

Hu i kakae long basket?

Matrilineal land tenure in Vanuatu Case studies of Raga and South Efate

By Joel Simo and Anna Naupa

Presented to the SPC/SPREP Sustainable Land Management Conference,
Fiji, 1-4 October 2007

Research background

- One of several country studies commissioned by the Pacific Forum Secretariat and coordinated by the Institute for Pacific Studies to undertake research into gender and land in the region.
- Examines the role, past and present, of women in decision-making about land tenure and access to land.
- The focus on matrilineal land tenure allows for close scrutiny of gender relations in a system that typically acknowledges women's political role in land matters.
- Documents changes in attitude and policy with respect to land tenure, access to land and land management, and the role of women therein in Raga and South Efate, Vanuatu.

Land in Vanuatu and the recognition of women

- Strong cultural identity connecting people with the land.
- Basic principle of traditional land tenure is to ensure that everyone has access to land for survival (social security).
- Customary tenure is enshrined in the Constitution and takes precedence in land matters. Modern interpretation of *kastom* (particularly in matrilineal areas) is increasingly male-biased.
- National land legislation is gender neutral, however, institutional procedures are typically male-biased and marginalise women from formal land matters.
- 2006 National Women's Forum and National Land Summit placed women's access to land, including continued access to customary land for basic livelihood on the national agenda

Some basic information

- Average women's representation on customary land tribunals: 21%
- "Few ni-Vanuatu women are registered as title or leaseholders compared to men" (Dept. of Lands)
- National Women's Forum recommendations relating to land:
 - Maintain areas for agricultural land (1.1 Women and Poverty)
 - Involve women actively in environmental decision-making at all levels (1.2 Women and Environment)



Matrilineal land tenure in Vanuatu

Case Study #1: Raga, North Pentecost

- Matrilineal descent groups (Tabi and Bule)
- Types of land within the Raga management system: *garigariki*, community land
- Raga women's role in land management - a grading system:
 - Mwei*
 - Mwitari*
 - Mwisale*
 - Mitalai*
 - Motari*
 - Salvan*
- Complementarity of gendered roles
- Changing attitudes

Case Study #2: Mele, South Efate

- The *naf'lak* system of matrilineal tenure
- Changing land tenure: from maternal uncles to nephews, to fathers to sons and double descent inheritance
- Women *can* inherit land rights directly through their fathers; this is recognised by the Efate Vaturisu Customary Land Law
- Some ambiguities in the Efate Customary Land Law regarding women's traditional land rights
- Mele women's participation in the village trust company: Mele Trustees
- Demanding change: women in Mele *want* to participate in land decisions

Main conclusions

- Matrilineality does not necessarily mean women and men have *equal* rights to land
- Traditional social security system breaking down due to population pressure and mobility, inter-island marriages, and pressures to commodify land.
- 'Foreign' widows in a matrilineal system do not necessarily have indisputable rights to their deceased husband's land.

Recommendations

1. National Land Steering Committee, as the committee charged with oversight of the progression of the National Land Summit resolutions, to endorse and implement the recommendations of this report
2. Mainstreaming gender in traditional land systems:
 - a. Malvatumauri to implement its National Land Summit recommendation for research into gender roles relating to land
 - b. Malvatumauri to lead a campaign for all chiefs to actively support women's participation in land matters and to promote women's traditional leadership roles (role for male advocates as well as the Vanuatu National Council of Women)
 - c. Role for the Vanuatu Cultural Centre's Fieldworkers' network to lead research on custom, gender and land

Recommendations (cont.)

3. Mainstreaming gender in formalised land systems:
 - a. All government administration processes relating to land (e.g. land registration, land leases, environmental impact assessments, infrastructure development) to ensure that consultation with women stakeholders is mandatory and recorded
 - b. Customary Land Tribunals awareness and implementation activities to promote women's participation and link into women's traditional leadership roles
 - c. 50% representation of women on land boards/committees
 - d. Role for the Department of Women's Affairs to monitor the participation of women in formal decision-making processes (e.g. institutionalising a Gender Focal Point with the Department of Lands)
 - e. Dept. of Women's Affairs to implement National Women's Forum recommendations relating to land:
- Maintain areas for agricultural land (1.1 Women and Poverty)
- Involve women actively in environmental decision-making at all levels (1.2 Women and Environment)

Recommendations (cont.)

4. National campaign to encourage consultation with women
 - a. National Land Steering Committee to include in its public awareness campaign about land reform a campaign educating Vanuatu about the benefits of including women in decision-making and the risks to social security when they are marginalised from land matters
 - b. Role for the National Kastom Ekonomi Committee to continue to advocate for women's participation in decision-making about land and land resources in the interests of self-reliance and social security

❖ Tankyu tumas.

❖ Joel Simo, Vanuatu Kaljoral Senta