Cultural Centre are two such bodies. Leading politicians (particularly including and under the current prime minister), public servants, chiefs, churchmen and civil society actors connect, not automatically, but almost enough around a range of difficult issues. Such inclinations may be tenuous, and seem culturally, but not institutionally embedded; nevertheless they are a significant and precious resource.

Vanuatu has plural systems of law – customary law, as practised by the many different cultural groups in the archipelago, and the introduced Western-style system of law and justice adopted at Independence, based on British and French law. Customary law provides a context for managing most community land disputes, family or marital disputes, and disputes or crimes within a community grouping (Kalontano et al, 2003). Thus the majority of conflicts in Vanuatu are dealt with informally by chiefs under customary law, including those in urban

areas, and this is in accord with people's preferences in most contexts. This includes preferences of a majority of ni-Vanuatu women and youth interviewed in three major studies (Kalontano et al 2003:72; Forsyth 2007:204, Rousseau, 2003).

At the local level, particularly in rural areas, there is no doubt that order and security are provided by local communities themselves. Vanuatu has police stations in only four locations and seven police posts (Rousseau, 2003:18). Magistrates courts are located in each of the six provincial centres while island courts cover eight regions. However, 'many of these [island] courts exist in name and warrant only' (Jowitt, 1999:3). Police do not have the capacity to patrol on a regular basis beyond urban areas, where they also rely to some extent on chiefs. Police are also hindered by the very limited communications systems and poor roads in rural areas, and by the centralisation of budget control in Port Vila, to the extent that they are forced to apply for special release of funds in order to respond to incidents outside their regional headquarters. Interviews in Sanma province, for example, made clear that the police see themselves as dependent on the chiefs to keep order, with police able to do little more than regular but very sparse patrols of the province, seemingly as much to gather information on what has happened as to respond to any problems of crime. In Torba province there is no police presence and no court presence, yet as of 2003, there had been no complaints of either a major or minor nature to the formal authorities (Kalontano, 2003:144).

Police are active in towns as maintainers of order, but even here there is a significant level of reliance on customary authorities. This is gradually becoming more systematised, as chiefs living within towns are recognised as responsible for their own language and clan groups, and liaise with police and courts on this basis. These are evolving mechanisms, generally worked out in response to particular crises (such as the Ulas family dispute in Santo – see Boege and Forsyth 2007 for a detailed analysis) and their effectiveness seems to be variable. Current efforts by the Malvatumauri National Council of Chiefs and the Tanna Council of Chiefs to rein in criminal activity among Tannese people in the capital and to better support the large Tannese community there, again with some collaboration with police and government, but undertaken on their own initiative, provide a further example of chiefs working to extend their role as guarantors of peace at the local level to new, urban contexts. This is an unpaid role for chiefs, often involving a great deal of time and commitment with little formal recognition from the state.

It is clear both from discussions with chiefs and community members in other islands (Tanna, Ambae and Pentecost), and from other surveys (particularly the Juvenile Justice Report, Rousseau, 2003) that local communities deal with a wide range of community problems, in remoter areas including serious crimes, without recourse to police and courts in the majority of cases. People in rural as well as urban areas do occasionally use courts as an alternative, for example in land disputes, if they are not satisfied by outcomes in the customary system. As there are not clear mechanisms articulating the two systems, this can pit customary justice and courts against each other.

Nevertheless, the personalised, potentially more flexible approaches of customary authorities are seen by many as more attractive than official policing or courts. People know the local chief, often even within towns, and customary mechanisms for dealing with crime or social disorder are understood by a large proportion of people (Kalontano et al, 2003, Rousseau, 2003). Customary processes are much cheaper than courts. The emphasis is on restoration of harmony, generally among people in face to face relationships, with the offender included as a member of the net of relations and giving compensation to those with grievances rather than

paying fines to the government or being removed from the community to do jail sentences (Kalontono et al 2003:115-117; Forsyth 2007:368). While this model may often be honoured in the breach, it remains persistently more attractive to people across age-groups, gender and region (according to surveys undertaken by the Juvenile Justice Report, 2003, and FSPI, 2003). By comparison, courts are commonly seen as foreign or distant institutions, expensive, in practice inaccessible and operating with less transparency and legitimacy than customary leaders and processes. Young people in particular fear violence from the police. The adversarial structure of most court processes is also seen as deeply unattractive.

In contrast to the dominance of customary law at the local community level, courts have been extensively used at the national level, in the context of executive competition and instability, 'to adjudicate what have been essentially political disputes', with the 'Supreme Court repeatedly drawn into disputes between parliamentary factions' (Hassall, 2007:236). The frequency of using courts to determine the extent of executive power can itself 'lead to friction between constitutional bodies, to the detriment of national stability and integrity' (Hassall, 2007:236). '[T]he scale and frequency of judicial involvement in the settlement of political disputes . . . [can mean that] judicial and other legal actors . . . become excessively entangled in these disputes. At the same time, judicial involvement in conflict resolution in Vanuatu also points to the resilience of the court system and to its stabilising role in the constitutional order' (Hassall, 2007:236). The judiciary and the court system at the national, constitutional level command respect. At the level of criminal and civil actions the court system's capacity and reach is very limited and its operations often not understood and therefore seen as distant and inaccessible by the majority of the population. However, there is no real questioning of the integrity of the formal legal system.

Efforts have been made to connect or articulate formal and customary justice, including through the establishment of Island courts, however there remains considerable criticism and dissatisfaction with Island Courts (Jowitt 1999). Each court consists of three lay justices, one of whom must be a chief. Justices receive little or no training, and the courts are poorly funded. Their decisions do not set precedent. Settlements may be based on custom, but need not be. Lawyers have no right to appear, and there are no technical rules (eg, for evidence) (Jowitt 1999). Reform of correctional services, to draw more upon customary authorities and practices, and less on jails, is an important effort to connect formal and customary justice.

There are also examples of informal, spontaneous collaborations between customary and state authorities responding to disorder or crime at a supra-local scale –including cases such as the Vanuatu National Provident Fund riots in 1998, the stand-off between the Vanuatu Mobile Force and the Vanuatu Police in 2002, and the prison break-out in 2006. These cases have been analysed in detail by Boege and Forsyth (2007), who conclude that customary authorities are transferring 'the instruments of customary conflict resolution from the local traditional context to the context of the modern state, from their application in everyday life in the village context to political [and social] issues of national relevance' (Boege and Forsythe 2007:14). Moreover, some cases (such as recent efforts by Tannese chiefs in conjunction with the MNCC to reduce crime in the capital) indicate that collectively or individually, chiefs are endeavouring to be pro-active and preventative, rather than simply reactive.

Assessment

The relationship between the customary and introduced systems of justice and order is informal and undefined, and highly variable across different jurisdictions, depending on the strength of the systems and the nature of personal relationships between key actors. There is a

level of competition and incompatibility between the different approaches. The legal system aims at, and derives its legitimacy from commitment to the rule of law; the custom system 'is able to define its own norms and procedural framework, allowing it to remain a dynamic and legitimate grassroots justice system; ... it is based entirely upon respect and so [is] dependent upon the community for support' (Forsyth, 2007: 372). The legal system is generally adversarial, and produces winners and losers. The custom system is not adversarial in structure, and aims at community maintenance. In practice, police and courts and chiefs can subtly or explicitly compete with and undercut each other and there may be a reluctance to fully acknowledge the roles that each other can play.

The lack of clear definition in the relationship of the two systems of justice and order also creates confusion and misinformation with 'confrontations between chiefs and state officials, and ... both systems avoiding responsibility for dealing with domestic violence cases and refusing to take responsibility for fixing certain break-downs in law and order' (Forsyth, 2007:373). However, the lack of clear definition in the relationship may also allow experimentation. Writing of the problems hindering interaction of customary authorities with the legal system in particular, Forsyth notes (2007:373)

- There are no clear pathways for how a particular matter should move between the two systems. This means that in cases where the state system deals with the matter first this has consequences for the ability of the *kastom* system to effectively deal with the matter and vice-versa;
- When a case is dealt with in both systems many defendants feel that they are being punished twice for the same offence;
- The operation of the state system disempowers and demoralises chiefs;
- The operation of the *kastom* system undermines the effective operation of the state system, for example by creating a competing forum which may be considered more legitimate and by delaying the reporting of cases and causing people to withdraw cases from the police when they have not been fully processed, thus wasting state time and resources;
- The state system hinders the operation of the *kastom* system by prosecuting chiefs for enforcing their orders, making orders which contradict those of the *kastom* system, and making orders that interfere with the ability of the chiefs to operate.

Despite these uncertainties and frictions, the relationship between customary and institutional authorities around order, security and justice remains essentially a relationship of complementarity. Moreover, complementarity is sought by the state and particularly by customary authorities, as some of the examples detailed by Boege and Forsyth (2007) indicate. However, this complementarity exists as a set of relationships that needs to be nurtured and more formally embedded by the parties involved. Such processes can be supported by external bodies (as NZAid is doing with Correctional Services for example). Regarding the law, institutions such as Island courts, which were intended to bring elements of introduced and customary law together, are not sufficient.

There is considerable scope for further cooperation between police, courts and chiefs to manage a complex array of security issues. In general, relations between police and customary authorities seem dependent upon understandings arrived at between local bodies at the provincial or area level and on the opportunities to hand to either act independently or in concert. However, as the kind of systemic problems that develop around towns become more established, or cross-regional problems become more prevalent, these kinds of informal understandings are likely to reach their limits.

It is not clear how more formal liaison would be organised or administered on a national or provincial basis. There is tension between the organizational principles of police and public service agencies and the more 'person-centred' principles governing traditional organization (as discussed by White 2006). However, in most cases this may be more a conceptual than an insurmountable practical problem. Collaboration is already working well in some areas. The communities in question are relatively small, and so more flexible, personalised and less administratively systematised approaches may well work in practice. Nevertheless, clear commitment to building collaboration and the negotiation of longstanding, widely defined approaches to such collaboration is important. Civil society actors also have important contributions to make.

4. Social Needs and Service Delivery

Education, health, infrastructure and income-generating development projects are the main areas of need that local communities look to the Vanuatu government and others to provide.

Education

The government provides about 70 percent of the available primary schools. It also subsidises the remaining church-run schools by providing teachers' salaries. However, education is not free or compulsory in Vanuatu. The 'push out' rate is very high with over 70 percent of young people 'pushed out' of the education system by the end of primary school because of school fees and insufficient school places (Lamoureux 2001:1). The World Bank (2006:3) has suggested that the largest gap in all of Vanuatu's social services is the lack of any programs to bring all children into primary school and to complete their education.⁵ The high population growth rate has meant an ever-increasing need for more school places, yet Government expenditure on education has been declining from 24.2 percent of the budget in 2002 down to 19.7 percent in 2006, as government has increased expenditure in the productive sector.⁶

Non-formal education and training is of major significance in Vanuatu as it provides crucial skills training that the majority of people need for work in the main income-generating industries throughout the country, particularly in tourism and hospitality services, and in agriculture and fisheries - from small scale subsistence and cash-cropping to commercial export enterprises (Lamoureux 2001:1). The Vanuatu National Training Council established in 2000 is developing a national training system for the Vanuatu Institute of Technology and numerous Rural Training Centres, with assistance from UNESCO and other external aid partners, including Australia and France.⁷ Many Rural Training and Vocational Centres also receive significant support from churches.

Health

Infant mortality, maternal mortality and life expectancy indicators have all improved dramatically for ni-Vanuatu in the years since Independence, with much greater access to healthworkers and medicines. Currently the government provides free health services throughout Vanuatu at clinics or otherwise charges low inpatient fees at the two main hospitals. NGO's and church organisations are also working with local communities to supplement government resources for some local aid posts, of which there are said to be about

⁵ This is Goal 2 of the Millennium Goals that the Vanuatu government has made a commitment to in its aid partnership with the Asian Development Bank and other aid donors (Asian Development Bank 2006:11).

⁶ 'Australia and France jointly assist vocational education in Vanuatu' *The Independent* 20 September 2005, Port Vila, Vanuatu.

⁷ Ibid.

180 throughout rural areas of Vanuatu (World Bank 2006:5). However many rural villages remain isolated from access to primary health care, particularly inland communities. Nurses based at rural health centres or dispensaries in coastal areas do not have transportation, and have to walk long distances carrying medical supplies in order to visit remote inland communities. Inequitable access to health services is accentuated by the fact that over 98 percent of inpatient services provided by the two main hospitals in Port Vila and Luganville are given to residents of Shefa and Sanma provinces respectively, and even if admitted, patients from other provinces have far less spent on their care during their stay in hospital than patients from Shefa or Sanma provinces (World Bank 2006:4).

Development projects and Infrastructure

Vanuatu has six provincial governments, tasked with overseeing local development through a national Rural Economic Development Initiative (REDI) Scheme. Provincial governments are empowered to introduce regulations and by-laws to enable development and govern its effects in local regions. Provincial officials interviewed in Sanma and Tafea made clear that government capacity at this level was very low, despite the dedication of various individuals. Provincial funding is also very low. Since implementation of the Comprehensive Reform Package in the early 1990s, budget allocations for provincial government services have been tightly controlled by the central government. Service delivery was minimal. (Torba Province has been particularly disadvantaged, with some saying that they wanted to join the Solomon Islands.)

While some REDI projects have been successful (mainly food markets) many communities do not feel ownership of the schemes, and this was cited as a reason leading to their limited success (or failure). Projects are identified with the province and there is some underlying distrust of provincial authorities. Despite the formal governance structures envisaged by the REDI program for those communities struggling to establish a school, an aid post, a safe water supply or an improved sanitation system, on the ground there appears to be a fairly *ad hoc* process of voluntary committees or Area Council working groups forming, to seek support from different levels of government, NGO's or churches. This is seen to be occurring in the absence of clear lines of authority for decision-making, and often without any effective co-ordination of efforts, or training in the administrative or technical skills required to run locally-based projects.

There were concerns that the provision of water, electricity and telecommunications to urban centres by private providers, with much more limited access for rural communities and outer islands, has impacted on community health and well-being and has the potential to exacerbate the urban / rural divide, in a context where accountability bodies such as the Ombudsman Office focus on government rather than private sector regulation.

Assessment

For the Vanuatu government to meet its aim to provide education and primary health care for all ni-Vanuatu throughout the country, and to keep up with increasing demands due to rapid population growth, there is a clear need for greater external aid funding, and for greater interaction, co-ordination and complementarity of efforts by NGO's and church organisations working with local communities to provide resources to local communities.

Churches and Government have an existing relationship of complementarity in providing education at existing schools, under control of the government through the Education Board, and there is wide support from most sectors for the proposal to substitute centralized

government control and to provide more schools and health services by Churches funded directly through Church partnerships and aid donors.

However, as Jones et al (2007:30) point out, this strategy for Churches and NGO's to substitute for state provision of essential services in education and /or health carries a risk of short-term benefits at the expense of a more fundamental long-term need for enhancing the legitimacy of the state, and building a sense of national citizenship through centralised state education and health systems. Other risks with the strategy of non-state actors directly providing services include the missed opportunity for "bottom-up" approaches to building the capacity of the state, and the risk of entrenching dependency on aid. The best strategy for rural communities in Vanuatu may lie in a flexible combination that can be adjusted as state capacity builds over the long term, as Jones et al (2007:31) suggest:

In [remote rural areas] the ultimate goal may be for non-state actors to provide certain services and to build state capacity for regulating and monitoring the provision of those services, ensuring that standards are maintained and provision is equitable. In other cases, the state may be best placed for direct provision, in which case capacity building should be directed to this end while non-state providers offer a temporary stop-gap. In either case, service provision should not be treated as a matter of technical delivery; it is a process of reconciling expectations and building relationships of accountability.

There is also some friction or competition in education, not between church and government provision of schools, but between the need to learn traditional practices and the need for schooling. This seems a more pervasive concern in rural areas, where villagers do not want to reject schooling *per se*, but want schooling that is more reflective of local life practices, values and needs.

5. Leadership, Representation, Accountability

Vanuatu has a 'modified Westminster' form of government, with one house of parliament, and elections every four years. The Prime Minister is elected from within Parliament and forms the Council of Ministers (Cabinet). The head of state is a President who holds mostly ceremonial powers and who is elected by the parliament plus the heads of the provincial assemblies.

There are six elected provincial assemblies, with provincial administrations but little access to funding and very low capacity. Local government arrangements vary, but in principle and in general terms under the provincial government there are area councils, ward councils and village councils. It is important to emphasize that this is the arrangement in principle – none or only some of these local councils may in fact be operating in any given area and provincial officials we spoke with made it clear that they themselves often did not know what level of governance (beyond that offered by a chief) was operating on the ground. The head of the area council receives an income; other positions on the area or lower councils are voluntary. They are occupied by chiefs, alongside other community members. The council of chiefs structures and the government structures meet and join here, at the grassroots level.

The years from 1991 to 2004 in Vanuatu were marked by frequent changes of government due to highly unstable coalitions of a growing number of fragmenting political parties and independents. In contrast, the current Prime Minister, Ham Lini, has successfully kept a coalition government intact since elections in late 2004. This may not reflect reform or

change to the pattern of politics that dominated for the previous decade, but it does point to the Prime Minister's astute patronage of political rivals (Cox et al, 2007:ii-iii), and also to his leadership style⁸, which may carry hints about pathways to more stable government.

The political dynamics of Vanuatu (as elsewhere in Melanesia) are complex and cannot be explored in detail here. These dynamics are shaped by the interaction of key elements of the architecture of the liberal state and indigenous systems of authority, accountability and political order – by the tensions between the mechanics of representational democracy and the patterns of lineage, clan and language group obligation. It is perhaps here that most attention to the 'weakness' or 'fragility' of the state has been focussed and that frequent donor calls to improve governance are heard. It is also here that the problem of focussing primarily on the operation of state institutions and of parliament, without at least equal attention to the indigenous socio-political practices and cultural values in which those institutions are working becomes most evident.

Cox et al describe the political dynamics of Vanuatu as patrimonial, where politicians 'base their authority on a pyramid of patronage' (2007:26). This pyramid of patronage works in terms of the relationship between electorates and members of parliament, and within parliament, between senior and more junior politicians. The system is driven by intense competition among politicians to obtain access to wealth and power through key official positions (ministerial portfolios, boards of public companies, etc). From these positions, politicians are able to redistribute money and other official resources to their constituents and allies in return for votes and in-kind support, thereby reinforcing people's expectations and dependency on this form of leadership. This dynamic is intrinsically unstable with very limited accountability and no incentive for pursuing a long-term policy agenda (2007:26).

In conversation or the press, customary leaders may be portrayed positively, or less commonly, negatively. Politicians as a general category, however, are nearly always portrayed as venal and corrupt and politics as 'dirty', despite the reality of some honest and committed politicians. Such low expectations of politicians among the population itself works to support corruption. This raises the question of why people continue to vote for leaders who are clearly corrupt and yet simultaneously distrust politicians in large part because they are seen as corrupt. Part of the answer lies in the electoral system, which is a form of first past the post. Combined with the small numbers in electorates, this means that few votes may be needed to actually secure a seat and candidates can often call upon clan loyalties to secure that margin. Another part of the answer lies in the character of the relationship between politicians and electorates. As Cox et al point out '[t]raditional society is based on complex relationships of reciprocity between leaders and their communities' (2007:24).

People make a substantial commitment to their local community governance; in return they expect their leaders to guarantee community well-being. By contrast, in most cases people's only contribution to national government is their vote. However, a range of services is increasingly expected – and needed – from government. The government's capacity to provide services is low. People seek to secure these desired but elusive services with their vote (and communities will often vote as a block to this end). Their local member is generally

⁸ Ham Lini is low key in approach and appears quite humble; he places emphasis on acting with respect towards colleagues (on key occasions at least), approaching them using traditional symbolisms for expressing respect. He does not lead 'from the front' but spends a lot of time back in his constituency, talking with community members. This may not drive creative policy but has assisted stability. It is a distinct leadership style in Melanesia (and East Timor).

the only real connection they have with the distant source of good things. This establishes a cycle of services, or just cash, for votes.

For the MP, access to acceptability is through drawing on customary, clan relationships or through the distribution of cash. Successful politicians are often able to lean on the traditional relationship between chiefs and communities, by using chiefs as intermediaries to influence voting among members of their community. MPs receive an electoral allowance that they often use around election time to disperse among the community directly or in the form of goods. This further entrenches the expectation among the electorate that this is the way that 'the system' works and that this is the route, unreliable and unaccountable as it may be, to whatever resources may be forthcoming. Politicians will often promise the benefits that flow from electing them, but beyond generally small direct contributions, MPs are not able to fulfil most of these expectations. This dynamic contributes 'to the limited respect people have for formal government and MPs' (Kalontano et al, 2003:131) and perpetuates a cycle that is not capable of meeting the basic needs of communities or of political communication and representation.

These dynamics⁹ mean that people are not voting for policies, and there is no motivation for politicians and political parties to develop and present long-term policy agenda to deal with critical challenges facing the country. Nor, in many cases, are people voting for individuals whom they respect, but for figures whom they believe to be corrupt, unprincipled, and lacking legitimacy as leaders (cf. Elise Huffer 2005, Kurer 2001). There is no sense, however, of how to access the system, of how it might be changed or even that it could be changed. Facing this, people will choose to vote the same way as their chief and other members of their clan or community due to reluctance to disrupt relationships within their tight-knit kinship group or communities by supporting a different candidate. At the same time, because of the systemic and entrenched way that MPs' allowances are used to buy support, it is also very difficult for candidates themselves to stand against this tide, and offer a real alternative to voters. Both parties – electorates and candidates – are locked into a negative cycle.

Traditional leadership

Customary leadership carries great legitimacy across Vanuatu. For most people, it continues to provide the ideal model of leadership, whether or not individual leaders are seen to fulfil these ideals. Traditionally, leaders were seen as responsible for the well-being of their community, including food security. As the needs and forms of life of communities change, the scope of activities for which chiefs are considered responsible becomes more complex, while the context within which they are operating becomes more fractured. As a result, there are inevitably growing questions about the capacity of customary leaders to guide local political and social life.

The title 'chief' has become a catch-all word for various kinds of authority. There is no indigenous word for 'chief' – it is an English, or a Bislama word (*jif*) which translates a Western simplification of complex local systems of leadership and authority. Those with the greatest community stature, for example, may be 'hidden' figures, with others taking more public roles as community managers. (This has been reflected in the recent MNCC elections.) Moreover, in colonial times missionaries often moved people into village-based arrangements and identified 'leaders' of these new communities, while colonial district administrators established local 'assessors' to assist them in their work. Both assessors and church leaders

⁹ Reflecting the focus of interviews, these comments address electoral dynamics at the constituency level, rather than at the parliamentary level.

rose to prominence by working as ‘middle men’ between local and colonial actors. Their descendants, ‘village chiefs’, often continue to exercise authority (through the ‘grace’ of the clan authority, according to some respondents).

In addition, successful people sometimes now claim chiefly status, perhaps using money to effectively buy what was previously gained through community standing. In the view of some informants, at least some people with what could be criminal motives are now passing themselves off as ‘chiefs’, underlining the significance of debates about the basis of leadership, accountability and paths to authority.

The Malvatumauri is a ‘hybrid’ organization, established at independence at the point of interaction between traditional and state forms of governance. While grounded in traditional governance it is an effort to link those highly localized models of authority with the national arena and to represent customary (often widespread rural community) values and concerns within national debates and crises. It is currently strengthening its organizational network (structured as a pyramid with elections at each level) across the country. Drawing on the role of traditional leaders as those responsible for peace within the community, the Malvatumauri is increasingly seeing itself as a potential avenue by which ni-Vanuatu can respond to national problems and challenges. One of the key problems facing it, however, is the slow erosion of traditional authority in the face of multiple pressures.

The bridging role played by councils of chiefs at different levels, and by the MNCC, has been an important element contributing to capacities to respond to crises and globalizing pressures. However, the MNCC could also become politicised, and elected politicians can feel challenged by an institution with links to both the grassroots constituency and outside forces like aid donors. Bridging state and society can create problems with other state institutions, as highlighted by the *Bose Levu Vakaturaga* (Great Council Of Chiefs) in Fiji – in times of crisis, the identification of the Council as a ‘political’ rather than ‘traditional’ structure can create conflicts of interests for members and misperceptions from members of the community about why decisions are being taken. This remains a future challenge for the MNCC.

Assessment

There has been a tendency on the part of external observers and some politicians to see culture and custom as responsible for this negative electoral cycle. It seems likely that for many ordinary voters, it is rather the alien system of politicians and parliament that is the corrupting element. In a sense neither is correct and both perceptions contribute to a pattern of distrust, conflict and alienation that weakens national political life. In people’s struggle to understand the new politics of the state – both ni-Vanuatu and outsiders – there is a strong tendency to polarise: to see politics (or the world of politicians) as dirty, driven by self-interest and self-aggrandisement and custom as the moral anchor; or to see custom as corrupting, narrow-minded, without interest in the common good (or tied only to such a narrow construction of commonality as to be meaningless), and socially regressive. This polarisation of positions is an obstacle to thought and to constructive responses to difficult problems.

It may be more productive to grasp the problem of electoral politics in Vanuatu as the *system of interaction* between communities and elected members as it has developed to this point – a system that appears to be deeply alienating to most people (although there are of course those who profit handsomely from it and who have entrenched interests in its maintenance). This system of interaction is inevitably shaped by both customary values and expectations and by

particular structures of representational democracy; however, it is certainly not reducible to either of them. Customary values and representational democracy do not have to interact like this. However, there are now powerful interests vested in the maintenance of this system, making change difficult (though certainly not impossible). Change does not require change to 'custom' per se or to 'parliamentary democracy' per se – what requires change is the destructive cycle of interaction between them. While alienation from politics is an obstacle to reform, the other side of alienation is the desire for change – the question is how to harness what seems a widespread desire for legitimate, accountable, and ethical governance. Self-directed and incremental change is the most likely to be effective.

There is a pressing need in the community for exchanges that make clear to people that they have a role to play in their broader political life. This includes greater information about, understanding of and opportunity to discuss the interaction of candidates, parties and constituencies. Some NGOs are already active in this area. It is important that opportunities for discussion are more than simply an explanation of how the formal system works or should in principle work. Such discussions would best happen independently of the period leading directly to an election. The role of chiefs and other community leaders is clearly important in such discussions. Such discussions may themselves point to or open up ways forward on the problems of destructive electoral cycles.

Issues or relevant government policy proposals could also be discussed within communities, before their passage in parliament. This could 'promote better linkages [between communities and political actors and processes] and at the same time build better understanding of formal government' (Kalontano et al, 2003:155). These structured opportunities for discussion are essentially a longer process of community exchange, which recognises that it takes time for people to absorb understanding of what are very complex governance systems (Kalontano et al, 2003:155) and then to reflect on those systems.

Poor service delivery contributes as a context of the negative cycle of electoral politicking in Vanuatu. It is possible then, that changes to important aspects of service delivery might in time affect the electoral cycle.

Regarding analysis, there is a need for greater understanding of the interaction of customary and parliamentary systems, and of the working of the electoral system they have produced. While there are valuable studies on the political dynamics of Vanuatu, a detailed sense of interaction at the grassroots as well as in the capital would be valuable.

The state was partially constructed in relation to custom, and custom 'as a hybrid evolution of traditional practices' was part of what enabled the emergence of the independent state (see also Cox et al. 2007:22). It seems likely that the two were intended to complement each other - government and customary structures have been constituted as interdependent in Vanuatu, from the beginning of the state. However, building this complementarity is an ongoing task. At present key dimensions of the hybrid system they have formed – the patrimonial political system – are eroding the potential for good government and contributing to undermining traditional and community governance. Political hybridity in Vanuatu is profoundly challenging but also one with great positive potential. There may not be general answers to the challenging problems raised by these interactions, but there are processes from which smaller, particular answers can take shape. One of the most important paths in Vanuatu is improving opportunities for discussion and dialogue.

6. Participation, Citizenship and Identity

Citizenship is an important focus for efforts to support effective states, as '[p]olitical institutions are embedded in social relations; the quality of these institutions and of national political life is interdependent with the quality of citizenship. A key element of the weakness of state institutions and processes in much of the Pacific has been the lack of appropriate pressures for accountability, pressures that are significantly generated by citizens' (Brown 2007b: 289).

The primary basis for identity, leadership and power for people throughout Vanuatu has always come from affiliations to local places (*man ples*) through membership of language groups (*wantoks*), clans, lineages and through residence in particular islands and communities. The resilience of this primary basis of identity is often highlighted by external commentators as being an obstacle to building a strong sense of citizenship (Wesley-Smith 1999; Jowitt 2005).¹⁰ However, while there can be conflict between localised identity and being part of a broader political order, citizenship does not require the loss of more localised identities. It is entirely possible to hold both national and local identities together, the challenge is how to articulate them.

Partly because of the nature of the independence movement, ni-Vanuatu have some sense of over-arching national identity. At the same time strong local identities do promote factionalism within public bodies (in all sectors, including the NGO sector). The Ombudsman's Office has an important role to play in monitoring the friction between these different values within the formal institutions of government. As well there is lively debate in the local media with editorials frequently calling on the government to account for contentious appointments and contracts, and with readers able to have critical and challenging views published without fear of reprisals by government. Enhancing opportunities for greater participation and inclusion of people throughout Vanuatu in discussions that shape national policy and direction are thus critical for building a sense of shared identity as citizens and also for monitoring "wantokism".

Greater participation in national political life would work to build shared identity among ni-Vanuatu as citizens, but there is little opportunity for communities to participate in government through their member of Parliament or by other means (beyond commentary in the media, for the few that have access to that). Elections (see section 5) do not generally provide an avenue to policy platforms. While the government will run information and discussion campaigns after key legislation is passed, it does not provide opportunities for discussion on the proposed legislation. Provincial government seems largely ineffective. Moreover understanding of formal government processes or policy is low. This works against participation. Local customary governance is considerably more accessible, despite varying limitations on participation for women in different custom areas (and despite a majoritarian bias that can sometimes make accommodating minority views difficult).

¹⁰ Journalists in Australia and New Zealand have often cast their discussions of enduring Melanesian identities in more alarmist terms (e.g. Sheridan, *The Australian*, 20 April 2006: "Melanesian culture is tribal and warlike ... There are no solutions. Nothing works."; and James, *New Zealand Herald*, 12 December 2006: "Melanesia ... is a scattering of mini-tribes herded into nations which lack most of the glue that holds nations together". This alarm is not only misplaced, it reduces the capacity to understand and respond to the real problems which Melanesian states and societies are facing, and to acknowledge and support the actual strengths and successes of these societies.

There are however broader political processes outside, but supportive of the parliamentary system, that have provided some participatory mechanisms for a variety of state and non-state actors (including customary authorities, civil society and private sector) to have a part in shaping government policy and legislation. These include the 2006 Land Summit and the Land Steering Committee, the National Summit on Self-Reliance in 2005, and the Education Summit in 2002.

Non-government organisations and the private sector have participated actively in these summits and are vocal in local media expressing views and calling for changes where they see them as necessary, although NGOs such as *Wan Smol Bag* express a sense of frustration that the government is not listening. The lack of response by Government to many issues raised in the media seems to be at least partly due to constraints on capacity in human and financial resources. But when sufficiently pushed, the government has on notable occasions held participatory summits on issues of national importance. This is a concrete way for external agencies to support participation and a growing sense of citizenship in Vanuatu.

The strength of local communities, *wantoks* and kinship networks in Vanuatu has worked powerfully as a mechanism for social welfare, meaning that ni-Vanuatu have never faced the widespread starvation or extremes of poverty that are often present elsewhere in the developing world. Local communities can also provide real scope for participative politics and decision-making.

Assessment

Identity and citizenship is an area where there are competing interests and loyalties amongst ni-Vanuatu. The primacy of people's affiliations to *wantoks*, clans, villages or islands can and does conflict with aspects of introduced governance, where western notions of impartiality or merit are ideally meant to operate (especially in the formal court system, and in government employment and appointments). At the same time, some shared sense of custom, particularly in contrast to outsiders (and most particularly non-Melanesians) also provides an identification as ni-Vanuatu. There is thus also complementarity between local, traditional identities and potentially seeing oneself as part of a bigger national community.

The fragmentation of different forms of governance may be a greater challenge to the emergence of effective citizenship than 'islandism' or wantokism as it undermines the potential for participation. Rather than a repression of island identity, citizenship in Vanuatu requires a commitment to processes that form the country as a workable political community. In Vanuatu's case, those processes include custom, state institutional processes and civil society and church bodies that encapsulate deeply held ni-Vanuatu values. One such value – of critical importance in this context – is an abiding commitment to dialogue (encapsulated in political discourse in the expression "the Melanesian Way"). If the village is the key to understanding development in most of Melanesia (cf Moore 2007: 193), then efforts to support citizenship need to engage with the village, or the clan, or the local community, rather than reject them as the source of clientelism, parochialism and division.

Acronyms

AusAID	Australian Agency for International Development
ACE	Advocacy Coalition on Economics
ACPACS	Australian Centre for Peace and Conflict Studies
CRP	Comprehensive Reform Program
DFID	Department for International Development (UK)
FSPV	Foundation for the Peoples of the South Pacific, Vanuatu
GDP	Gross Domestic Product
MNCC	Malvatumauri National Council of Chiefs
NGO	Non-Government Organisation
OECD	Organisation for Economic Co-operation and Development
PNG	Papua New Guinea
REDI	Rural Economic Development Initiative
TAGs	Technical Advisory Groups
TVET	Technical Vocational Education and Training
UNELCO	Private company based in Port Vila
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNICEF	United Nations Children's Fund
VANGO	Vanuatu Association of Non-Government Organisations
VKS	<i>Vanuatu Kaljoral Senta</i> (Vanuatu Cultural Centre)

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Annex 1: Methodology and List of Interviews

The report is based on fieldwork conducted by Anne Brown and Anna Nolan from ACPACS, and Roslyn Tor as a local research assistant between 15 – 30 September 2007 in the capital Port Vila (on Efate Island) and in Luganville and surrounding areas in the southern part of Espiritu Santo Island. Further interviews and discussions for this project were conducted by Anne Brown and Roslyn Tor during fieldwork for the Vanuatu Partnership Storian held on Tanna between 1 – 6 October 2007 and again in Port Vila from 7 – 13 October 2007. Interviews with over 50 ni-Vanuatu were conducted as well as several group discussions. Interviewees came from all sectors of society, including some current and former members of Parliament, senior public servants, provincial government workers, and politicians (from the state and political sphere), managers, project workers and activists from NGOs and womens' groups, bishops, priests and members of churches (civil society sphere); and chiefs, and other 'informal' authorities from villages and town communities in Tanna, Santo and Efate (the informal customary sector). Interviews were confidential, and were usually one to two hours long (some shorter, some longer).¹¹ In addition, a range of other issues from the realm of state and society were also addressed, depending on the background and expertise of the interviewees.

Written sources and publications on the current history of Vanuatu and recent social and political developments as well as newspaper articles provided the background and framework for the interpretation of the interviews. In particular, we draw upon the very detailed research presented in two recent reports on Vanuatu: *Assessing Community Perspectives on Governance in Vanuatu* by Kalontono, Vatu and Whyte (2003) and the DFID report: *The Unfinished State: Drives of Change in Vanuatu* by Cox et al (2007).

¹¹ Names of interviewees are not identified within the body of this case study report. For an overview of the interviews see the confidential attachment 'Interviews and meetings in Vanuatu September/October 2007'.

List of Interviews September-October 2007

Research Team: Anne Brown, Anna Nolan and local research assistant: Roslyn Tor

Number of people interviewed (by location):

(Port Vila): 37

(Santo) : 18

(Tanna) : 5 (plus group discussions)

Total no.= 60

Interviewees listed by position, organisation (and location):

AusAID

- Senior officer, AusAID (in Port Vila)
- Senior officer, AusAID (in Port Vila)
- Australian High Commissioner (in Port Vila)

Government, Parliament, Politics:

- Director-General, Dept of Agriculture & Fisheries (Port Vila)
- Former Member of Parliament and former government minister, first Leader of Opposition at Independence, member of UMP, (in Port Vila)
- An advisor to Minister for Lands, and a member of the Vanuatu Republican Party, who is also a chief from Tongoa I., and a former Police officer (Port Vila)
- Private Secretary to Prime Minister, (Port Vila)
- Senior official from Sanma Province TAG from Dept of Women's Affairs, (Luganville Santo)
- A female Candidate for Sanma Provincial Council elections, (Santo)
- A United Melanesian Party organizer supporting a woman candidate's election campaign for Sanma Provincial Council elections (in Ban Ban community, Santo)
- A community activist who provides free accommodation in her home for women seeking refuge from domestic violence, and has previously contested Sanma Provincial elections, and actively campaigned for women standing for elections, and is member of Vanwoods Micro-finance Inc (in Luganville Santo)
- Former head of Planning Office, Ministry of Internal Affairs (in Port Vila)

Law and Justice

- Senior official, State Law Office (Port Vila)
- Commander of Vanuatu Police Force, Northern Command (in Luganville Santo)
- Commanding Officer for Vanuatu Mobile Force (in Luganville Santo)

Sanma Provincial Government

- Sanma Provincial Planner, (Luganville, Santo)
- REDI officer for Sanma Province, (Luganville, Santo)

Tafea Provincial Government

- Provincial Planner, (in Lenakai, Tanna)

Vanuatu Cultural Centre (VKS)

- Senior officer (Port Vila)
- Former Director, and Head of Vanuatu National Cultural Council (Port Vila)
- VKS Fieldworker, Lenakei (Tanna)

Customary Authorities

- Secretary-General, Malvatumauri National Council of Chiefs, (Port Vila)
- Project Officer, Malvatumauri National Council of Chiefs, (Port Vila)
- President of Luganville Council of Chiefs, (in Luganville Santo)

- Focus group meeting with 3 Chiefs –i) Chairman of Luganville Council of Chiefs, ii) Chairman of Sanma Council of Chiefs and iii) General Secretary, Sanma Council of Chiefs, (in Luganville, Santo)
- A chief from a local Area Council of Chiefs, (in Lenakei, Tanna)
- Secretary of Nikoletan (Tanna Island Council of Chiefs), (in Lenakei, Tanna)
- Numerous participants at Storian for Vanuatu Kastom and Governance Project, (in Lenakei, Tanna)

Women's Councils and Centres

- CEO, Vanuatu National Women's Council, (Port Vila)
- Director, Vanuatu Womens Centre, (Port Vila)
- President, Port Vila Council of Women (Port Vila)
- Staff at Tafea branch of the Vanuatu Womens Centre, (Lenakai, Tanna)

NGO's

- Director, Transparency International Vanuatu, (Port Vila)
- Director, *Wan Smol Bag*, (Port Vila)
- Project Officer, Oxfam, (Port Vila).
- Senior Officer, Foundation for Peoples of the South Pacific Vanuatu, (Port Vila)
- Secretary, Lakalakabulu Council of Chiefs (Port Vila)
- Community Educator, Sanma Counselling Centre, (Luganville, Santo)

Churches

- Vanuatu Christian Council – a meeting in Port Vila with the Chairman, General Secretary and 5 members of the Council, representing the churches below:
Church of Christ
Apostolic Church
Assemblies of God
Catholic Church
Presbyterian Church
Church of Melanesia
- Two women from the Home Education Ministry, Seventh Day Adventists (in Port Vila)
- Co-ordinator, Anglican Mothers Union, (in Luganville Santo)
- Bishop, Church of Melanesia, (in Luganville Santo)
- Pastor, Presbyterian Church, at Talua Theological Training College, (rural area, South Santo Is).
- Pastor, Apostolic Church Mission, (Luganville Santo)
- Active layperson, Church of Melanesia (conducts workshops to address key social issues), (in Lenakei, Tanna)

Private Consultants / Senior Ni-Vanuatu people with specialist knowledge of government &/ churches

- Two senior men and one senior woman in Vila (all former senior government employees, now working privately, providing independent research and reviews of policies and projects):

Banking / Business / Commerce

- Senior officer, Chamber of Commerce (Port Vila)
- Senior officer, Reserve Bank of Vanuatu (Port Vila)

Academics

- Two academics from the Law school at University of South Pacific (Port Vila).