

**THE FUTURE FOR INDIGENOUS SEA TENURE MANAGEMENT  
OF LIVING MARINE RESOURCES IN PAPUA NEW GUINEA**

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Although the ethnographic record demonstrates that Melanesian customary marine tenure (CMT) systems in Papua New Guinea (PNG) and the transboundary Torres Strait Islands are diverse, flexible, and dynamic and capable of regulating many kinds of subsistence and commercial activities associated with marine fishing, hunting, and gathering (see Hyndman 1993), Haines (1982:289) has bluntly stated that it is "counter-productive to resurrect the past by entrenching traditional fishing patterns, or rather the modern distortions of them in the PNG ad-

ministration." Polunin (1990) and Johannes and MacFarlane (1992) have likewise found little in CMT that offers the potential to mitigate the effects of massive change. The legal and political fate of CMT practices vital to over 400,000 ethnically diverse coastal peoples of PNG has become a contentious issue, which raises the critical ethical issues of CMT research as to what extent, if at all, do outsiders (anthropologists included) have the right to speak about and represent indigenous peoples' sea tenure systems. The highest standards of professional accountability must apply and CMT studies should proceed only with the consent and active collaboration of indigenous peoples involved. The people themselves should have the final say about what constitutes their CMT system.

In analysing the potential and desirability of integrating CMT in contemporary fisheries and marine management frameworks, Cordell (1992:122) suggests that the following three questions stand out: (1) what happens to CMT patterns during the transition from subsistence to commercial economies, (2) what are the resource management and biological conservation impacts of CMT, and (3) what uses, if any, can be made of CMT systems which work to define user and access rights—in essence to preserve the social order—rather than the balance of nature.

On the first question Wright (1990) has already described CMT systems in PNG that have successfully negotiated the transition to modernity through commercial fishing ventures and has suggested that directions for utilising CMT in the development of marine resources in PNG may be found in the judicial system used at present to resolve village disputes over land rights. On the second question Clarke (1990) has summarized how closed areas and seasons, food taboos, and game restrictions have enhanced species conservation. Indeed, CMTs in Melanesia are some of the most extensive and sophisticated traditional knowledge systems in Oceania for spatially managing and socially regulating coral reef fisheries. These are not broken down traditions but living customs, which have always transformed and related to basic resource management tasks. On the last question, what these CMT systems really do is consolidate a peoples' control over fishing grounds and defend against encroachment. Management utility of CMT systems should not stand or fall merely on the basis of a conservation test.

Indigenous peoples' choices in aquatic resource use in PNG and the transboundary Torres Strait Islands cannot be explained by common property models. The terminology itself is misleading and inappropriate (Nietschmann 1989). Common property assumes a model of optimisation, that people act out of self-interest alone without regard for community. Lack of community designates the commons but under CMT, sea tenure holders in PNG are well-defined peoples who do not lack use rights. Sea tenure represents important attempts by indigenous peoples to deal with problems of managing resources by controlling and restricting access to entry.

More research will enable policy-makers to go beyond documenting general features of CMTs to specifying how they can be integrated with contemporary systems of marine use. In PNG one promising avenue for indigenous owners of CMT systems to become involved in the protection of their living land and marine resources is through wildlife management areas. Maza is currently the only completely marine management area and covers 184,230 ha in the transboundary Torres Strait Island region. Government policies and CMT systems need to ac-

commodate to one another. What seems imperative is the principle and obligation of the PNG government to uphold indigenous peoples' rights and controls over their ancestral marine domain. It is impossible to isolate the sea from the total fabric of maritime economy and culture. It is through customary sea tenure that PNG maritime peoples are progressing with the past and forging their cultural identity in the modern world.

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