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GOALS AND LIMITS

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## Executive Summary

Crime, a perennial problem in Papua New Guinea, is once again the center of attention, due to an upsurge in violent or spectacular incidents in both urban and rural areas. Domestic and foreign confidence in the government's ability to control organized gangs, militant landowners, Bougainville rebels, corrupt politicians and other malefactors is fading. The level of violence is rising, prompting foreign governments to issue warnings and Prime Minister Namaliu to unveil a series of proposals to crack down on criminals. The 1984 Clifford Report, a major study sponsored by both government and private enterprise in Papua New Guinea, advocated increased efforts to support community-based policing, but there is no indication the Government is moving in that direction. Both Western and Papua New Guinean commentators consider the imported Australian legal system bequeathed to Papua New Guinea to be alien to its numerous fragmented communities, leading to tension between customary and Western means of resolving conflict. Australia has embarked upon a major effort to strengthen the Royal Papua New Guinea Constabulary (RPNGC), the nation's one and only police force, through the provision of technical assistance, especially training. PM Namaliu indicated in early 1991 that he would like the program expanded even further, despite a doubling of advisors undertaken in late 1990.

Australian aid to the RPNGC must be viewed within the context of Australian budgetary support (cash grants) to Papua New Guinea, traditionally by far the most important form of Australian aid. The shift to project aid, symbolized in part by the RPNGC program, restores a measure of Australian supervision and accountability. Australian involvement with the RPNGC, of course, predated independence, so it was natural for Australia to continue to play an important role following independence. This assistance included secondment of Australian police to RPNGC posts, provision of equipment, and training courses. These elements all reappear in current Australian relations with the RPNGC, although expatriates are now primarily posted as advisors instead of as line officers. The police assistance program has expanded steadily since its 1988 start, to levels exceeding the highest initial project design proposal, and is occupying an increasingly large proportion of total Australian project assistance to Papua New Guinea.

There are four principal strategies Papua New Guinea can embark upon to improve its capability to fight crime: re-allocate domestic resources to the RPNGC; obtain additional Australian aid; focus on community-based policing; and devolve police responsibilities to village peace officers. The Papua New Guinean government probably will adopt a syncretic strategy involving elements of all

four, although it will emphasize obtaining additional aid and try to avoid devolving police functions.

The difficulty the RPNGC is experiencing in controlling crime reflects the Papua New Guinean transition from Western to Melanesian institutions. The RPNGC, for example, can be viewed as having a primary mission of serving as an agent for the extension of centralized government, with crime-fighting as only a secondary activity. Individual officers may also view their jobs primarily as means of access to the cash economy. The RPNGC represents an institution still in the making. Not unexpectedly, it displays a variety of weaknesses which Australian assistance will have difficulty addressing. Australian national interests nonetheless dictate continued efforts to support the RPNGC, in both its official mission of fighting crime and its disguised mission of extending central government control.

### **Introduction**

This paper examines the expanding Australian technical and advisory support for the RPNGC, Papua New Guinea's one and only police force. This Introduction will discuss the strategic setting for Australian involvement with the RPNGC. The following four sections describe the origins and nature of crime in Papua New Guinea; the inexorable shift in Australian aid from untied budgetary support to project

assistance, with the RPNGC effort assuming an increasingly important role as a showcase; the potential problem for Australian policy posed by RPNGC human rights violations; and alternative strategies Papua New Guinea could follow in attempting to strengthen police effectiveness. The author concludes that human rights is not a significant constraint on Australian police aid at present; that the interests of both the Australian and Papua New Guinean governments coincide in strengthening the RPNGC as an instrument for central government control, regardless of its effectiveness in maintaining law and order; and that Australian police aid probably will continue at existing levels, but cannot be further expanded without drawing criticism for claiming too much of the project assistance budget.

Papua New Guinea is under siege--not from without, but from within. The ongoing secessionist rebellion on Bougainville island, estimated to have cost more than 200 lives by now, is only the most spectacular manifestation of a more general deterioration in government authority and social control. "Rascal gangs" of criminals operating in urban areas, particularly the capital of Port Moresby, demonstrate increasing sophistication and audacity in carrying out thefts from and attacks upon both Papua New Guineans and expatriate residents (Harris 1988). Inter-tribal fighting, particularly in the Highlands provinces of central Papua New Guinea, shows little sign of abating in

intensity or frequency. Landowners are increasingly using threats or force itself to press their demands for higher compensation for the use of their property, even when needed for public purposes. Lawlessness is taking an increasing toll on the national economy. The Australian International Development Assistance Bureau (AIDAB) considers security problems to be one of the greatest barriers to non-mining investment (AIDAB 1990c, viii), as well as an obstacle to tourism development (Ibid, 33).

Australia has a number of good reasons to help the Papua New Guinea government combat these threats to political stability and economic development:

-- Australia provides the largest amount of bilateral foreign aid donor to Papua New Guinea--at least A\$ 295 million dollars per year through fiscal year 1993/94 (AIDAB 1989a, 11). Much of this aid is provided as a cash transfer. The effectiveness of this aid is jeopardized by criminal activity, calling into question whether Australian taxpayers should continue to underwrite subsidies with limited impact on development.

-- Australia has the greatest number of expatriate citizens in Papua New Guinea--over fifteen thousand, according to a 1989 report (DFAT 1989a, 11). The Australian government

needs to be perceived as supporting measures to protect them.

-- Unlike other donors, Australia has already assumed a major role in strengthening the Royal Papua New Guinea Constabulary (RPNGC), the nation's first line of defense against lawlessness. This gives it a vested stake in RPNGC effectiveness against crime. If crime continues to increase despite Australian assistance, the effectiveness of the program will be called into question, casting a shadow over the remainder of the Australian aid projects either planned or underway. Australia is more or less on its own in attempting to bolster the RPNGC. The United States government, for example, would be unable to mount a similar effort because section 660 of the Foreign Assistance Act of 1962 prohibits aid to foreign police forces, except for such narrowly-circumscribed activities as anti-terrorist, anti-narcotics and maritime law enforcement cooperation.

These rationales for Australian cooperation with the RPNGC are all premised upon the underlying strategic Australian interest in Papua New Guinea. Australia has been concerned about Papua New Guinea since its early colonial days because a hostile power operating from it could menace not only Australia's sea routes to Asia and Europe, but northern Australia itself. Australian colonists pressured Great Britain into taking over Papua--the southern portion

of Papua New Guinea--in the 1880s. Australia, newly unified itself as a federal state, assumed responsibility for administering Papua from the British in 1906. The Australians then wrested the northern and archipelagic sector called New Guinea from the Germans at the outset of World War I. Only American intervention prevented the Japanese from seizing Papua New Guinea and threatening Australia itself in World War II. Darwin, the capital of Australia's Northern Territory, was actually bombed by the Japanese from bases in what became Papua New Guinea, reinforcing Australian respect for the latter's strategic value.

Following World War II, Australian colonial authorities began to re-orient their efforts toward helping Papua New Guinea forge a nation out of a people with more than 800 separate languages, but without much expectation of success. Independence, in 1975, came too soon for this task to be fully achieved. Unlike many other colonial peoples, the Papua New Guineans did not have the unifying experience of fighting side-by-side to toss out their overlords; the Australians, instead, accelerated the transfer of authority, despite opposition from some Papua New Guineans who sought a longer transition to independence. The Australian government agreed to underwrite Papua New Guinea's post-independence budget with a substantial annual cash subsidy ("budgetary support") that continues today. The bilateral



relationship therefore remains relatively warm, although Papua New Guineans remain acutely sensitive to any suggestion that Australia knows best how to solve their problems.

Budgetary support exemplifies Australian determination to safeguard its security interests in Papua New Guinea, whether the threat comes from within or without. To this end it is also strengthening its already-close relations with the principal Papua New Guinean security institutions. Australia doubled the size of its police assistance program in late 1990, even as doubts about human rights abuses by the RPNGC mounted. The RPNGC itself is an unusually highly centralized police force. All of its 4800-odd members (Geno 1991, 16) are national, rather than provincial or local, employees. They are charged with policing some 3.5 million Papua New Guineans, spread out over immense regions of trackless forest, swamps and mountains. There are no provincial or local police forces, thus, the prevailing assumption is that the maintenance of law and order is a national government, rather than local, responsibility. The RPNGC quells rural and urban disturbances too large to handle with local resources by calling upon its 450 members organized into 14 police mobile squads (AIDAB Assistance 1991). The weak RPNGC presence outside principal towns and cities, however, ensures that traditional mechanisms of

resolving conflict--including inter-tribal warfare and retributive killings--remain the court of last resort.

The RPNGC competes with the Papua New Guinea Defence Force (PNGDF) for funding, prestige and political influence. The PNGDF backs up the RPNGC when the latter's resources are insufficient to restore law and order. Australia and Papua New Guinea are now reviewing how the PNGDF could redirect its mission so as to fight crime on a continuing, rather than episodic, basis. The PNGDF is variously estimated to have 3200 members (Anderson 1990, 31); 3500 (ADOD 1989, 4); or over 4000 (Wesley-Smith 1991, 194). The disparity may be explained in part by a reported decision by Papua New Guinea to recruit 450 additional troops, financed by Australia, due to the Bougainville crisis (Anderson 1990, 31). The PNGDF traces its origins to armed units raised during World War II. They were disbanded after the war, but Australia organized the Pacific Islands Regiment as an integral unit of the Australian Army in 1951 to serve as an indigenous armed force. Australia recruited, trained, and equipped its members throughout the colonial period and retains close ties following independence. For example, the PNGDF can order military supplies through Australian military channels under a January 1977 bilateral agreement (ADOD 1989, Annex A). Australia has doubled its military aid to Papua New Guinea to approximately A\$ 54 million in

fiscal year 1990/1991 (AIDAB 1990e, 23) since the Bougainville crisis arose in late 1989.

The Papua New Guinea government assigns most internal security functions to three separate ministries: Police; Correctional Institutional Services (CIS); and Justice. It thereby accommodates three, rather than one, Members of Parliament as Ministers, satisfying MPs who might otherwise desert the government, bringing about its downfall. Australia is discussing an assistance program for CIS (Harris 1991, 11), in addition to the RPNGC program underway. It probably will propose a modest program to aid the judiciary, under the Ministry of Justice. Australia has also indicated its willingness to assist the National Intelligence Organization (DFAT 1989a), an incipient intelligence service that does not yet appear to have assumed a significant role in the fight against crime. Of all these institutions, so far only the RPNGC has received major Australian aid to fight crime.

The RPNGC is confronted with an immense task in attempting to enforce the laws of Papua New Guinea. Many challenges appear beyond its potential to control; for example, the Bougainville secessionist movement was initially treated as a police problem, but rapidly escalated beyond the RPNGC's ability to control (in part because of the latter's own excesses and human rights abuses). RPNGC

shortcomings are frequently blamed for escalating crime capabilities, yet social change is also progressively eroding informal controls. The nature of this change suggests that the RPNGC is only part of the solution to Papua New Guinea's crime problems--yet Australia is betting heavily that national institutions such as the RPNGC and PNGDF can solve Papua New Guinea's security problems. Before detailing how Australia ended up so closely involved with the RPNGC, it seems appropriate to review how and why crime has come to be perceived as such a major problem in Papua New Guinea.

### **I. The Disintegration of Law and Order in Papua New Guinea**

The rise of "rascal gangs," comprised of increasingly sophisticated criminals, during the past 25 years is the principal justification for the general belief that law and order is breaking down in Papua New Guinea. Prime Minister Somare imposed a State of Emergency in the National Capital District in June 1985, following a series of particularly violent crimes committed by gang members. Dr. Bruce M. Harris, currently with the Papua New Guinea Department of Finance and Planning, described the gangs of Port Moresby and their origins in detail in 1988 in a paper for the Institute of Applied Social and Economic Research. He concluded that they originally represented, in the 1960s and 1970s, a rational response, in some ways, to the lack of opportunities young male migrants to urban areas faced. The

gangs eventually became "vertically integrated criminal networks with organised theft, protection, marketing and distribution systems." (Hegarty 1989, 8). Harris today believes that the original social and psychological needs that gangs fulfilled for their members have been supplanted by economic motives, with a parallel increasing willingness to use brutality to achieve their goals (Harris 1991, 5). "Rascals" do not discriminate: they prey upon both expatriates and Papua New Guineans. Their lack of fear of apprehension has emboldened them to the extent that many highways in Papua New Guinea, for example, now are unsafe to travel whether by day or night. Theft rings undertake household and business break-ins on a massive scale, with the goods sold through fronts run by gang members who would otherwise have settled down and perhaps eschewed their earlier gang membership. Major rascal gangs in fact have carved out territorial domains in most urban areas and consolidated their control by absorbing smaller gangs, sometimes by acts of violent intimidation, such as gang rape of women associated with rivals.

The law and order problem, however, cannot be blamed on the rascals alone. Tony Siaguru, a lawyer and former Member of Parliament (MP), explains the stakes:

There is a disorder in our national scene that is spreading rapidly and is cause for great concern for

responsible persons both inside and outside the country. It is a disorder that is reflected in the burgeoning law and order problem in our towns and our Highlands; in the readiness of local people to take the law into their own hands; in pressing for exaggerated and selfish compensation claims against the national interests of progress and development. It is reflected in the excesses and riots of our very forces of the maintenance of law and order; in the incompetency of our system of practice of criminal prosecution and the inability of our jails to hold hardened criminals.

It is especially reflected in the complete and utter disregard of personal credibility by the great majority of our politicians, national and provincial. And above all, it is reflected in conversations with decent, once proud Papua New Guineans, villager and townsman, private sector employee and public servant, who feel there is something wrong in the country, and dangerously start talking of the extra-constitutional ways in which the ills might be remedied (Hegarty and Polomka 1989, 22).

The aspect of law and order of most immediate concern is the threat to physical safety posed by criminal violence. Australia's Department of Foreign Affairs and Trade sweepingly asserts "There is no doubt that PNG [Papua New

Guinea] is a violent society." (DFAT 1989b, 9). DFAT's most recent threat assessment put Port Moresby at the highest level of threat of physical violence (Ibid, 24). There is reason to be concerned. An Australian warrant officer was recently killed, and a series of attacks on foreign diplomats in Port Moresby has underlined the vulnerability of expatriate residents.

The US Department of State, for its part, issued a "Warning" on 16 March 1991, advising US citizen travelers of a curfew, still in effect, to be imposed by the Papua New Guinea government on the cities of Port Moresby, Lae, Popondetta, Mt. Hagen, and along the Highlands Highway between Goroka and Mt. Hagen. The Warning stated that violent crime continues to be a serious problem in all areas of Papua New Guinea, and noted that armed robberies and sexual assaults upon women are increasing (USDOS 1991).

Some blame violent crime on Westernized young men, outsiders to traditional culture and economic organization, but without enough education to obtain employment or status within the Westernized economy (Weisbrot 1985a, 171). DFAT suggests that disillusionment with the government's failure to deliver benefits expected encourages "raskolism" as an alternative means of satisfying material needs (DFAT 1989a, 30). It pinpoints the ultimate cause, however, as the

"breakdown of traditional values and cultural links with the land." (Ibid, 54).

### Crime and Melanesian Communities

Small-scale Papua New Guinean communities are distinct social units occupying specific areas. They have well-established mechanisms to regulate and punish unacceptable behavior. There is much greater latitude to engage in anti-social acts directed at other groups, but the tradition of "payback," in which the offended party exacts revenge on the group from which the hurt originates, is a powerful inter-social restraint. Migration into urban areas considerably weakens both intra- and inter-group sanctions, 1) because fewer "wantoks" (fellow group members) are present, and 2) because the anonymity of the town or city makes it more difficult to identify and locate the offenders or their relatives.

Confidence in the ability of the criminal justice system to find and punish criminals to the satisfaction of the victims is low, so many crimes go unreported, fueling social tension. One of the largest protest marches in Papua New Guinea history took place in October 1984 at government offices near Port Moresby, calling for action to restore law and order (Weisbrot 1985a, 170). A March 1989 demonstration in Port Moresby expressing anger over the deaths of two Papuans at the hands of Highlanders and demanding action on



law and order problems turned violent, requiring both the military and police to suppress it (Hegarty 1989, 10).

In rural areas, the 1984 Clifford Report, sponsored jointly by business and government, found that inter-group fighting is frequently perceived by participants not as a wholesale violation of criminal law, but rather as a solution to law and order problems they are unable to resolve satisfactorily within the legal system (Clifford Report, ii). The Clifford Report strongly emphasized that community policing provides the most effective solution to law and order problems (118-119). Its drafters admonished the Royal Papua New Guinea Constabulary not to undermine the community's resources for dispute settlement. They declared that the state is not the source of values contributing to law and order in rural areas and affirmed that the village courts are the best mechanism to support informal resources.

These findings parallel the opinions of T.E. Barnett, who wrote on "Law and Justice Melanesian Style" over a decade earlier. Barnett observed:

If an alien system is imposed which does not adequately reflect basic Melanesian institutions it will result in unnecessary stress and the law will be ignored in important areas of daily activity. The courts will be seen as incomprehensible institutions with no relevant

part to play in these matters (Ross and Langmore 1973, 59).

Barnett declared that the Australian judicial system has always been organized from the center and that it reflected the wholesale importation of the Queensland Criminal Code. He noted that this essentially alien legal system was paralleled by "a flourishing alternative unofficial court system," (Ibid, 61) presumably based upon indigenous customs. Barnett foresaw impending problems as indigenous social structures broke down, because "the conflicts inherent in the existence of custom and common law side by side have not been resolved, and techniques for their resolution have not been developed." (Ibid, 64). His prescription was to integrate the system of village courts, introduced prior to independence, with a law enforcement system based on village officers, the latter having ceased to exist with the abolition of village constables and headmen.

Bernard Narokobi, Papua New Guinea's current Attorney General and Minister for Justice, provided an illuminating view from the Melanesian standpoint with his 1989 book, Lo Bilong Yumi Yet ("Our Law Now"). According to Narokobi:

Melanesian societies existed without an independent idea of law or rule of law. Coercion or consequence

flowing from human conduct were independent and ancillary to the inevitability of human survival without law. One need not reward good conduct and punish an evil one through law courts to achieve an ordered society. Not every conduct or misconduct in Melanesia lends itself to inevitable reward or punishment. It is difficult for modern states to imagine human communities without any formal notion of law or justice. To most modern minds, the equation of 'lawlessness' with anarchy conjures images of perpetual war, violence, disorder and chaos (Narokobi 1989, 15).

This subversive formulation strikes at the heart of the Western assumption that the rule of law--as defined in Western terms--is the most desirable method of organizing society. The recent raid on a mine operated by an Australian company at Mt. Kare, in Enga province, vividly illustrates the consequences of divergent communal and Western norms. Enga Provincial MP Yalia led an armed gang to the site, where the men tied up a processing plant crew and advanced on the main camp with drawn guns, demanding that the company build a road through the mountains to a village (Pacific Islands Monthly, May 1991, 32).

By Western standards, this lawless, threatening behavior by a Member of Parliament, entrusted with the drafting and approval of legislation, could only be

condemned. But in the Melanesian context--regardless of the MP's probable political motivation--Yalia was taking direct and potentially effective action to further community goals. The fact that the MP and his cohorts were acting against a foreign organization expanded the range of acceptable tactics beyond the limits generally accepted under the Western rule of law.

Narokobi makes the point that Melanesian communities based their actions upon their own traditions and norms, rather than imported Western legal systems. Legitimacy flowed from the group:

Each cultural unit was autonomous, possessed of its origins, and defined as to its territorial boundaries and legal postulates. Each was complete in itself, yet interdependent with others in some respects, as are nations today (Narokobi 1991, 20).

Narokobi blames the colonial administrators that ruled Papua New Guinea for not recognizing Melanesian institutions of social order, thereby "creating the seeds for social disorder and the general 'breakdown in law and order' experienced today in Papua New Guinea." (Narokobi 1991, 18).

Lawlessness ultimately stems from a host of factors, some of them universal and some unique to Papua New Guinea.

Criminals anywhere are encouraged when the risk of apprehension is low, as it is in Papua New Guinea. The relative ease of escape from Papua New Guinean prisons reinforces disrespect for formal criminal sanctions. Those sanctions themselves all too frequently are not imposed because police prosecutors are unable to prepare and argue a case successfully in the Western-oriented judicial system, imported virtually in toto from Australia.

These weaknesses in the formal law enforcement machinery have coincided with a long-term decline in the vitality and effectiveness of traditional, village and clan-based, sanctions outside rural areas. Emigration of young men to urban areas in search of wage employment has weakened village social structures while simultaneously enabling a lucky few to gain prestige, money and power through non-traditional means, among them "rascalism." Village leaders find it more difficult to exert authority when young family members are supported by urban migrants, or look to migration themselves as an option to escape participation in the subsistence economy. Increased mobility carries social costs of its own, however. Migration brings large numbers of Papua New Guineans in contact with each other, but outside the traditional, highly limited and circumscribed bounds of rural life. This commingling in urban areas leads to conflict unmediated by traditional settlement mechanisms. The RPNGC has neither the resources, nor probably the

inclination, to settle many such disputes, resulting in willingness to violate Western-style law to obtain the justice unavailable through the formal system. Urban crime can therefore be viewed as a logical consequence of the promiscuous mixing of peoples who have no traditional obligations toward one another, in an arena in which Western-style social controls are not yet in place, and may never be as strong as the older, informal, Melanesian mechanisms of social control.

Paradoxically, the decline in the formal justice system's effectiveness has stimulated a revival of traditional methods of settling disputes within rural areas. The physical proximity of other groups traditionally inculcated a rough "frontier" justice. If a malefactor was seen heading in the direction of a given rival tribe, it was assumed he belonged to that group, since he would not obtain sanctuary from any other groups. The inability to identify a particular criminal's responsibility did not deter the offended party from asserting its rights to compensation from, or to inflict punishment on, the other group as a whole. Western-style concepts of fixing individual responsibility and allowing a crime to go unpunished in the absence of adequate proof as to who committed a crime simply do not fulfill the social need to deter attacks upon one group by another. These dynamics served as a powerful restraint on group members tempted to attack members of

other groups, since their own clansmen did not wish to fall victim unnecessarily to "payback" attacks and frequent compensation demands. The Australian kiaps also enforced a relative peace between formerly warring groups, primarily for their own purposes. The end of the kiap system left a vacuum in measures of inter-group social control in rural areas that is now being filled by a reversion to past practice, particularly as aggressive individuals and groups test the limits of how much they can obtain through extra-legal means. The Bougainville rebellion, sparked by dissatisfaction of landowners with the distribution of compensation for damages caused by the gigantic copper-gold mine at Panguna, exemplifies the decreasing social constraints on the pursuit of self-interest when rationalized as advancing group ends.

#### Namaliu Reaps the Whirlwind

Whatever the origins of crime, Prime Minister Namaliu is held responsible, both domestically and internationally, for taking steps to control it. On 14 March 1991, he announced a curfew in Port Moresby and elsewhere. He indicated his government would take a series of actions to reduce lawlessness, apparently measures developed by the Security Review Task Force chaired by William Dihm, Secretary, Department of Personnel Management (Dihm 1991):

- Deploy the Defence Force, special constables and village peace officers to help the police;
- Provide the Police with extra vehicles, improved communications and better facilities;
- Construct gates on roads into Port Moresby to block criminal movements;
- Install emergency telephones in all police stations in the National Capital District;
- Recruit an additional 20 expatriate police to work in police stations and on operations;
- Build maximum security sections immediately at prisons near Port Moresby and Lae;
- Train prison officers in the use of firearms and provide Defence Force and police support to keep prisons secure;
- Ask Parliament to make the death penalty an option in cases of murder and gang rape;
- Introduce other forms of punishment such as tattooing prisoners' foreheads;
- Ensure that prisoners sentenced to life in prison serve a life sentence;
- Make available extra prosecutors and lawyers to speed up hearings for serious crimes, and give police professional assistance in preparing court cases;
- Re-introduce the Vagrancy Act and a bill to allow repatriation of unemployed people and trouble-makers to their home areas;
- Introduce an identity card or pass system, if affordable;



- Crack down on the sale of fire-arms and manufacture of home made guns;
- Suspend all gun dealer licenses immediately and increase penalties for illegal possession of firearms;
- Restrict liquor sales during curfew periods and return liquor licensing powers to the national government;
- Draft laws to address problems associated with extortionate compensation claims; and
- Establish a National Guard to ensure that all youth receive both military and civilian training (Namaliu 1991a).

The effectiveness of these measures, of course, depends on their implementation. Former PM Somare's "49 measures," announced in October 1984 following the Clifford Report, failed to have much impact for lack of follow-through. Political conflict with the Opposition is likely to sidetrack legislation needed to carry out some of Namaliu's promises, such as implementing the death penalty. Opposition Leader Wingti, responding recently to a Namaliu statement on law and order at the opening of Parliament, charged that crime is out of control, boding ill for non-partisan cooperation (RANS, 7 May 1991). Four provincial premiers announced their opposition to the National Guard proposal in May (RANS 7 May 1991). Negative US reaction to the tattooing proposal, reported by Papua New Guinea's Ambassador in Washington (O'Neill 1991, 8), similarly could prevent the adoption of that proposal. The tattooing

proposal, guaranteed to tarnish Papua New Guinea's international image, was nonetheless supported by PM Namaliu, possibly because its drama instilled a sense in the public that drastic measures would in fact be taken to stem the tide of crime. Calls for such steps have not been limited to politicians. The Director of the Institute of National Affairs, John Millett, advanced the idea of turning over convicted criminals to their victims for summary execution in a paper presented at the February 1991 National Summit on Crime (Millett 1991, 10). Millett also suggested that the police were using an effective traditional remedy by destroying the property of a clan harboring a suspect.

Unfortunately there appears to be little consensus within Papua New Guinea on how to fight crime, or even on what is crime. Given this lack of consensus, Namaliu will have great difficulty accomplishing most of the goals he set. This will place pressure on him to achieve at least some visible results. The easiest method to deflect political heat over crime is to focus on tangible accomplishments that cannot be blocked by internal opposition.

Namaliu asked in his speech that private businesses assist police forces when approached, but local efforts are likely to be small-scale, have limited impact, and fail to impress politicians or voters interested in what can be done

for their own districts. Foreign aid is a key potential source for the funding to undertake large-scale, visible, law and order projects that could be applied to as many districts as possible for maximum political impact. The government reportedly planned to approach donor countries for law enforcement aid at the May 1991 annual consultative group meeting (PACNEWS, 12 February 1991). No major commitments directed at the police emerged from that meeting, except for the Australians. Foreign aid donors are unlikely to be interested in law enforcement projects such as the construction of a maximum security prison (advocated by some Papua New Guinea government officials). Few governments wish to associate their assistance programs with activities related to internal security.

Australia is the only major donor nation that is likely to respond positively to Namaliu's efforts to secure a new round of funding for improved police operations. Namaliu requested additional police assistance from Australia during an early 1991 meeting he had with a visiting Australian parliamentary delegation (RANS, 3 March 1991). Australian aid, however, is provided within a framework of bilateral cooperation that resulted in a major expansion of police assistance only last year. The RPNGC assistance program is likely to come under increasing pressure itself to produce results, so the Australian government will scrutinize the purpose and value of any additional requested aid intensely.

Australia cannot afford the impression that its aid is having little or no impact, any more than the Namaliu government can afford the suggestion that it is unable to cope with the law and order problem. Australia has gradually become more and more deeply involved with the RPNGC as part of an overall shift from budgetary support to project aid. This transition is worth examining in detail to understand the context in which Australia's assistance to the RPNGC is provided.

## **II. Australia and the Royal Papua New Guinea Constabulary**

Australian aid to Papua New Guinea is notable for the high proportion of the total Australian aid budget it represents, and the lack of conditions attached to it.

AIDAB asserts:

For many years, Papua New Guinea has been the largest recipient of Australian aid. No other donor country allocates as large a proportion of its total aid on an unconditional basis to a single recipient: 61 per cent in 1975/76, falling to 29 per cent in 1988/89.

Although Australian aid has declined in real terms over the last decade, in 1988 it still represented over 70 per cent of PNG's total aid receipts and 17 per cent of Papua New Guinea government resources (AIDAB 1989a, 3).

Excluding defense cooperation, there are four components of this assistance: budgetary support, project aid, balance of payments support, and retirement payments to former Australian government employees in Papua New Guinea.

-- Budgetary support refers to an annual subvention of A\$ 275 million in cash from fiscal years 1988/89 to 1992/93, decreasing to A\$ 260 million in fiscal year 1993/94, to the Papua New Guinea government to be used as it sees fit. This is the largest untied bilateral aid program in the world.

-- Project aid, linked to specific goals, will increase as follows: A\$ 15 million in 1988/89; A\$ 20 million in 1989/90; A\$ 25 million in 1990/91 and 1991/92; A\$ 30 million in 1992/93; culminating in A\$ 35 million by 1993/94 (AIDAB 1989a, 11). An additional A\$ 3.0 and 5.0 million will be provided in fiscal years 1989/90 and 1990/91, respectively. This A\$ 8.0 million extra was pledged at a 1990 World Bank Consultative Group Meeting for Papua New Guinea (AIDAB 1990d, 2),

-- Balance of payments support took the form of a once-only 1989/90 A\$15 million cofinancing of a World Bank structural adjustment loan (AIDAB 1990e, 22). These funds were also pledged at the World Bank session noted above, making the total additional Australian aid A\$ 23.0 million.

-- Australian government payments to retirees from the pre-independence administration are likely, in contrast, to continue indefinitely. The Papua New Guinea government is not expected to assume responsibility for such payments to Australians, given the relative poverty of the vast majority of its own citizens. This line item amounted to A\$ 16.4 million in fiscal year 1990/91 (AIDAB 1990d, 3).

Budgetary support underwrites much Papua New Guinea government spending. Since it is cash, the Papua New Guinea government does not have to contribute counterpart funding nor shoulder other than essentially minor administrative expenses. Nor are the funds tied to procurement in Australia. Funding levels and guidelines for both budgetary support and project aid were formalized in the May 1989 bilateral Development Cooperation Treaty, signed in Canberra during Prime Minister Namaliu's first official visit to Australia as Prime Minister.

A key Australian assumption--and indeed a Papua New Guinean one as well--is that Australia will continue providing both budgetary support and project aid well into the future. From the Australian side, however, doubt has increasingly been expressed about the effectiveness of budgetary support in bringing about economic growth and development, and thereby lessening the need for continued Australian aid. One of the earlier such manifestations was

the 1979 Harries Report, by the Committee on Australia's Relations with the Third World. It recommended "a significant switch from general budget support to project aid." (Conroy 1980, 3).

The 1984 Jackson Report, carried out under the auspices of the then-Department of Foreign Affairs, warned "Australian taxpayers may not continue to be supportive of the large aid program in Papua New Guinea unless there is evidence that the program is promoting social and economic development." (Jackson Report, 164). AIDAB itself admitted in its 1989 submission to an Australian parliamentary committee investigating bilateral relations with Papua New Guinea that one of its goals is "to maintain broad support within the Australian community for assistance to PNG..." (AIDAB 1989a, 2). This seemingly self-serving objective also reflects concern that the Australian taxpayer could come to rebel at continued unrestricted budgetary support for Papua New Guinea. Foreign Minister Evans did not hesitate to invoke that specter during an April 1990 visit to Papua New Guinea:

...I wouldn't wish anyone to think that... resources from Australia or anywhere else will flow open endedly so long as problems like this continue. It is very much a question of PNG itself showing the

willingness, the enthusiasm and the commitment to tackle its own problems (AIDAB 1990e, 1).

Australian policy-makers in the immediate post-independence period assumed that budgetary support was preferable to project aid because it enables the Papua New Guinea government to make its own decisions and to implement its own priorities. Retaining control over how Australian funds were spent through designing and administering project aid was perceived as a "neo-colonialist" approach to be avoided at all costs. As the Jackson Report observed:

If the present system of budget support were to be largely replaced by project aid tied to specific activities in Papua New Guinea, major problems would arise. Apart from the strains that would be imposed on the Papua New Guinea budgetary system, Australia would need to initiate large-scale planning and implementation operations in Papua New Guinea. There would be an undesirable tendency for responsibility and decision making to be taken over by Australian officials (Jackson Report, 162).

The Jackson Report nonetheless ended up endorsing a gradual shift toward administering Australia's bilateral aid to Papua New Guinea in the same manner as other regional programs, i.e., through projects. The Parliamentary Joint



Committee on Foreign Affairs and Defence (JCFAD) accepted these views, noting:

...the nature of the present program is not satisfactory. It is a program that lacks balance: it relies on a single mode of delivery and the recipient's ability to use it effectively to achieve its objectives; it does not necessarily allow and take advantage of Australian skills and expertise to develop aid activities in areas of Australian strength (JCFAD 1985, 21).

Foreign Minister Hayden visited Papua New Guinea in late July 1985 to work out "new aid arrangements" including, for the first time, project aid. The 1989 Development Cooperation Treaty confirmed this shift toward project aid, indicating Australia--and Papua New Guinea--formally accepted the need to tailor assistance spending more carefully to specific developmental goals. The two governments' willingness to carry out this structural change probably hinges, however, to a great extent on the replacement of budgetary support by increasing income from the mining and petroleum sectors, as major projects come on-stream in the mid-Nineties. If such projects are delayed, or government income fails to materialize in the expected amounts, Papua New Guinea may well have to come back to the bargaining table to seek additional budgetary support beyond

that provided under the Treaty. The Bougainville crisis is an object lesson in how unexpected events can alter the best-laid economic and financial plans. Australia's response will depend heavily on how Papua New Guinea is perceived to have used--or abused--the aid it has previously received.

Australian assistance to the RPNGC falls within the scope of the Development Cooperation Treaty, itself negotiated under the umbrella of the December 1987 Joint Declaration of Principles (JDP). The JDP, a non-treaty document, ensures that the bilateral relationship proceeds on an even keel, without the disruption by such actions as the sudden A\$ 10 million cut in total Australian aid in 1986. The Joint Declaration is also a key element in the Hawke administration's policy of "constructive commitment" with the South Pacific, formulated by Minister Evans in September 1988 (Evans 1989a, 10). The JDP formally commits the two Governments to cooperate in law enforcement under principle 18, "Legal Co-operation," of the 24 Basic Principles. Principle 18 states:

The two Governments will co-operate, in accordance with their international legal obligations and respective laws, in the area of law enforcement and seek to increase co-operation in other areas of the law,

including taxation law, business law and family law[.]  
(DFAT 1989a, Annex B).

Principle 19, "Crime, Terrorism and Smuggling," can be interpreted to support police assistance as well, insofar as it mandates the two government to cooperate "to prevent, detect and prosecute crime, terrorism and smuggling..." Principle 20, "Exchanges," encourages exchanges contributing to the development of human resources, one of the police aid project's principal objectives. The Joint Declaration essentially blesses the RPNGC project, legitimizing it as an appropriate recipient of bilateral aid, although the Declaration does not commit Australia to take specific actions. As one of the first aid projects undertaken under the JDP and Development Cooperation Treaty, the RPNGC program was also expected to acquire substantial symbolic importance beyond its practical impact (Draper Report, 195).

#### Australia Lays the Foundation for a Police Aid Project

Australia, having conceived and directed the RPNGC in the colonial period, naturally continued to play a major role in it during the post-colonial period. As late as 1987, there were still 81 expatriate officers, for the most part Australians, employed by the RPNGC at mid and upper ranks (ADAB 1987, 25). Australian training programs continued following independence, under the PNG-Australia Technical Co-operation Program (PATCOP). Nineteen RPNGC

Officers and Other Ranks were sent to Australia in 1984 through PATCOP, compared to only one to another country (Millar Report, Appendices, 71). PATCOP's total budget, however, amounted to only A\$ 2.37 million in 1983/84, and was projected to increase to A\$ 2.97 million the following fiscal year.

PATCOP covered a number of areas beside police training but its funding made up less than one percent of total Australian aid in each of those years (DFA 1984, 6). This demonstrates the relatively low priority accorded to specific programs aimed at the RPNGC. Materiel assistance and budgetary funding for the RPNGC, however, probably were provided through the "Australian Grant-in-Aid" (A\$ 299 million in 1984/85) and the "Miscellaneous Budget Items and other Direct Expenditures in Papua New Guinea" (A\$ 2.72 million in 1984/85) (Ibid).

The 1984 Jackson Report had relatively little to say about law and order in Papua New Guinea. It did comment "Although not directly related to Australian aid policy, the issues of law and order must be taken into account in any consideration of the future of Papua New Guinea." (Jackson Report, 158). This disclaimer of law and order as an objective of Australian aid policy, however, could not withstand the pressure building up for a major expansion of Australian involvement with police functions in Papua New

Guinea--pressure responded to with alacrity by the Australian Government.

Prime Minister Michael Somare's June 1985 proclamation of a national emergency in the National Capital District, including Port Moresby, lent urgency to, if not actually precipitated, a Papua New Guinean request for Australian police aid (Hayden 1985, 1105). The emergency followed a series of violent "raskol" gang attacks (Babbage 1987, 23). It involved both a curfew and a shift of police officers from other parts of the country to Port Moresby.

The emergency ended in early November, four days before Australian Foreign Minister Hayden confirmed that Papua New Guinea had requested police assistance and commented "There is clearly scope for very useful co-operation between us here." Hayden announced the dispatch of a senior Australian police officer--E.T. Millar--to identify the requirements for a five-year program; targeted July 1986 as the date for commencement of the effort; and indicated the project was intended to be part of "the new aid arrangements" he had negotiated in late July (Hayden 1985, 1105).

The latter arrangements were intended to inaugurate project aid as a component of the overall Australian aid program. Police assistance must have appeared a highly attractive proposal, given the importance of improved law

and order to the economy, the support of the Papua New Guinea government, and the value of retaining substantial influence within a key security force during a period of accelerated "localisation," in which Papua New Guinea nationals were slated to replace many expatriates. At the time, Hayden foresaw a place for project aid involving corrective services (prisons) and the court system as well, although no large-scale projects have yet materialized.

#### The Millar and Draper Reports

Hayden's expert, E.T. Millar, had the advantage of two major recent reports in drafting his evaluation of how to proceed with a police aid program: the Report of the Committee to Review Policy and Administration on Crime, Law and Order, commissioned by the Department of Provincial Affairs (the December 1983 Morgan Report); and Law and Order in Papua New Guinea (the 1984 Clifford Report). Yet Millar seemed to draw few lessons from the latter, particularly its emphasis on community policing.

Millar claimed at the outset that "this report is submitted in the belief that the Constabulary wishes to move from a mainly para-military style of policing to an Australian style of policing which is more community based and oriented..." (Millar Report, 11). Only a few pages later, however, he notes that "both the Chief Justice and the Police Commissioner criticised the recommendation of the

Clifford Report that village courts be made more effective.... The Police Commissioner did not believe that informal, community based agencies could provide a solution to law and order problems..." (Millar Report, 16). Millar failed to address these divergent perceptions, apparently assuming that the RPNGC looked to the Australian style as a model to emulate. The idea that the RPNGC was dissatisfied with its para-military structure and ideology was taken as a given, rather than treated as an hypothesis that needed further investigation.

There are several other important contradictions that went unrecognized by either the author or his successors. For example, Millar strongly recommended the expansion and specialization of record-keeping despite the Clifford Report finding that existing records of such basic data as criminal convictions were in a state of disarray (Clifford Report, 194). He also urged that police "be housed in the community in the same way as other members of the community" but then indicated he was thinking in terms of government-built housing--by no means the same mode of housing enjoyed by most community members (Millar Report, 18). Finally, Millar recommended a substantial expansion of tertiary (university) training opportunities for RPNGC constables (Ibid, 35), while simultaneously proclaiming that management training in Australia for RPNGC members had not been successful due to their lack of preparation (Ibid, 47).

These contradictions foreshadowed problems that the current RPNGC program still faces. The Australians, faced with the multiple and manifold weaknesses of the police system created under their own administration, assumed the remedy lay in more of the same, i.e., improving the implementation of their brand of policing. The Millar Report, submitted to the Australian Development Assistance Bureau (ADAB, later the Australian International Development Assistance Bureau) in January 1986, nonetheless was used to justify proceeding with an aid project that probably had already been decided upon. Papua New Guinea Police Commissioner Tasion announced the program publicly in January 1987, well before the Australian government approved it that August (PNGPC 1987).

Laurie Draper, a retired Commissioner of the South Australia Police, led a team to Papua New Guinea to implement the next stage: drafting the Feasibility Study and Project Design for an Aid Project to Assist the Royal Papua New Guinea Constabulary (Draper Report). The Draper Report displayed a keener appreciation of the difficulties inherent in attempting to transfer Australian police management styles and concepts. The team recognized that "part of a Western style system of law and order which has been introduced into a culture which is very different from western cultures." (Underlining in original). It also observed that "community policing ... is a concept and a



practice which has so far been scarcely attempted." (Draper Report, 11).

The Report's underlying assumption, however, remained the same: RPNGC problems have their roots in failure to follow proper (Western) management principles. For example, after discovering a lack of supervisory skills at the Non-Commissioned Officer and Officer levels, it blamed the problem on failure to receive in-service training and the irrelevance of the courses that were taken. The team determined:

...superiors need:

- More knowledge about management principles;
- Better administrative and personnel skills;
- To know how to discipline subordinates;
- To understand how people work (Ibid, 53-54).

Given its unfamiliarity with "how people work" in Melanesian societies, and consequent inability to formulate recommendations based on Melanesian management styles, the team probably had no alternative other than to fall back upon suggestions as to how improve operations according to the Australian paradigm. The perceived need, after all, was to improve police operations within the existing structure, not to come up with recommendations that deviated from Australian models.

The team therefore continued down the same path as the Millar Report. It advocated improved supervisory training; standardized police operating procedures and recording systems (Ibid, 83); increased manpower (Ibid, 126); and a high quality forensics unit (Ibid, 156). In an internal contradiction of its own, the Draper Report supported "community-based" policing (Ibid, 182), yet recommended against funding up to 40 community police stations in favor of only a few, high-profile, police stations in three regional centers: Lae, Mt. Hagen and Madang (Ibid, 129-130).

The Draper Report came up with two Options for a five-year training program--one costing A\$ 20.165 million, and a second, reduced, option, at A\$ 11.871 million, covering fiscal years 1987/88 through 1992/93. Both Options included advisory services; fellowships for specialist training in Australia (despite its firm opposition to a large-scale fellowship program); equipment, such as highway patrol vehicles, patrol boats, fax machines, communications, computers, forensic supplies and training materials; and administrative and management expenses (Ibid, 227-227a). Conceptually, the proposed project was aimed at police administration and operations; police training; forensic science; and computer facilities (AIDAB 1988, 6).

The team endorsed Option One, with maximum expenditure, maximum effort and, hopefully, maximum impact. Its four

police officer members obviously were deeply convinced of the need for a more professional RPNGC, clearly deficient -- by their standards--in virtually all areas. Two officials from Price Waterhouse Urwick, the company that became the project's Managing Agent, were equally keen, if less disinterested, participants (Draper Report, 5).

#### The RPNGC Project Takes Shape

The Draper Report was submitted to ADAB on November 15, 1986. ADAB, subordinate to the Department of Foreign Affairs and Trade, prepared a May 1987 Appraisal Report recommending that the project proceed at a total cost of A\$ 10.37 million, supporting the deployment of 14 advisors, as well as other activities. An important factor in AIDAB's August 1987 approval (AIDAB 1990d, 18) was the Appraisal's assessment that "The Law and Order situation in PNG is bad and, probably, it is getting progressively worse." (ADAB 1987, 6). The analyst also noted "Like most institution-strengthening Projects there is a fair degree of risk that the achievements will fall short of the objectives." (Ibid, 26). The benefits nonetheless outweighed the risks, although assurances by Papua New Guinea regarding its contributions were needed. (Ibid, 27).

Australia and Papua New Guinea signed a Memorandum of Understanding establishing the police assistance project on 22 December 1987, only two weeks after the 7 December 1987

signing of the Joint Declaration of Principles. Price Waterhouse Urwick (PWU) was appointed Managing Agent that same month. PWU began recruiting advisors--some from countries other than Australia--almost immediately. They had to take leaves of absence from their police positions to become PWU employees (CT 1991). The first tranche was assembled in Papua New Guinea in early 1988 in some haste, probably due to DFAT dismay over the delay (considering Minister Hayden's target date of July 1986) in getting the project going. A three-month organizational review slated to be conducted prior to the project was rescheduled to begin simultaneously with implementation, due to "the AIDAB requirement to establish the Project in-country as soon as possible in 1988..." (AIDAB 1988, 5).

As of April 1988, the project was to cost A\$ 11.9 million (Ibid, Summary). The project design was altered to reflect an Option 3 (Ibid, 1) that reduced Australian advisor inputs from 85 man-years in the original Option One to 45 man-years. Option 3 also cut RPNGC national training, administration and operations assistance, and forensic science and computer facilities funding (Ibid, 6). Mr. Draper was chosen Project Manager to direct in-country field activity, a position he continues to hold as of mid-1991. A Project Co-ordinating Group including officials of both governments, as well as the Team Leader, was constituted to provide policy guidance. The implementation document

indicated that the training component, probably viewed by the Australians as the most important element, was to emphasize Papua New Guinea-specific content and decentralization of training to the provinces (Ibid, 19).

Although not included in the RPNGC project itself, Australia initiated two additional police assistance activities in 1988. The Papua New Guinea government requested 150 houses for RPNGC staff throughout the country at a cost of A\$ 6.6 million. In November 1988 it also requested highway patrol vehicles, boats, fax machines and additional electronic equipment valued at A\$ 2.0 million. The latter had been envisioned by the Draper Report and all equipment was delivered by 1990 (AIDAB 1990d, 41-42).

Interestingly, the Australian government decided to supply the housing despite the Draper Report's opinion that RPNGC housing needs are a "domestic problem" undeserving of Australian aid (Draper Report, 130). AIDAB expects to provide prefabricated housing and prison fencing under the Commodities Assistance Program (AIDAB 1989a, 55). The latter assists developing nations to pay for Australian goods (AIDAB 1989c, 2). The housing assistance pleases the RPNGC beneficiaries, solidifying Australian ties; may be viewed by Papua New Guineans as contributing, however tangentially, to the fight against crime; and showcases desperately-needed affordable housing, to the ultimate benefit of its Australian manufacturers. The houses will be

constructed in 1991-92, under an October 1990 MOU (AIDAB 1990d, 42).

In the past two years the RPNGC project has expanded, in response to the deteriorating security situation in Papua New Guinea, to a level well beyond the original Option One recommended by the Draper Report. The project was estimated to cost A\$ 13.0 million in 1989 (AIDAB 1989c). Project activities began in February 1988. In June 1989 additional advisors were authorized. By August 1990 there were 21 long-term and four short-term advisors in Papua New Guinea, based in Port Moresby, Lae, Rabaul and Mt. Hagen (AIDAB 1990d, 18). The program was expanded again in January 1990, following the Ministerial Forum (a bilateral annual meeting established under the JDP). Support and training for the Police Mobile squads was added (Anderson 1990, 6). The program then included seven components: administration, operation, personnel management, forensic science, computing, training and mobile squad training (AIDAB 1990d, 19).

The Australian government nearly doubled both the size and the cost of the project in the latter half of 1990. In July 1990 it was estimated to cost A\$ 14.766 million (AIDAB 1990e, Annex C7A). Prime Minister Hawke announced during a September 1990 visit to Papua New Guinea that an additional 23 advisors would join the project at the host government's

request, according to an Australian government briefing paper (AIDAB Assistance 1991). The mid-1991 briefing paper indicated the total estimated cost of the project through its initial end date of December 1992 was A\$ 29.0 million. An informed source indicates that the total cost of the project may now come closer to A\$ 31.5 million.

The project is also consuming an increasing proportion of the total Australian project aid budget, rising from 26 percent in fiscal year 1989/1990 (Anderson 1990, 6), to a projected 45 percent of project aid during 1991 and 1992 (AIDAB Assistance 1991). This is the exact opposite of the trend AIDAB had envisaged, i.e., an increasing emphasis on health and economic infrastructure (AIDAB 1990b, 8). Police assistance is beginning to crowd out other, perhaps equally critical, development aid options dependent upon Australian funds.

The briefing paper indicated that a comprehensive joint mid-term review of the RPNGC project was undertaken in October/November 1990 by the Tasmanian Police Commissioner, Bill Horman. It stated that advances in all six components (apparently excluding the Police Mobile units component referred to above) of the project had been variable, but the impact in the training component had been particularly disappointing. The review recommended that training be strengthened both centrally and at the regional level. It

also highlighted inadequate Papua New Guinea resource allocation to the police, to which the host government has yet to respond. AIDAB declines to release the draft mid-term review, perhaps because it may yet be modified after the Papua New Guinea has completed its review.

Australia may be having second thoughts about the extent to which the project will succeed. A 1989 AIDAB publication admitted Papua New Guinea's law and order problems pose formidable obstacles to Australia's development cooperation program and declared "...it must be recognized that Australia's capacity to assist with rural development may be limited by social and political factors beyond the scope of project aid." (AIDAB 1989a, 63).

It now appears likely that the project will be extended when its formal term expires in December 1992, given the potential negative impact on public confidence were the increasingly visible program to end abruptly. Further expansion cannot be ruled out, given that Prime Minister Namaliu requested additional advisors during an early 1991 visit by 10 members of the JCFADT (RANS 3 March 1991), which has been conducting a review of the bilateral relationship since 1989. Paradoxically, Australia has greatly increased its financial commitment and advisory presence on behalf of the RPNGC at a time when the latter has come under increasingly sharp scrutiny for human rights abuses. The



RPNGC human rights record deserves particularly close scrutiny in light of its potential to evoke opposition within Australia to expanded cooperation with the RPNGC.

### III. Will Human Rights Limit Australian Police Aid?

Concern within Papua New Guinea over RPNGC lack of discipline has been evident for a number of years. For example, the 1984 Clifford Report, one of the most comprehensive assessments of the law and order in Papua New Guinea, noted that the police had an "emerging reputation for discourtesies to the public, for arrogance, for violence and for unseemly, often criminal public behaviour." (Clifford Report, 214). It took the repressive PNG reaction to the ongoing rebellion on Bougainville island, however, to focus the attention of such worldwide human rights monitoring groups as Amnesty International (AI).

In January 1990, AI released detailed descriptions of the alleged torture, ill-treatment and consequent deaths of two Bougainvilleans, one by the PNG Defense Force (PNGDF) and the other by both the PNGDF and the police. In the latter case, Aloysius Minitong, a farmer and environmental critic of the Panguna copper mine, was arrested on suspicion of being a member of the secessionist Bougainville Revolutionary Army. He was held without charge and beaten at the Boku police station, transferred to an army camp at Panguna and beaten again, and then taken to Joint Forces

headquarters in Arawa, where he was further beaten. He was then jailed at the Arawa police station without medical attention for his injuries, where he died on 28 December 1989 (AI 1990b).

AI followed up on the situation in Bougainville with a scathing report issued 26 November 1990 condemning the PNG Defense Force and riot police (RPNGC Police Mobile units) for having killed and tortured scores of people there during the preceding two years. It reported that "The government took few steps to stop or investigate these violations -- some ministers and public officials virtually condoned them....We fear security forces could kill and torture again if they are redeployed on Bougainville and are once again allowed to take the law into their own hands." (AI 1990a). AI conceded that the BRA had itself committed acts of violence, including murder (AI 1990b, 3). In fact, it ambushed and killed three policemen in early December 1988 (Maclellan 1989, 52). AI nonetheless noted that it believes "the use of violence by armed opposition groups can never be used to justify violations of basic human rights by governments." (AI 1990b, 3).

Australia's Department of Foreign Affairs and Trade (DFAT) flagged its own uneasiness over police conduct on Bougainville in an August 1989 submission to the Parliamentary Joint Committee on Foreign Affairs, Defence

and Trade. DFAT declared "The early undisciplined behaviour of the security forces, notably the police, gave rise to considerable concern that their activities could further alienate local people, many of whom may have some sympathy for the secessionist cause." (DFAT 1989a, 35).

The allegations of police brutality by no means have been limited to Bougainville. Over 450 police reportedly were deployed in Operation "Lo-Met '88" in September 1988 to Bougainville, the coastal provinces of Madang and Morobe, and several Highlands provinces. A PNG Parliamentary Member for Kainantu, in the Highlands, charged the following November that two of his constituents had been killed during the operation. An Eastern Highlands province MP, Andrew Korarome, was badly beaten by police and military personnel. Other reports claim that 14 villages in the Southern Highlands province were burned down, affecting 3000 people (Maclellan 1989, 38).

The US Department of State assesses the state of human rights in Papua New Guinea, as it does for virtually all nations worldwide, annually in its respected series, Country Reports on Human Rights Practices. Its February 1991 report indicated "police abuses appear to be growing" in Papua New Guinea (US Congress 1991, 990). Regarding Bougainville, it noted that the head of the national police had warned his

force that human rights violators would be punished (Ibid, 991), but then added:

Police, ... in Bougainville and elsewhere, were accused of beatings and rape. A staff assistant to a Member of Parliament was beaten by police, taken to a police station, and beaten again after accidentally bumping into a policeman while leaving a shop in Port Moresby, despite his prompt apology. The policeman was later charged. In another incident, a woman was pursued by men in an unmarked van. When she appealed to police in a patrol car, she was abused and severely beaten by policemen who emerged from the van. In East Sepik Province and Lae, policemen were formally charged with rape. There are credible reports that, in responding to the virtually constant tribal warfare of the highlands, mobile police squads have engaged in instances of rapes, beatings, slaughter of livestock, and burning of houses. (US Congress 1991, 992).

Within Papua New Guinea, the government Ombudsman, Charles Maino, deplored "Police bashing" of detainees, which he asserted goes on "almost daily." Maino declared during the February 1991 National Summit on Crime that "Police bashings and mistreatment of arrested persons must be stopped." (Maino 1991, 8). Echoing a conclusion reached earlier in the Clifford Report (p. 197), Chamber of Commerce

and Industries President Stan Joyce claimed that many penalties for crime are so light the police "would rather break a few bones on the way to the police station" since they know whatever sentence the criminal receives would not deter him from committing the crime again (Joyce 1991, 18).

Police Commissioner Ila Geno himself acknowledged at the same meeting that the Mobile Force's inadequacies were highlighted clearly by its experience in the NSP (North Solomons Province, including Bougainville island). Geno declared that a mass re-training exercise was consequently undertaken for the Mobile Force. He admitted:

"Too many complaints of misconduct and even brutality, was [sic] tarnishing the image of the Force. To combat this, I used two prongs. On one hand, I insisted on prompt investigation and harsh, deterrent punishment in cases of misconduct. This has gone a long way in restoring public faith in the Police. At the same time, I have upgraded the Community Relations Directorate, and have placed emphasis on the aspect of community policing. It is my endeavour to promote better and closer relations between the Police and Public (Geno 1991, 20).

On 4 February 1991, just before the National Crime Summit, Police Minister Ijape directed Geno to begin

disciplining his constables and commissioned officers, in response to "numerous complaints from all sectors of the community on the behaviour of policemen." (PACNEWS).

#### Origin and Public Perceptions of the RPNGC

It seems clear that virtually all sides accept that extensive human rights violations by RPNGC elements have occurred. To understand how this propensity to abuse came about, and why it is not likely to end soon, it is necessary to appreciate the origin and public perceptions of the police in Papua New Guinea. In 1890 British authorities in southeastern New Guinea island, then known as "British New Guinea," and later called "Papua," raised the first Armed Native Constabulary. The Germans in their own colony of New Guinea to the north and east first employed "police soldiers" in 1896, including Malays and men from Buka, a small island just north of Bougainville (Kituai 1988, 156). Papua came under Australian administration in 1906, and New Guinea followed with the 1914 outbreak of World War I.

Kituai, in article on villagers and police in Papua New Guinea, argues convincingly that the early police forces were organized along para-military lines. Their purpose was not to enhance the security of the hundreds of separate and often warring indigenous tribes, but rather to bring these peoples under colonial control. The Australian administration was pre-occupied with the latter as late as

the 1960s, so it is not surprising that extension of government authority was regarded as the paramount goal throughout virtually its entire colonial period. The obligations imposed on Australia under the UN Trusteeship it assumed over New Guinea following World War II almost certainly took a back seat to this overriding objective.

Pacification was regarded as successful when government patrols, spearheaded by a European patrol officer (kiap) and indigenous policemen, were able to operate in an area without challenge. Those forces levied work requirements, suppressed inter-tribal fighting, collected taxes and census figures, inspected labor recruitment, and occasionally procured indigenous women, all by force if necessary. The very act of establishing government posts on clan-owned land was viewed as a hostile act when no compensation was paid.

Kituai claims that the patrols were willing to use force because 1) the administration supported efforts to put down repugnant traditional customs, such as infanticide, tribal fighting, polygamy, cannibalism and headhunting; and 2) indigenous policemen accepted the theory that it was "necessary to use force to keep belligerent individuals and tribes under control." He concludes that the kiap and colonial system "in general required the police to be tough, dictatorial and sometimes brutal." (Kituai 1988, 158).

Policemen were normally recruited from one area to be used in another, since few would willingly injure fellow clan-members, with whom they identified themselves, on behalf of an alien group. This policy continues today: one observer notes that constables are not normally posted to their home areas, while another declares that most police are not posted even to their home province (Millar Report, 23; and Draper Report, 13). Constables are frequently rotated out of an area before they have acquired the experience needed for proficiency (Clifford Report, 195), further decreasing the likelihood of establishing ties with local communities.

At best, pacified peoples regarded the colonial government as a foreign intruder dedicated to interference with indigenous customs and culture. For most of the colonial period, the policing function in rural areas was carried out by the kiap, supported by his men, whereas the Constabulary as an institution was largely confined to the larger towns and cities and their environs (Draper Report, 12). The RPNGC incorporated the remnants of the kiap system following independence into the Field Constabulary, as distinguished from the Regular and Reserve Constabularies (Draper Report, 21-22). It thereby became heir to a long tradition of strong-arm rule over fractious peoples.



Steven Zuckerman, analyzing the case of a Highlander wrongfully killed by policemen near Port Moresby in 1979, makes the important point that indigenous peoples themselves may ultimately have come to see the police as a separate "lain," or clan, in and of itself (Scaglione 1981, 49). Zuckerman noted that whether the accused were "on duty" or "off duty" did not exculpate the government from having to pay compensation in the eyes of the bereaved group because of its interpretation of the police as a separate clan. The uniforms, ceremonies, and common housing all reinforce the tendency of indigenes to perceive an unfamiliar group of aliens as a homogenous unit similar to their own.

#### RPNGC Structure and Attitudes

The post-independence structure of the RPNGC has perpetuated the public perception of it as an alien institution. The Papua New Guinea police are under the sole control of the national government. Neither the local nor Provincial governments--nor indigenous tribes, for that matter--control any police units. RPNGC Provincial Commanders do not answer directly to anyone within the provinces they serve, unlike the highly decentralized American police, or even the provincially organized Australian police. For example, an RPNGC provincial commander job description emphasizes "A Provincial Police Commander is autonomous within his province and **not responsible** [boldface in original] to any person outside of

the Royal Papua New Guinea Constabulary in the exercise of his primary functions." (Draper Report, Appendix 3.5, 5). Similarly, a police station is "a fully autonomous unit," commanded by a Commissioned Officer or NCO "who is responsible directly to the Provincial Police Commander." (Draper Report, 25).

The RPNGC today is still considered to retain a self-image as a "Force," rather than as a "Service." For example, a recruit graduating from the RPNGC Bomana Training College was said not to know whether he was in the police or in the defense force (Millar Report, 44). The Clifford Report confirms:

A para-military approach dominated the structure, thinking, training and practices of the police force prior to independence. None of the efforts made before independence or since have been able to shake this dominant characteristic.

It notes in the same breath that "There is a very limited role for para-military policing in Papua New Guinea." The Report concludes "The persistent military nature of the police is, in part, responsible for the present deficiencies in the police force....until the police become a community based police force they will continue to be progressively

less capable of adequately handling crime in Papua New Guinea." (Clifford Report, 206).

The expectation that the police would remain in the hands of the national government informed even the recommendations of the Constitutional Planning Commission, well-known for its bias toward decentralization, as it drew up Papua New Guinea's Constitution prior to independence in 1975. The CPC promoted the establishment of provincial governments, advocating that governmental functions be shared according to a three-part division: powers reserved to the national government (the A list); subjects on which the provincial governments could legislate if the national government had not done so (the B list); and powers to be vested exclusively in the provinces (the C list).

The CPC reserved the police power for the A list, along with foreign affairs, defence, fiscal and monetary policy, national planning and other key functions. It may have recognized that any effort to decentralize policing at that time would jeopardize the very introduction of provincial government. The latter was achieved only by dint of a 1977 Organic Act following vigorous and frequently bitter demands by residents of Bougainville and other restless provinces. The Organic Act embodied substantially the same division of authorities as drawn up by the CPC, in particular confirming

national government authority over the police (Bonney 1986, 21-24).

There is no discernible movement today to devolve police functions to subnational entities, although there is an official, largely rhetorical, commitment to instituting "community-based policing." Papua New Guineans themselves appear to have accepted the colonial assumption that the police power is best exercised on behalf of a centralized administration through a national entity.

#### The Australian Dilemma

A Papua New Guinean national police that frequently abuses its authority poses a potentially serious policy dilemma for Australia, committed as it is to the rule of law and democracy, to the extent they are attainable, in its strategically important neighbor to the north. Vigorous Australian efforts to champion human rights aroused resentment among Third World nations, reportedly costing Australia re-election to the UN Human Rights Commission in the late 1980s (McMichael 1987, 322). Such efforts have been conspicuous by their absence, for the most part, in relation to Papua New Guinea. The principal exception, of course, has been Australian expressions of concern over human rights violations during the Bougainville crisis.

Prime Minister Hawke's Labor government so far has steered a middle course between two opposing tendencies in Australian politics: the assumption by the Right that assistance to Papua New Guinea is strategically justified, regardless of its government's behavior; and the suspicion of the Left that assistance to Papua New Guinea, although intrinsically and perhaps morally justified, is provided only to protect Australian economic and security interests.

The Hon. Andrew Peacock, MP, former leader of the Opposition in the mid-Seventies, and former Opposition shadow Foreign Minister, foresaw the usefulness of events in Papua New Guinea as a domestic issue. He scored the then-Labor Government during Papua New Guinea's transition to independence for alleged unwillingness to assist Papua New Guinea in the event of a major breakdown of law and order, pledging that the Opposition would not take such an approach (Wolfers 1976, 253). Peacock observed in 1986 that in most cases Australia would be unable to compel any change in foreign human rights practices, with its efforts achieving little at considerable cost (News Weekly 1986, 9).

MP John Spender, the Opposition's shadow Foreign Minister in 1988, had another go at a Labor Government by claiming, in reference to Australia's Fiji coup measures:

The Opposition believes in aid, not sanctions. Sanctions only hurt the people. When sanctions are imposed, or aid is cut off, a needy country is forced to reroute its energies. Necessity becomes the mother of invention and, to survive, the disaffected looks elsewhere for assistance." (Writer 1988, 14-15).

Shadow Minister for Foreign Affairs Robert Hill indicated last year that the Opposition views the law and order crisis as "a time of testing" for the Papua New Guinea government, during which Australia must "stand prepared to continue to offer reasonable assistance and political support." (Anderson 1990, 13).

In the same skeptical vein, an Australian academic observes that human rights advocacy imposes certain costs: 1) it leads to an over-emphasis on the role and functions of international organizations such as the United Nations; 2) it is "an encouragement to a kind of ethno-centric or cultural imperialism," imposing Australian values on other, very different, societies; and 3) it undermines Australia's claim to be sovereign over its own affairs (Gelber 1989). The net effect of these views is to downplay the importance of human rights abuses in Papua New Guinea.

The Australian Left's attitude toward assistance to Papua New Guinea displays its own unique bias, centering on

the proposition that "Budget support [cash transfers to the PNG government] is the highest quality aid because it is entirely under the control of the PNG Government: there is no element of neo-colonialism in its administration."

(Langmore 1988, 25). This preference for giving cash, as opposed to project aid, to Papua New Guinea satisfies a perceived need to make up for the harm caused by Australian colonialism. It begs the question of what is done with the funds.

Maclellan, writing in the liberal church journal Arena, does examine the motivations for Australian aid to the RPNGC. He concludes that use of the police to control trade unions and landowners "have raised the perception that increased funds for policing are geared to creating a suitable climate for investment in major economic projects." (Maclellan 1989, 37). A delegation organized by the H.V. Evatt Memorial Foundation similarly asserts "The root of human rights problems in Melanesia lies in the policies of forced development along western industrial lines." (Scott-Murphy 1987, 37). Such analysis leads them to decry the use of police to impose land use decisions and industrial settlements upon disgruntled landowners and workers, respectively. This opposition, however, is only a minor discordant element in a larger consensus supporting, or at least not objecting to, Australian police assistance.

Since the issue of how best to support law and order is an uncomfortable topic, there is a strong temptation to ignore it. Australian MP John Langmore, in a lengthy analysis of the Papua New Guinean and Australian economies in the global context, fails even to hint that problems with law and order are setting back Papua New Guinean efforts to achieve sustainable development (Langmore 1988). Similarly, the Law Association for Asia and the Pacific omits any mention of crime or law and order in its proposed Pacific Charter of Human Rights, preferring instead a vague exhortation in Article 27 that "Individuals shall exercise their rights and freedoms with due regard to the rights of others, collective security, morality and common interest." (Lawasia 1988, 48). Joseph Camilleri, a political scientist at La Trobe University in Australia, goes a step further by failing to address Papua New Guinea in his otherwise comprehensive survey of Australian human rights policy toward foreign countries (Camilleri 1989).

Left-wing and human rights activists do appear fundamentally skeptical of, if not opposed to, assistance to "security forces." For example, a Socialist Party of Australia publication claims:

Australian civilian and foreign aid programs ... need redirecting. At the moment they reinforce political,



military and economic dependency of smaller nations on Australia and other Western powers (Booker 1987, 24).

Camilleri declares that, in response to "lurid scenarios of foreign intrusion," Australia decided to expand its military role in the South Pacific, specifically by providing "training and technical support for [island state] defence and security forces," among other activities. He believes "The resulting militarisation of these small and fragile communities was likely to deepen their external dependency and strengthen the coercive apparatus of the state, thereby weakening the social and political fabric necessary for the observance of human rights." (Camilleri 1989, 112).

By implication Camilleri casts doubt on the idea that supporting foreign police in hopes of containing crime will improve the human rights of the populace at large, but he fails to develop this argument with respect to Papua New Guinea. To come out against police aid to Papua New Guinea directly, of course, would have invited critics to shift the argument to strategic issues. The operative consensus that so far has precluded significant human rights criticism of Australia's police aid program has been expressed best by David Anderson:

Law and order has clearly become a serious problem. As their performance in Bougainville demonstrated, there

is a pressing need for greater discipline and better training for both the PNG Defence Force and the police. This is one area in which Australia can help, is helping and should help more. The challenges to law and order spring of course from deeper economic and social causes and can only be dealt with successfully [sic] by long-term economic and social policies. But a more efficient, better motivated and better disciplined police force is essential in what most observers consider a deteriorating security situation (Anderson 1990, 2).

#### Australian Government Policy

Camilleri is not the only scholar to have given Australian policy-makers a free ride during the last several years on the issue of assistance to Papua New Guinea. For example, John Connell, a University of Sydney lecturer, finds that lack of police discipline encourages excessive use of force, but still concludes that "human rights have not been infringed" in Papua New Guinea (Connell 1989, 18 and 23). The Australian government's budgetary support aid policy won the backing of both the Opposition and its critics from the Left, although for markedly different reasons. The government has thereby been able to avoid addressing the question of human rights abuses perpetrated by the RPNGC. Neither former Foreign Minister Bill Hayden nor current Foreign Minister Gareth Evans mentioned

conditions in Papua New Guinea in their principal official human rights speeches (see bibliography). Nor did Hayden's first statement on the incipient RPNGC aid program (Hayden 1985) acknowledge that police behavior itself sometimes posed a problem.

In a United Nations forum in 1986, Australia took the position:

Assistance which promotes the development of national human rights infrastructures can take a variety of forms and should be accorded greater priority in deliberations. It has also to be recognised that many human rights violations occur as a result of carelessness in discipline or poor training. Improved training of public officials, especially those responsible for law enforcement and custodial institutions, is therefore of crucial importance (Robertson 1986, 164).

Senator Evans himself indicated in 1989 that "our primary objective in both aid policy and human-rights policy is to improve the situation on the ground for the ordinary citizen." (Evans 1989b, 196).

These justifications for Australian police aid stood the test of time reasonably well, at least until

international attention focussed on the RPNGC role in Bougainville atrocities. It was in the context of Bougainville that the Australian Department of Foreign Affairs and Trade (DFAT) publicly aired misgivings about police behavior, in an August 1989 submission on relations with Papua New Guinea to the Parliamentary Joint Committee on Foreign Affairs, Defence and Trade (JCFADT) (DFAT 1989a, 35). The JCFADT apparently failed to question DFAT further on the issue (AIDAB 1990a). Indeed, it had already commended the government for instituting the police assistance project in a March 1989 report, Australia's Relations with the South Pacific (JCFADT 1989, 205). This parliamentary absolution, combined with the lack of substantive human rights criticism by domestic Australian non-government organizations or other political groups, gives the Australian government virtually a free hand to implement police assistance programs for Papua New Guinea. Virtually the same condition with respect to military assistance was recently acknowledged publicly in the reported decision by the Australian government not to place conditions on the use of military equipment provided to the PNGDF--an issue that first arose as a bilateral irritant when Australia expressed concern over the PNGDF's alleged use of Australian-provided helicopters to conduct operations against the BRA with concomitant civilian casualties.

There are signs, however, that Australia is beginning to suggest that the RPNGC assign higher priority to discipline. The Police Mobile Unit retraining previously noted by Commissioner Geno undoubtedly involved introducing an appreciation of the value of restraint, even when dealing with sullen, perhaps hostile, civilians. The Australians appear ready to emphasize ethics, humanitarian values and community-based policing, as well as the importance of community support, in their advisory operations. The problem is that such goals tend to become merely trees in a forest of priorities. Only sustained and determined support by high-ranking RPNGC officials, backed up by the commitment of the civilian leadership, stands any chance of changing current RPNGC attitudes toward human rights. The RPNGC leadership in the immediate past has shown itself less than committed to the rule of law and discipline. Former Police Commissioner Tohian was arrested and charged with treason after issuing a 14 March 1991 call for police officers to assemble at Parliament to overthrow the government (Wesley-Smith 1991, 194). This poor example symbolizes the struggle within the police leadership over the proper role of the RPNGC in a society riven by ethnic and political conflict.

#### **IV. Strategies for the Future**

There are a number of strategies Papua New Guinea can undertake to deal with its recurring crime problems. It is probable that no one single one of the following potential

strategies will predominate, due to conflicting interests among key decision-makers. The importance of implementing at least some program, syncretic or not, is already driving the Government and is likely to filter down to individual MPs as well over time. Whether this will result in an effective effort remains to be seen.

#### Re-Allocation of Domestic Resources

PM Namaliu announced in an opening address at the February 1991 National Crime Summit that for the first time in years, the national budget contains a real increase in spending on the police and correctional institutional services (Namaliu 1991b). At the same seminar "the 1990 razor gang's decision to abolish the Ministerial Committee on Law and Order" was noted (Millett 1991, 18), sending a mixed signal about administration priorities. Only last November, the media was reporting "Police facing money worries" (PNGPC 1990) with regard to the 1991 police budget.

The Papua New Guinea government tends to have difficulty ensuring consistent and adequate funding for law and order. AIDAB notes that the previous Wingti administration's policy of emphasizing the "productive" over the "social" sector had very apparent social costs due to cutbacks in law and order spending (AIDAB 1990e, 13). For example, Wingti's 1986 RPNGC budget was Kina 41.295 million, but it had to be increased to avoid dismissing 300 members

of the Constabulary. The projected 1987 budget was K39.7 million (Draper Report, 174), although it later ended up at K41.081 million (ADAB 1987, 3).

Taking a longer-term view, Law and Order as a sectoral component of government expenditure (including Correctional Services, Defence, Justice, Magisterial Services, the National Court, and the Police) decreased from 11.6 percent in 1981 to 10.5 percent in 1989 (AIDAB 1990c, 19). It was scheduled to decline further to 10 percent in 1990, despite government statements that it was to receive priority (Ibid, 20). The projected sectoral allocation for Law and Order in the Public Investment Programme (Papua New Guinea's plan for capital investment in government projects) as of March 1990 shows a steady annual decrease, from K15 million in 1989 to K9 million in 1993 (Ibid, 38). There is room to wonder whether Papua New Guinea is willing to pony up the extra funds it deems necessary for the sector. The Australians must suspect Papua New Guinea would like to hold the line on Law and Order spending by obtaining increased foreign (i.e., Australian) support.

#### Expanded Australian Assistance

This option, of course, is a very popular option in Papua New Guinea, but not as popular in Australia. PM Namaliu's call last March for even more police assistance reflects the assumption that more is better. There is

reason to believe the Australians would respond positively to requests for incremental police assistance for specialized purposes, but the odds they will double the program size yet again are slim. To do so would invite criticism that they are militarizing a project aid program originally intended to achieve a balance in meeting Papua New Guinea's pressing social and economic development needs.

Dr. Bruce Harris, the author of the respected study of rascal gangs referred to earlier and currently attached to the Papua New Guinea Department of Finance and Planning, recently argued that RPNGC training is wasted because the beneficiaries are constantly seeking transfers to posts with better housing. He claims that provision of accommodation should be a first priority:

Rather than spending ten or twenty million over the next few years in unsustainable training, let us develop the basic condition which will ensure that such training can be sustainable -- that is, through improvement in accommodation and terms and conditions of service we can stabilise the force and improve morale. At that time we will be ready to embark on a comprehensive training programme which will have lasting effects (Harris 1991).



Harris advocates providing enough houses and barracks so that every member of the uniformed forces--police, defense force and correctional services--has a place to live. He notes that the Papua New Guinea government is currently discussing implementing a program with Correctional Services similar to that now underway for the RPNGC and remarks "we will insist that accommodation and terms and conditions be the centrepiece of any such programme."

The cost of providing housing up to Australian standards for any significant proportion of the uniformed services is obviously far beyond the resources of either Papua New Guinea or Australia, so it is simply not on. The proposal nonetheless is valuable for the insight it provides into an important assumption underlying the housing issue: the belief that the police cannot fulfill their assigned duties unless they are housed separately from the communities in which they are stationed.

#### Community-based Policing

This strategy would de-emphasize financial resource increases in favor of a change in RPNGC style, to one less confrontational and more service-oriented. It would focus on developing community relationships so as to gain the information necessary to combat criminal activities without coercion or intimidation. Community-based policing does not consist solely of the various programs mounted in its name,

such as Neighborhood Watch, safety houses, and foot patrols. Nor is it synonymous with enlisting the private sector to fund police projects the RPNGC cannot afford. Rather, it comprises "an approach to policing that recognizes that the police serve the public and that effectiveness depends on the public's cooperation and help."

The prospects for a successful RPNGC transition to community-based policing without radical change in its self-image as a para-military force are limited, despite professions of commitment from high-level RPNGC officials. The recent order by a Provincial Police Commander authorizing his men to shoot anyone destroying property in Goroka, Eastern Highlands province (RANS 6 June 1991), is an example of the para-military ideology in action. Proposals to continue or even accelerate the separation of police from the community through aid-financed housing would work against, rather than for, this goal, but this nonetheless appears to be the direction the government is favoring.

The Papua New Guinea government may well propose that its Papua New Guinea Defence Force (PNGDF) soldiers be retrained and equipped with Australian assistance to serve police functions. A "joint" but "separate" military cooperation review requested by PM Namaliu last September during PM Hawke's visit (TPNG 1990) is currently underway. It provides an avenue for discussing how to allocate

increased Australian military assistance, which has doubled to A\$ 54 million in 1990/1991 since the Bougainville crisis began (AIDAB 1990e, 23). One alternative is to redirect part of the military budget to internal security functions, i.e., to the RPNGC instead of the PNGDF. The second, more likely, alternative (assuming the PNGDF would object to a substantial cut in its resources), would be to assign police functions to PNGDF units. Given that the behavior of the PNGDF on Bougainville was no better than that of the RPNGC, and may have been worse, there seems to be little justification, at least in terms of winning over communities, for its involvement in police activities, although it might prove useful in securing major highways currently threatened by criminals. Militarizing police work would ultimately drag the RPNGC further toward the military outlook, rendering the RPNGC less likely to adopt community service concepts suggested by Australian advisors.

#### Devolution of Police Functions

Devolution is the principal option that has almost never been seriously considered. The top police brass would be unalterably opposed, of course, to any establishment of competing centers of authority, particularly in light of the difficulty they have as it is in gaining RPNGC funding. Devolution, to stand the greatest chance of succeeding, would have to take place below the provincial level, at the levels of effective community mobilization. This means the

villages. Following T. E. Barnett's emphasis on the importance of community self-policing (Ross and Langmore 1973, 67), the existing village peace officers could be upgraded to independent "town constables," recognized as having the power to enforce village court decisions, and provided a monthly stipend. Training for those communities ready to sponsor their officers could be provided by RPNGC elements in Melanesian Pidgin, using community-based curricula and concepts provided through the Australian RPNGC project. The Village Court system itself is viewed as an effective institution. For example, Australia devotes a great deal of effort to defining its jurisdiction over Australian military personnel in the Status of Forces agreement negotiated with Papua New Guinea (ADOD 1989, Annex A).

This concept is not a popular one in either Australian or Papua New Guinean police circles. Neither the Clifford Report nor the Draper Report supported involving villagers in law enforcement. The Clifford Report opposed the proposal by the Ministers of Justice and Police to appoint village peace officers as RPNGC special constables (Clifford Report, 261) precisely because such a move would have made them responsible to the police instead of the community. The Draper Report opposed the concept of "community auxiliary policemen" because it would split limited

financial resources and the ill-trained members would be ineffective (Draper Report, 126).

The operative assumption by both expatriate advisors and RPNGC officials is that generalists (i.e., unskilled, untrained persons) cannot cope with emerging police problems (Clifford Report, 211). Justice Minister Narokobi recently challenged that notion, stating:

The increased professionalisation of police and law enforcement agencies has effectively disempowered and dispossessed [sic] the people of their right, their duty also, to be engaged in law enforcement.... I think we should relook at the role and the function of the police force in the community and the powers of the people, of the citizen in terms of his self defence, ought to be better defined. The power of the police in relation to the general law and order situation, has disempowered the people. There is of course a great need for specialised police but I think the community and the individual ought to have their role re-emphasised (Narokobi 1991, 53).

The RPNGC reportedly has embarked on a plan to employ two thousand men in the police auxiliary for three years to improve investigation and intelligence reporting on criminal movements (PACNEWS, 7 February 1991). The RPNGC apparently

is beginning to appreciate the need to get closer to the hundreds of communities that make up the Papua New Guinea polity. In a somewhat contradictory move, the Government also plans to introduce compulsory one-year National Guard service for youths between 13 and 19 years old. The National Guard, according to PM Namaliu's March 14 address to the nation, is intended to help with police work in rural areas, freeing up police to keep law and order in the towns and cities (Address 1991, 11-12). It is unclear how the police are going to keep tabs on their auxiliaries in the countryside if they are being withdrawn in favor of National Guard units. These seemingly uncoordinated initiatives exemplify the difficulty the RPNGC labors under in attempting to define a coherent strategy for getting closer to the communities while remaining an alien institution. It is not a problem that can be resolved as long as the RPNGC chooses to remain a para-military force that concentrates on increasing its isolation from the population it is intended to serve.

Village peace officers have the advantage of knowing their community, unlike RPNGC constables who come from other areas. The latter frequently may not know the local language and are housed apart from the community. The current, much-bemoaned, RPNGC failure to pursue complaints and investigations may reflect a simple lack of interest in the problems of persons belonging to other communities. It

may also reflect recognition by the RPNGC members themselves that the legal system's emphasis on individual justice is inappropriate and unwanted. The Western view that standardized procedures and records are essential to the administration of justice is not a valid argument against devolution of police functions. Justice, as accepted and supported by individual communities, is essential-- criminal statistics and other ancillary objectives are not, no matter how useful they may become once the community has reached a consensus on how it wishes to treat with lawbreakers. Village peace officers, of course, could not initially keep the peace between rival or warring groups, because of their bias in favor of their home communities. Strong local peace-keeping institutions nonetheless could serve as a precursor for more effective regional organizations. It seems apparent that external security institutions, such as the RPNGC, can impose law and order only to a limited degree over most of the country, principally because they lack community acceptance.

### **Conclusions**

Australian assistance to the RPNGC is channelled into forms the Australians feel most comfortable with and is aimed at replicating Australian service standards and philosophy. It is not surprising the Australians are repeatedly disappointed, since Melanesian RPNGC personnel have entirely different backgrounds, interests and abilities

than those of Australian police officers. The RPNGC is an institution created to serve the purposes of a integrating, centralized control bureaucracy--previously the colonial administration, now the national Papua New Guinea government. Its para-military heritage is an additional factor distancing itself from the people it claims to serve. Analysis of whether the RPNGC is achieving its objectives usually concentrates on its effectiveness in fighting crime. If the principal RPNGC goal instead is viewed as extending national government control and effectiveness, then the issue of how well it fights crime becomes almost secondary. Australia is bound to support the RPNGC even if its focus is not primarily on fighting crime, because the extension of national government control contributes to Australia's perceived security interest in having a politically unified and stable nation on its northern doorstep.

There are additional compelling reasons for Australia to back the RPNGC as the sole police authority in Papua New Guinea. Australian police aid is more easily delivered to a single, nationally-directed, English-speaking institution such as the RPNGC than it would be to a plethora of community-oriented, Melanesian Pidgin-speaking village peace officers. Coupled with the inevitable opposition from their RPNGC contacts to any proposal that would share RPNGC resources with others, this virtually guarantees that Australia will not rock the boat by encouraging the



devolution of police authority to autonomous village or community peace officers. Australians also are not comfortable in general with the concept of decentralized autonomous police authorities, such as those in the United States. For example, an Australian author asserts "By accident of history Australia has been placed at immeasurable advantage over America by having since the turn of the century a unified police service." (Swanton 1979, 84). This is a further reason for police officials trained in the highly centralized Australian tradition to look askance at any proposal to vest police powers in units not directly subject to higher authority.

The Papua New Guinea government is rightfully preoccupied with urban crime and unwilling to weaken one of its principal security services at a time when a major challenge to national unity (the Bougainville rebellion) is still underway. Prospects are therefore dim that village or community peace officers will be delegated substantial authority or resources in the near future, even though the Papua New Guinea Constitution provides for "the conferring of police powers on persons who are not members of the Police Force" in section 199 (USP 1983, 184).

Chris Ashton, an Australian freelance journalist who has advanced the thesis that Papua New Guinea is becoming a "brooken-backed state" in which the national government

negotiates with, rather than issues orders to, the provinces (Anderson 1990, 35-41), elsewhere notes there is an ongoing "metamorphosis of inherited institutions from Western to Melanesian purposes." (Ashton 1990, 54). RPNGC concentration on serving the needs of the national government, including its own institutional aggrandizement, may reflect the development of distinctively Melanesian goals, with little relation to Western values. It is not necessary to postulate that the entire RPNGC shares a commitment to national integration; in many cases, lower-ranking members probably view their jobs as a means of obtaining access to the cash economy, another Melanesian goal. The spark of commitment to effective public service undoubtedly could be fanned more brightly in RPNGC members, but such is the case with police officers and other public servants throughout the world.

Shortly after Papua New Guinea's independence, a pair of Australian academics noted:

Like colonial rule, aid is ethnocentric and assimilationist. Donors export capital goods and skills on the assumption that they are superior to those locally available and that they are needed in assisting 'development' towards models of social, economic and political behaviour usually assumed to be

understood by and acceptable to both governments, but usually left unstated (Ward and Ballard 1976, 439).

Ward and Ballard then suggest that "the years which follow independence in Papua New Guinea will see a rendering of the spatial, social, and political structure of the country as parts of the Australian overlay are stripped away." (Ibid). The current convulsions of crime plaguing Papua New Guinea can be viewed as a grim example of such a process in progress, with all its attendant human pain and suffering. If so, one can only hope that the transition to Melanesian institutions effective at suppressing crime will take place as soon as possible.

## Epilogue

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The statements in this paper are the views of the author alone, and should not be taken to represent the views of the United States government or of the U.S. Department of State.

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