

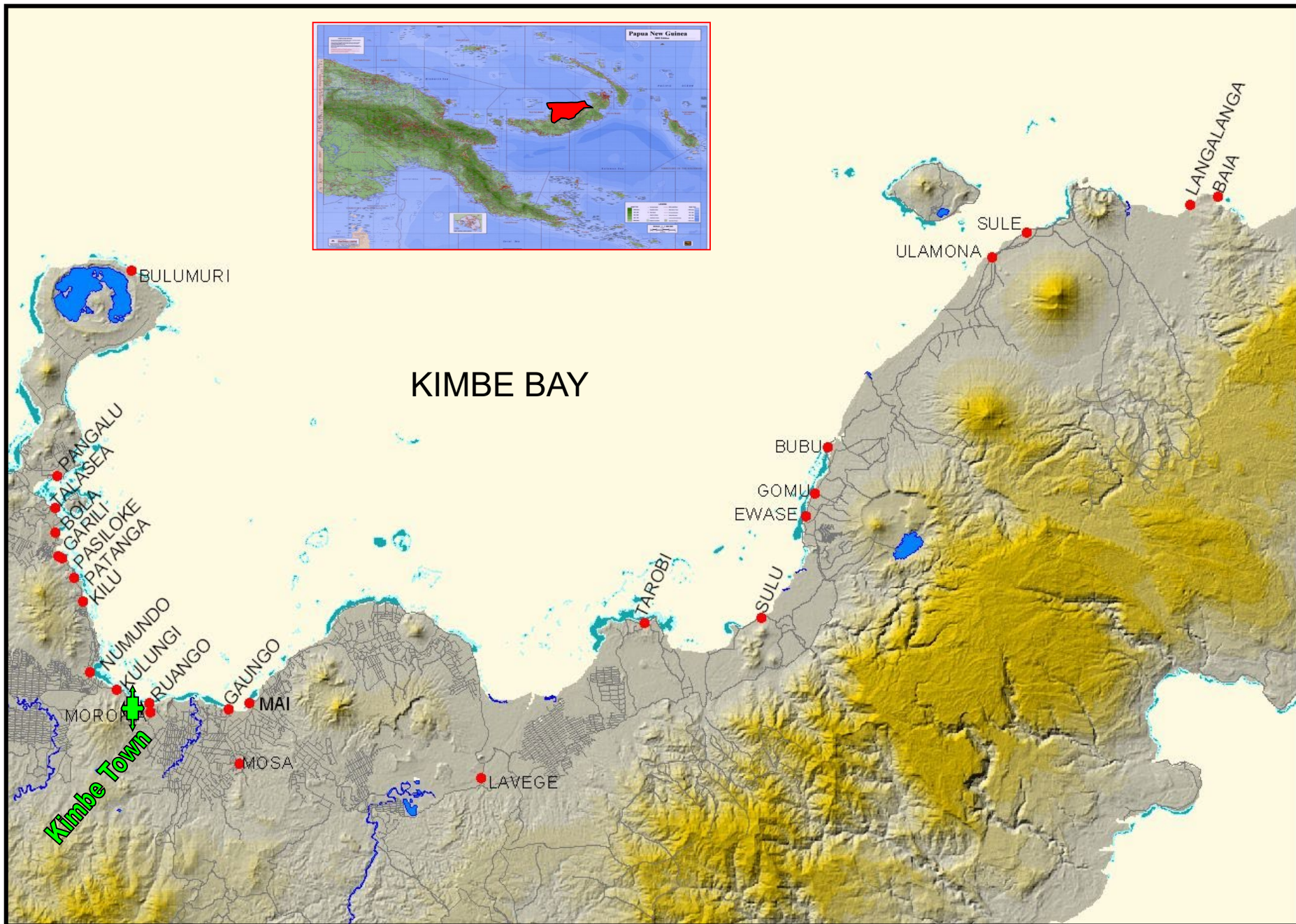
The Changing Moral Economy of Land Transactions on Customary Land for Small-scale Agricultural Development: an example from Papua New Guinea



George N. Curry, Emmanuel Germis & Gina Koczberski

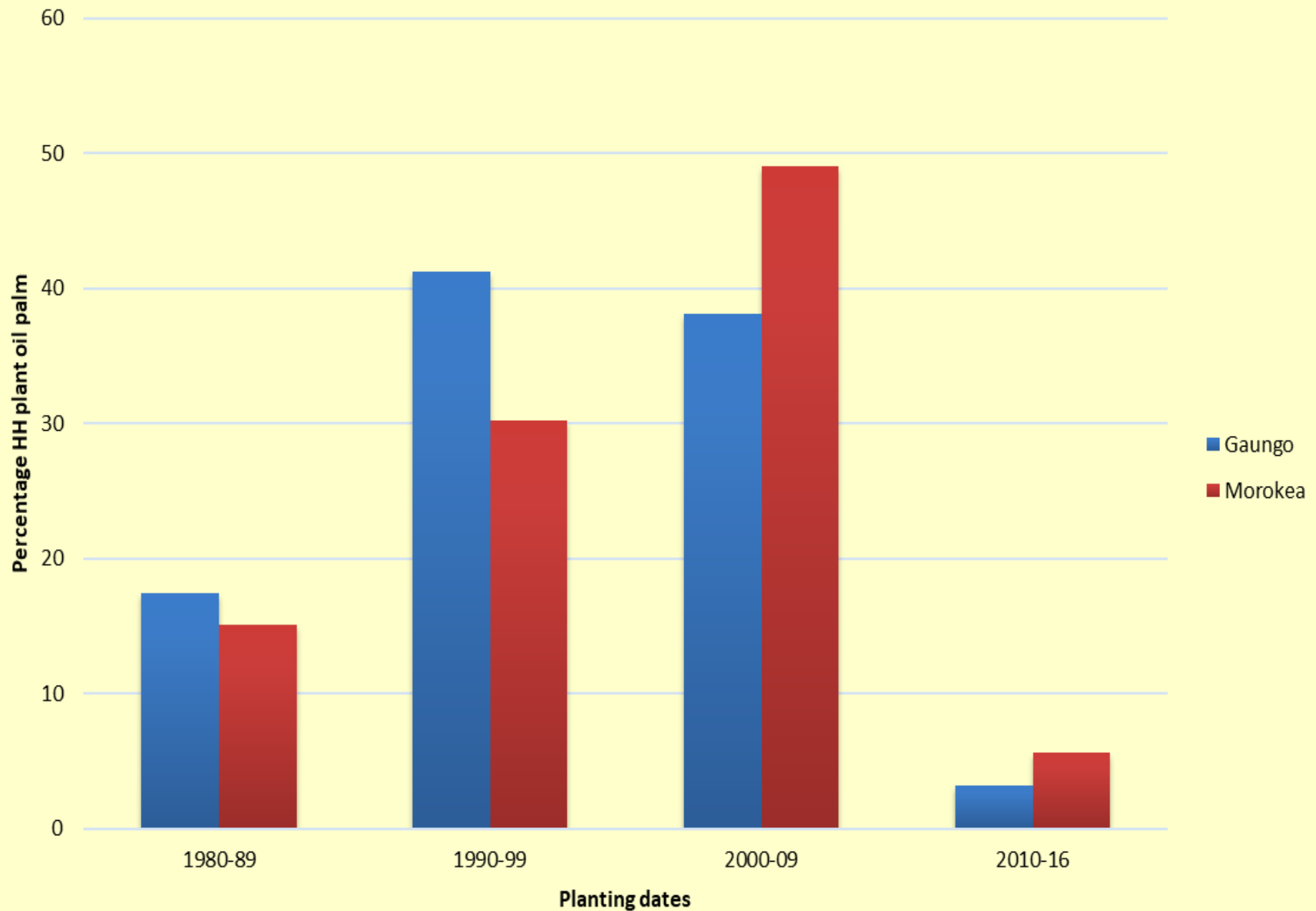
Curtin University, Perth, Western Australia





(Source: adapted from The Nature Conservancy, Kimbe)

The Dates Of Oil Palm Planting By Migrant Households At Gaungo And Morokea



Differing interpretations of land transactions

FREEHOLD PRINCIPLES

Relationship between people is commercial, where obligations & commitments are thin.

Short-term relationship between people.

Concept of absolute unitary ownership.

Property law for stranger relations

CUSTOMARY PRINCIPLES

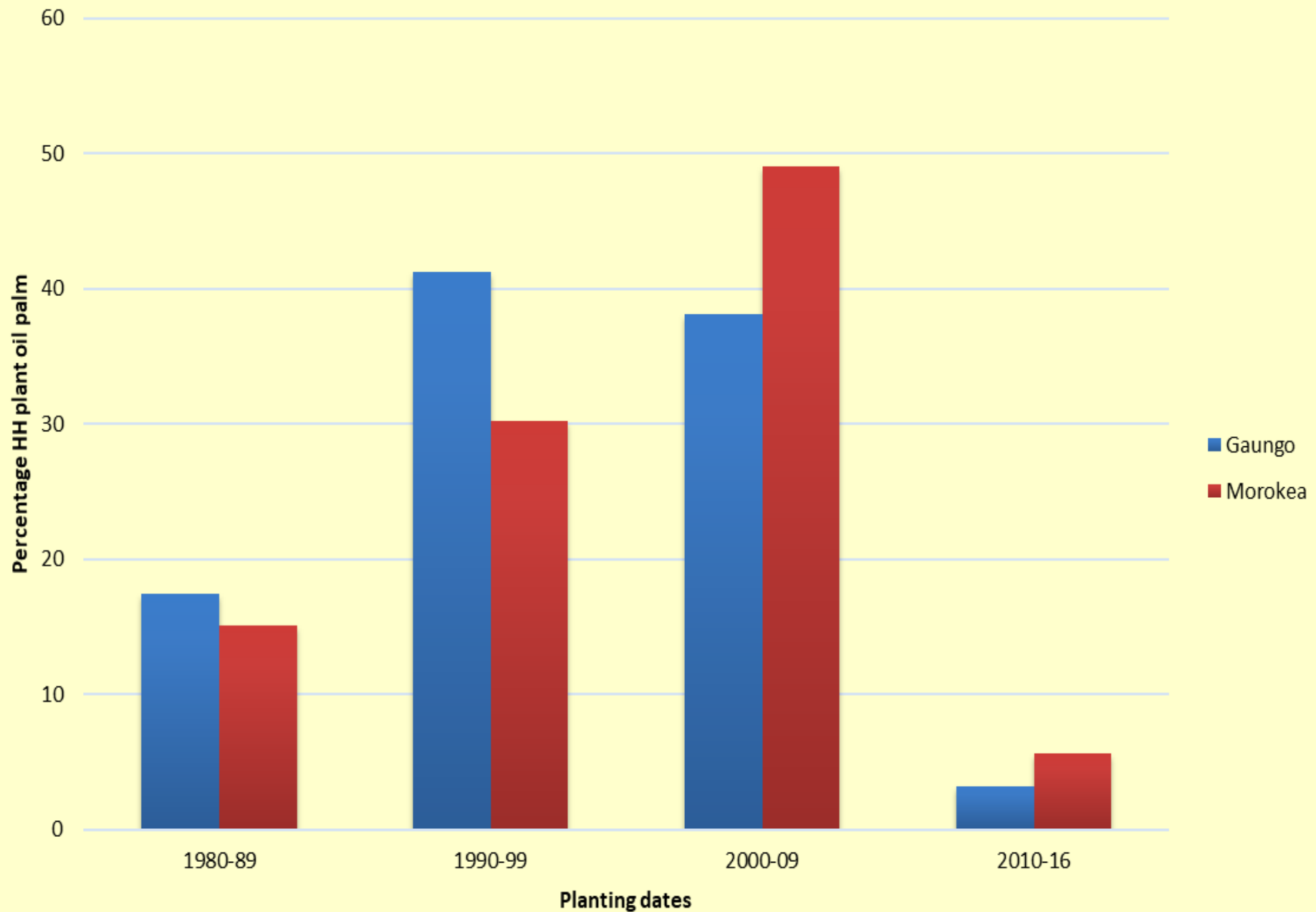
Relationships between relatives, bind people together in a web of mutual obligations and commitments.

Long-term economic relationships between relatives.

Concept of relational property & land as an inalienable resource

Property law for kin relations

The Dates Of Oil Palm Planting By Migrant Households At Gaungo And Morokea

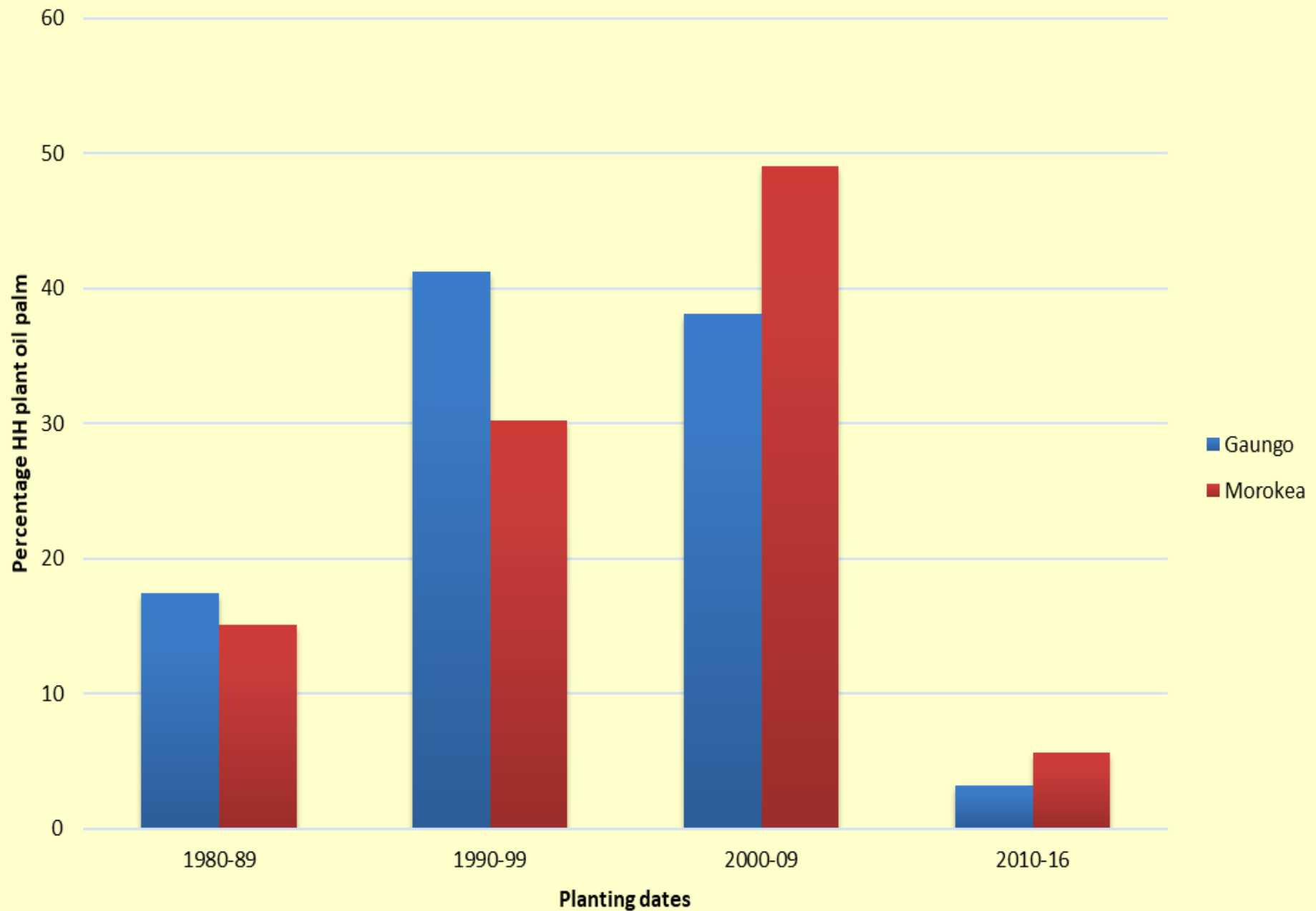


Land disputes on 'purchased' customary land

- Many migrants believe that the cash payments made to purchase the land gives them 'ownership' of the land .
- Many migrants believe that they have the right to sell the land.
- Many “purchasers” believe that they have the right to invite anyone to reside on the land.
- Many migrants believe they have the right to start small businesses or other income generating activities on the land.

- Many customary landowners think they have the right to evict troublemakers.
- When blocks were “sold” in the past at a lower price than they are selling now, customary landowners often believe they have the right to be paid the difference in the value.
- When the price of oil palm rises sharply customary landowners often feel that they have been cheated.
- Many customary landowners expect to share a portion of the wealth coming from the land purchased by migrants.
- Disputes occur within the landowning group.

The Dates Of Oil Palm Planting By Migrant Households At Gaungo And Morokea



Differing interpretations of land transactions

FREEHOLD PRINCIPLES

Relationship between people is commercial, where obligations & commitments are thin.

Short-term relationship between people.

Concept of absolute unitary ownership.

Property law for stranger relations

CUSTOMARY PRINCIPLES

Relationships between relatives, bind people together in a web of mutual obligations and commitments.

Long-term economic relationships between relatives.

Concept of relational property & land as an inalienable resource

Property law for kin relations



Differing interpretations of land transactions

FREEHOLD PRINCIPLES

Relationship between people is commercial, where obligations & commitments are thin.

Short-term relationship between people.

Concept of absolute unitary ownership.

Property law for stranger relations

CUSTOMARY PRINCIPLES

Relationships between relatives, bind people together in a web of mutual obligations and commitments.

Long-term economic relationships between relatives.

Concept of relational property & land as an inalienable resource

Property law for kin relations

Property law for stranger relations

Property law for kin relations

Relationship between people based on obligations and exchange.

Long-term relationships between people.

Concept of permanent or temporary use rights to land based on mutual cooperation.

Landowners' rights not totally extinguished.

Outsiders become insiders.

Property law for social inclusion

New Forms out of Old

