LAND ALIENATION IN THE
NEW HEBRIDES: COLONIAL POLICIES
OF FRANCE AND GREAT BRITAIN

PLAN B PAPER
SUBMITTED FOR THE M.A. PROGRAM
PACIFIC ISLANDS STUDIES

BY
PALAUNI M. TUIASOSOPO
Introduction

The New Hebrides became the "Republic of Vanuatu" immediately upon attaining full sovereignty in July of 1980. It was not a smooth road to independence for the Melanesian Island Group because of the diverging attitudes and manners of administration by Great Britain and France. Events that unfolded subsequent to first contact with the Europeans testify to the antipodean nature of western mentality and indigenous disposition as dictated by the indigenous cultural, physical and spiritual environment. Visitors to the islands began to impose their values and aspirations upon the native New Hebrideans, and the resulting experience for the Melanesians ranked as one of the most indecent acts of colonization known to man.

Whalers, sandalwooders and other itinerant traders who visited the islands not only took advantage of the indigenous people, they also contributed to the depopulation of the New Hebrides through outright violence and the introduction of diseases not endemic to the natives. The labor trade, especially blackbirding, imposed such inhuman treatment upon the Melanesians that even the Europeans themselves were shocked at the level to which their humanity had sunk.
The missionaries, while advocating better and fair treatment of their heathen wards, imposed their own brand of colonization in the name of the Lord. Their intent was to civilize the indigenous "heathens" by replacing traditional practices and culture by western religious institutions and values. The missionaries were successful to the extent that a great deal of traditional life became extinct.

In the meantime, French and British nationals vied to establish influence in the group through the development of settlements and trade. Having established a penal colony a short distance to the south in New Caledonia in 1853, France supported nationals who embarked upon a self-styled program to make the islands French, including outright annexation. Great Britain, in the age of Victorian morality, refused to respond to demands to annex the group from its nationals who were established in Australia and New Zealand. The missionaries joined the parade of entreaties to the Empire but the Colonial Office agreed with the money minded Exchequer. Distant territories cost too much money to administer, especially when possibilities of returns were risky at best. Yet, London could not ignore its constituents in Australia and at home. Hostilities between France and Great Britain were simmering, and the prospects of a French New Hebrides creating a Tri-Color tripod with French Polynesia and New Caledonia looking over the shoulders of British Australasia was unthinkable. In the end, Great Britain was compelled to adopt a policy that recognized
the "independence" of the indigenous Melanesians of New Hebrides, justifying its hands off attitude by preventing any other government from annexing the group. As will be seen later, these attitudes had important consequences for the indigenous people.

As diverse as their routes to the New Hebrides were, France and Great Britain found themselves strange bed fellows in a condominium arrangement which legitimized their influence in the Island Group. British nationals, mostly from Australia, and French citizens from New Caledonia and Europe pushed into the New Hebrides in the largest land grabbing competition among Europeans in the Pacific. The indigenous people were cast into a "meat in the sandwich" situation as British and French settlers acquired huge tracts of land upon which plantations were established and from which trading activities were conducted. The national governments reacted to these activities in kind. This paper examines the colonial policies of France and Great Britain which led to alienation of land in the New Hebrides. As indigenous society and values were intimately tied to land, its alienation became an important factor in the breakdown of native "kastom" and society.

No appreciation of the land situation in the New Hebrides can be possible without a general understanding of events in history that described contact with the West and subsequent relations between the New Hebrideans and the Europeans. Chapter One presents a history, in brief, of the events that set the stage for French
and British involvement in the Island Group. This chapter also gives an overview of national policies by France and Great Britain in the New Hebrides.

But the indigenous people of the New Hebrides had their own ideas about land. Their whole sense of being is intimately tied to the land. Their culture and values relate to land, as native society is founded and maintained through land. It provides the means for maintaining their way of life. As well as describing indigenous view of land, Chapter Two defines the antipodean nature of European concept of land and indigenous land tenure and land stewardship.

Chapter Three is a recap of practices by the two European powers which led to the establishment of joint administration of the New Hebrides. It concludes with an analysis of the provisions of the 1906 Convention which delivered the final coup d'etat upon indigenous holdings, assuring alienation of their land.

CHAPTER I: History in Brief

Comprising about 80 islands, 30 of which are inhabited, the New Hebrides is arranged in an irregular "Y" shape, stretching from some 450 miles to 550 miles in the direction of south east to north west (Tonkinson 1968:1-3). Efate, where the capital is situated, is the main island. It is located near the fork in the "Y" and is
about 500 miles west of Fiji and 250 miles north of New Caledonia. The total land area of the New Hebrides is approximately 6,000 square miles or about 12,000 square kilometers (Plant:1977:9).

The total population of the New Hebrides in 1967 was placed at about 77,000, 92.5% of which were natives. The non-native figure is broken down to 1,773 Europeans, 659 Asiatics, 169 other islanders and 1,627 of mixed racial extracts (Sope:n.d.:4). The South Pacific Commission estimates of the 1980s is approximately 100,000. The majority of the natives are of the same racial stock as the Melanesians of Papua New guinea, Solomon Islands and New Caledonia. There is also some admixture of Polynesians. For the most part, however, the New Hebrideans are closest in physical characteristics to the Solomon islanders. The hair is dark, deep grayish black and wooly, except areas of the group, particularly in the East, where Polynesian strains are more noticeable.

The first European visitors to New Hebrides were navigators and explorers. Pedro Fernandez de Quiros, a Portuguese navigator sailing for the King of Spain, entered Port Vera Cruz in April 30, 1606. He concluded that this was the great southern continent and named the island Terra Australis Espiritu Santo (Beaglehole:1966:91-94). Captain Bougainville of France "discovered" the islands of Pentecost, Aoba, Malo and Malekula in 1668 and he named them the New Cyclops. (Steel 1880:3) But it was the British Captain James Cook who, after arriving in Tanna in
1774, accurately plotted the islands on the map between 14.40 degrees and 20.16 degrees south latitude, and between 165.40 degrees and 170.30 degrees east longitude (Steel:3). He named the archipelago the New Hebrides. Other explorers were to follow: de la Perouse in 1788, William Bligh in 1789, d'Entrecasteaux in 1792 and Dumont d'Urville in 1828 (Tonkinson:27).

The visitors were often met with hostilities. Quiros could not maintain the initial peace of discovery and violence broke out within one week of arrival. The Spaniards fired into a crowd of natives who curiously crowded around them. Other violent encounters occurred and Quiros departed the islands, blaming it on native hostilities (Beaglehole:93-96). Captains Bougainville and Cook were also forced to retreat in order to avoid clashes with the New Hebrideans (Van Trease 1987:1).

Native contact beyond tribal boundaries was limited at best and was dictated by the needs to collect food, acquire wives and wage war. These excursions were tempered by people's belief in the super natural, their way of explaining natural phenomenon which impacted on their daily lives. When the Europeans arrived in the islands the New Hebrideans could, therefore, only consider them within the context of native cosmology. For example, in Tanna, as in the rest of the Island Group, the world was considered all those things, including islands and people, seen by the naked eye as scattered in a vast sea. They were covered by the sky which
plunged into the sea at the horizon, sealing the world of the New Hebrideans. Nobody could venture beyond those boundaries. By the same token nothing was expected to enter (Joel Bonnemaison - In Press). Ancestors departed to the world below the sea when they died.

Thus, when the Europeans arrived, they were thought to be relatives returning to enhance alliances, and since they were white, they could only be taken as ghosts of the ancestors (Bonnemaison-In Press; Codrington 1891:11). One can imagine the emotionally charged situation on the beach and the excitement of the New Hebrideans upon seeing their relatives. They crowded to the seashore to welcome their kin with wild and exuberant dances. Their high spirits were evident by shouts of abandon joy as they jumped up and around, brandishing their weapons of bows and arrows and clubs. Children and families came to witness this phenomenon. Communities brought gifts of the highest order in their culture, such as the pig.

The visitors misunderstood native ebullience as volatile behavior. European behavior was incomprehensible to the New Hebrideans. The returning "ancestors" exhibited unfriendly deportment towards the natives. Their demeanor was guarded and their glances suspicious. Gifts were refused and their weapons were strange and terrifying (Bonnemaison- In Press). In addition, the visitors exhibited traits more human than those of any super
being. They were thirsty and hungry and were subject to heat frustrations, illness and even death. But even more damaging to their image was the insensitivity of the white man. In the spirit of reciprocity they were expected to present their relatives with gifts of equal value and prestige. Instead the items of peace offering by the white man were worthless metal and cloth.

The natives eventually accepted the presence of the Europeans but as people extraneous to their (New Hebrideans) world who were nevertheless required to be dealt with. The Europeans became necessary items in the lives of the New Hebrideans, but not of their world.

British nationals were well settled and operating in Australia by the early 1800s, and a trader, Peter Dillon, made the first foray into Melanesia for sandalwood, arriving on Erromango in January, 1825 (Shineberg 1967:16). Large quantities of the aromatic wood were found but Dillon was not able to harvest it because of native hostilities. Attempts were subsequently made in 1827 and 1830 using "workers from Tonga and Rotuma" but with the same results (Van Trease :14). After a hiatus of several years, the trade was reintroduced in the 1840s (Swann:1958:10). This time agents were established in the islands to collect sandalwood which was shipped to Australia and New Caledonia where the owners were headquartered. There were itinerant collectors but control rested with the agents.
The most colorful of these agents was James Paddon, whose activities were based in Australia although most of his trading ventures were located in New Caledonia. Sandalwood stations were established on Aneityum, Tanna, Erromango and Santo in the period 1844-1860.

Paddon's station on Aneityum grew as other traders began to arrive and as settlements of Europeans began to develop. More ships came to trade and obtain provisions. Paddon serviced them all, and the natives began to accept western goods and technology. In fact, as they became attuned to these trade items, native demands graduated from metal tools, tobacco and cloth to musket and liquor (Van Trease: 14-15). Significantly the natives began to demand traditional pre-European forms of wealth, especially pigs. "The Europeans responded by trading for pigs on other islands, to exchange for sandalwood" (Ibid).

The acceptance of trading stations required land. Paddon paid "an axe, a rug and a string of beads" for the island of Inyec in Aneityum (Ibid). As demand for Western goods increased trade expanded to other commodities such as copra. Some items were used to buy land upon which to erect a station. These sometimes included additional land on which coconut plantations were established in order to produce copra.
The Sandalwood trade was conducted with some sense of mutual benefit for the natives and Europeans but it was marked by numerous abuses. The practice of kidnapping or buying women to use on the ships for hire was rampant. The natives themselves used women decoys to lure crewmen inland and while engaged with them, stole fire arms (Adams 1984:38). Inevitably people were killed and a chain reaction of revenge and reprisals among natives and Europeans took place. The practice became so notorious that the Governor of New South Wales "...forbade the purchase of native women for sandalwood vessels..." (Swann:14). Natives were moved from island to island to work the "sandalwood depots" or simply engaged in the harvest of trees. While this meant greater control of labor, it created a situation ripe for violent clashes between island migrants and native locals (Adams:138).

Another example of unprincipled action by agents was the New Forest incident. Mr. Mair, an agent for James Paddon, got into an affray with the natives on Tanna and kidnapped eight of them on the vessel. When he returned, the natives killed two of his crew in retaliation. The trader sailed to Aneityum, repainted his vessel, returned and purposely shot five of the unsuspecting natives who paddled out to trade.

Thus, the sandalwood trade left indelible impressions on the minds of the New Hebrideans. Brutalities and murders contributed to the depopulation of the Group. Prostitution and callous use of
women introduced diseases previously uncommon among the natives. There was premeditated introduction of measles in Tanna in 1861 (Oliver:1952:1977). The availability of firearms for trade intensified internecine warfare among the local population.

Within a short time, the supply of sandalwood was drastically reduced as trees were thoughtlessly cut and harvested without regard to the maintenance of supply. Furthermore, a surplus of sandalwood created a glut in the China market and a reduction of demand and price. By the end of 1865 it was no longer profitable to engage in the sandalwood trade (Swann:20). But the memories of the past remained in the minds of the natives whose acts of reprisals could not distinguish between good and bad whites. Into this turmoil stepped the missionaries. They were not exempt from native reprisals.

One of the most influential introductions from the West was Christianity! After having been established in Polynesia, the missionaries of the London Missionary Society and their Polynesian converts arrived to "... bring Christianity and civilization" to the heathens of New Hebrides (Van Trease:15).

A critical element in New Hebridean magic and sorcery is the possession of esoteric knowledge. The new religion embodied many concepts that were congruent with native ideas of their own cosmology and spirituality. These concepts included ideas of good
and evil, reward and punishment, and the importance of rules and procedures in the assurance of reciprocity, purported to be received in the after life (Tonkinson:1983:77).

The Big Man or chief did not share all his information, inasmuch as the possession of unshared knowledge sets him aside from others.

"A person without secrets is without prestige, and a person with too many unshared secrets negates a fundamental imperative to exchange, so he lacks prestige." (Tonkinson:77-78)

Thus, careful husbandry of information and knowledge of the esoteric was important in traditional society. As a consequence, the missionaries were not expected to share all of their knowledge of their God, and it was assumed that what was withheld contained "... a major secret of their greater wealth and power."

"The establishment of schools, as well as the concerted attempts to bring literacy to the indigenous people so that they could read the Bible, proved the sincerity of the Christians in wanting to communicate their esoteric knowledge. (Tonkinson:77-78)

Further evidence of the power of the missionary's God was in the technology represented by the gifts of western material culture presented to the natives (Van Trease:17). And so the Gospel was delivered to the New Hebrides,
"... as an imperative, a replacement for, rather than an adjunct to existing knowledge, and it carried with it the promise of rich rewards for compliance and hellfire and damnation as certain consequences of its rejection" (Tonkinson:79)

But their work was not an easy road to success. The London Missionary Society pioneer to Polynesia, the Reverend John Williams, arrived on Tanna in 1839 (Oliver:177). He was murdered in the same year in Erromango, the first missionary to pay the price for the past atrocities committed by traders, especially the sandalwooders.

The work continued, however! Reverend George Turner and Rev. Henry Nisbet were left on Tanna in 1842, along with Samoans who had been trained as mission teachers (Inglis 1887:37-39). But the missionaries had to flee for their lives, leaving the Samoans to tend the missions as they were less likely to be subject to attack. Other deaths continued: Samoan missionaries left on Efate by Rev. Murray in 1852 were murdered 19 days after he left. In 1854, four Polynesians and their families were cannibalized and two died of illness.

One of the saving aspects of missionary work in the New Hebrides was the fact that there were no rivalries between Protestant denominations (Swann:25-27). Historically, the London Missionary Society was interdenominational and only became predominantly Congregational when other church societies were
founded. Furthermore, the doctrines of the two faiths (Congregational and Presbyterian) were not antipodean. But a critical need for manpower existed and the missions tried to solicit recruits from Europe and Australia.

The Rev. John Geddie of the Presbyterian Church of Nova Scotia was welcomed in 1848 (Inglis:39). His success in the New Hebrides was partly due to the cooperation of the LMS, and mission work was left entirely to the Presbyterians in the late 1800s. Assistance from islanders from other parts of the Pacific did not mitigate the need for missionaries. Australasian colonies were already tied to missions in Samoa, Tonga and Fiji. Eventually, however, a vessel and funds were available and by 1880 most Presbyterian work was supported from Australia (Inglis:33-34).

The missionaries found it difficult to acclimatize themselves to the hot and humid climate of the islands. They had no natural immunity to tropical diseases, especially malaria. As a result, the manpower situation became exacerbated as death and early retirement took their toll on active field hands. Furthermore, health problems forced longer rest and recuperation periods in Australia. The active hostility of other Europeans did not help matters. Traders talked derogatively about the missionaries and others tried to influence the natives against their work. But the worst influence against evangelism was the example set by other white people. The brutalities, use of alcohol and firearms,
prostitution of women and flagrant disregard of religious matters were all counter productive to the missions' work (Inglis:33-35).

The language problem faced by the missionaries was almost impossible because of its nature. Each tribe had its own particular language or dialect which was unintelligible to its neighbors. "It was . . . extremely difficult, in some cases impossible, for the missionaries to find Tannese words to convey their religious concepts" (Adams:61). This situation was true in other parts of the New Hebrides, as Rev. Henry Nisbet wrote in his Diary in December, 1842: "We were in need of a good name to express the Deity" (Quoted in Adams:61).

So the missionaries set out to put the languages into written form and to educate the population until they became literate. Their approach was to vigorously wage battle against customs such as cannibalism, widow strangling, warfare, kava drinking, nudity, tribal ceremonies and rituals, dancing and others by moral bombardment. The missionaries also demonstrated the efficacy of the new religion in terms of material value and spiritual rationalization. The objective was to totally "civilize" the natives by totally destroying their religion and esoteric knowledge, replacing them with concepts of Christianity. In their effort to accomplish this task, the missionaries were literally responsible for providing services to the natives including education, medical and health services, language teaching and
common daily skills. They even demonstrated physical skills such as house building and the drilling of wells as in the case of Rev. Henry Paton (Adams:111).

The missionaries also championed the natives, whom they considered as children. They were ardent foes of the labor trade which they charged as second only to diseases in direct responsibility for the depopulation of the islands (Linden 1954:461). The depth and scope of success of missionary work is evidenced by the fact that many New Hebrideans today have little or no knowledge of some of their original "kastom" and societal structure that gave body to its implementation. Graded society in south-east Ambrym "collapsed" early in the contact period and only faded memories of it exists in today's population. This is true in the rest of the Island Group (Tonkinson:1982:311).

The labor trade was the direct result of development of European plantations in the South Pacific (Oliver:80-96). First attempts to settle on Tanna in 1867 were not successful because of native hostilities. But the situation on Efate was more settled in the late 1860s and early 1870s, and several Europeans were able to negotiate purchases. Although these were predominantly British subjects from Australia and New Zealand, and sometimes via Fiji, there were other nationalities as well. British, German and French settlers were active and their colonies developed their own
interests. Copra, cocoa, sugar and fruits became items of export. Coffee was also sent to New Caledonia (Oliver:80–96).

The American Civil War was the impetus behind the growth of cotton planting which reached full maturity in the New Hebrides in the late 1860s. All these plantations required large supplies of labor because the white man could not or would not work the soil under prevailing humid conditions. The natives, too, were adverse to a full eight hours of continuous work on the plantation. Their work habits, reasonably, followed the heat of the sun and would only work during the early and late hours of the day when the air was cool. This was totally against commercial plantation requirements. The natives were, however, forced to work the full day when they were indentured to other islands of the New Hebrides, as was done by Mr. Paddon.

The blackbirders provided the answer and the traffic "was conducted almost exclusively by and for British subjects from the Australasian colonies" (Swann:47–48). The father of labor recruiting was Robert Towns, whose activities bridged the sandalwood and labor trades. His methods were above board but his contemporaries during the 1863–1872 period were interested only in the high return per labor head at the plantations. This period was fraught with unimaginable atrocities against the natives. Even Tannese helped recruit other natives for the white man (Swann:47–48).
As with the sandalwood trade, the blackbirders used alcohol to lure recruits to the boats (Belshaw:1950:58-59). In many instances they were chained after being drunk. Decoys sometimes were used. Several reports are known of traders dressed as missionaries to lure natives on board on pretense of religious teaching. Upon boarding the natives were seized and vessels took off with their human cargo (Swann:50). According to custom the older men monopolized the young women, and a young man had to wait for the better part of his life before he had his pick of the female population. This made the youth eager to recruit on the promise of a mistress or wife. The practice also raised the need to recruit women by whatever method required (Belshaw:58-59). Moreover the natives could not have understood their employment contracts. In many instances they were forced to extend their indentured period to pay for liquor debts or to pay passage.

In 1868 the Queensland Council passed the Polynesian Labor Act to regulate and control the introduction and treatment of Polynesian laborers (Swann:53-54). Traders were required to apply to the Colonial Secretary for licenses to recruit natives. They were required to post a bond and to give an estimate of the number of recruits needed for a three year contract. In addition the recruits were to be provided with food and clothing during the service contract period. The Act did not, however, help the natives of New Hebrides because it did not apply to the Group.
Violence often broke out, as in the case of one native who jumped overboard from the vessel Young Australia (Swann:54-55). The crew paddled after the fugitive and secured him with a hook, piercing his cheek. In some cases laborers were recruited from different areas, and because they were natural enemies, fighting broke out. One of the classic cases was the incident of the Carl from Australia in 1871 (Inglis:206). A Captain Armstrong normally took the Carl on trading tours throughout the islands. The natives who paddled out to trade found their canoes overturned by steel hooks attached to the end of the ropes and tied to the vessel. They were picked up and held in the hold of the ship. Thus were some 120 natives from different areas kept. On the 48th day fighting broke out and the crew fired into the hold all night. The next morning the dead and wounded were thrown overboard. On Erromango a young chief's daughter was kidnapped. Her father was killed point blank as he tried to save her (Inglis:212).

Another example was a first hand account (Speiser:107) of a French survey party that landed on Vao and threatened a whole tribe with removal from their islands unless thirty men were to enlist for plantation work. The people of the tribe were furious but unprotected. In the end the tribe became deprived of its best men "amid wailing and crying" (Inglis:107)!

Depopulation was a direct result of the labor trade. In 1886, thirty vessels, which made four or five trips per year, carried out
about 80 men each to New Caledonia. This total amounted to about
10,000 able bodied men a year (Linden:461). Reverend Speiser also
reported a "gamal" (Men's House) sixty meters long which

"... ... not many years ago was filled with sleeping
warriors. ... Today these long dark deserted houses
are too dismal for the few remaining men so that they
generally build a small gamal beside the big one."  
(Speiser 1913:116)

Twenty six men from Mali and Efate were taken to Fiji in
August 1866 on six months contracts. They were still absent from
the islands in August, 1877 (Steel:391). Many of them died of
disease and others were repatriated or re-signed.

Another example comes from Tanna. Fifty five natives were
recruited from 1898 to 1900. Thirty nine died, four returned in
dying condition and died upon landing, four returned crippled and
only eight returned in good health (Latham 1954:8).

The sale of liquor, spread of disease and introduction of fire
arms also contributed to the quick depopulation of the islands, a
situation so serious that labor was scarce to work the plantations
in the New Hebrides itself.

The Presbyterian missions were quick to attack the trade and
continued to persevere in their effort to win British annexation of
the group.
'There is no doubt at all that the Presbyterian missionaries prevented the extermination of the native race, by the vigorous steps which they took to combat the horrors of the sandalwood traffic and blackbirding which followed later. In the early days they stood almost alone in doing something to atone for the action of other white visitors to the group.'

(Codrington: 21)

They (Presbyterians) used every avenue available to them to voice their discontent and concern. Newspapers were utilized, agents and mission church communities in Great Britain were contacted. Officials of Government and members of Parliament were informed. Personal contact was used and letters detailing atrocities were written and distributed. One such communication was the earliest warning of labor trade and was presented to His Excellency the Earl of Belmore who was just beginning his term as Governor of New South Wales (Steel: 339-404). The missionaries cried out for some method of control. Mr. Julius Brenchley, naturalist and ardent traveler, pleaded:

"... In the Western Pacific Ocean there is hardly an island the traditions of which do not record, or the existing generations of which have not experienced, outrages that cause the inhabitants to distrust, fear, or resent the approach of the stranger race ... Surely if there were felt but a hundredth part of the interest in the fate of the Polynesian that was ounce, and is still, taken in the fate of the African, there would have been a shout of indignant remonstrance from one end of the land to the other. But where is now the Anti-Slavery Society? Where is the benevolent Society of Friends? Where is the slightest flush of that frenzy of indignation not long since exhibited in the case of the Jamaica black? But philanthropy has affection and hence it is to be seen fervid and flaming in one direction, while it is cold to rigidity in
another, where the claims upon its sympathy are very similar, if not the same. It is to be hoped that some member of Parliament will endeavor to divert his colleagues for a moment from matters more interesting to themselves, perhaps, and fix their attention on one than which none more concerns the honour of the national, and that is, the necessity of pressing the Government to make itself a vigilant and efficient representative of justice and humanity in these seas." (Steel:45-46)

In spite of pressure from its nationals, the British Government maintained stoic indifference. London had no interest in additional colonial adventures except annexation of New Zealand in 1840. Its policy was to maintain the independence of the New Hebrides by excluding another government from annexing it. Imperial interest, in this respect, was kept active by the maintenance of naval surveillance in the area. But its subjects continued to pressure for annexation, citing military security as the basic premise for such a move. In his letter of June 18, 1883 to His Excellency the Marquis of Normandy, proposing the annexation of the New Hebrides, the Premier of Australia pleaded:

"I would ask your Excellency to be so good as to call special attention to the fact that the desired annexation of these islands, stands altogether apart from any question as to a general annexation policy on the part of the Empire. It is of the first importance, in order to apprehend the true bearings of the questions, that it should be seen that this annexation has no connexion with any such general policy: that in fact the unwisdom of such a policy may be freely granted, so far as it is concerned, and the proposition still remains true, that it is an urgent necessity of Australia that the possibility of these island territories becoming the post for foreign guns and foreign ships, should, without delay be placed beyond question and
Still the extent of British official intervention was limited to visits of the naval vessels.

The Carl case and continuing incidents of brutality and unfairness compelled London to pass the Pacific Islands Protection Act of 1872, also known as the Kidnapping Act. It required licensing and the posting of surety with an Australasian administrator or a British consular office. A fine of up to 50 Pounds Sterling was established. Decoying was also forbidden, and the Governor of any of the British colonies was allowed to order naval patrol to the area. More effective control, however, was not achieved until the annexation of Fiji in 1874, the amendment of the Kidnapping Act in 1875, the establishment of the Western Pacific High Commission as a result of the Order-in-Council of 1877, and by increasing the Royal Naval establishment in the South Pacific.

French and British Rivalry

In order to present an overview of national policies regarding European activities in the Pacific, it is important to note that one of the underlying motivations that led the Europeans to cross the horizons of their seas was the concept of extra-territoriality. Discovery of new lands was not only in the interest of science and for discovery's sake. It meant glory and prestige in the world of
international politics. It also meant acquisition of new territory and the materialization of prospects for additional wealth. For others, it meant mitigation of crowded situations in the homeland. Thus, imperial rivalry in Europe spilled over into the Pacific in a scramble for colonies during the 19th Century.

French activities to establish its influence in the New Hebrides were a direct result of its policy to recover its honor and prestige by outdoing its arch rival, Great Britain. It encouraged colonization and provided direct assistance to French missionaries and settlers. This was especially true in the New Hebrides where France clearly intended to colonize by advancing the interests of her nationals at the expense of British nationals and the New Hebrideans. Indeed, France would have acquired the New Hebrides had it not been for British opposition, stimulated by missionaries, especially the Presbyterians and British settlers in Australia and New Zealand. Their concern was that annexation of the New Hebrides by France would be detrimental to their security and expansionist interests.

The Anglo-French Convention of 1887 was the first formal governing authority in the New Hebrides. Its purpose was to protect life and property of French and British nationals by establishing the Joint Naval Commission. The British Government was passive in the execution of the provisions of the Convention. It was, however, active in drawing up rules and regulations to
govern British subjects. These were called "King's Regulations" promulgated by the British High Commissioner who was also Governor of Fiji (Jacomb 1914:152-153). The Regulations imposed further restrictions on British nationals, one most notable provision of which was the total prohibition on the recruiting of women to work the plantations.

While British nationals were thus restricted, French colonials enjoyed unlimited freedom in their conduct of the labor trade. Indeed the loudest criticism of British actions regarding control of trade was the fact that it put them at a disadvantage against the French settlers, based in New Caledonia, who continued to employ methods from which the British nationals were prohibited (Jacomb:154-169).

Queen's Regulations of 1903 controlled the sale of arms and alcohol and imposed a fine of ten Pounds Sterling and three months in jail, or both (Latham:12). The French settlers, on the other hand, were allowed to import wine although forbidden to sell hard liquor. The leniency with which the prohibition was applied was one of the contributing factors in the continued presence of these items in the Group. In 1904 some 3,000 Pounds Sterling worth of arms and 3,900 Pounds Sterling worth of liquor were imported for a population of 1500 whites, 10% of whom did not drink. For the same population, 2,000 Pounds Sterling worth of arms and 5,000 Pounds Sterling worth of alcohol were imported the following year.
By 1904 trade was dominated by Australia, (Latham:8) as 17,150 Pounds Sterling worth of imports went through Sydney, compared to only 9,249 Pounds Sterling worth to Noumea. All transport was handled by the Australian firm of Burns Philip until the Compagnie des Messageries Maritime was established with direct subsidy from the French Government (Latham:8-9).

Australian trade policy on imports from the New Hebrides dropped the price on items and forced the settlers to sell to the French. For example, the tariff on a bag of maize was 3s/4d, and 3 pence per pound of coffee. The duty also effectively stopped the import of banana and peanuts into Australia (Latham:14). In contrast, the French Government revised its trade regulations relating to the New Hebrides. In 1892 the New Caledonia duty on coffee, figs, etc., was higher than in Australia. In 1901 a 50% rebate was granted on all New Hebrides imports into France, and the remaining 50% was spent on infrastructural improvements to benefit the French settlers. Furthermore other French territories were declared free ports for all produce from the New Hebrides. By 1905, 3,000 tons of maize and 50 tons of coffee were imported into New Caledonia, and the French Government subsidy to settlers increased from 13,000 Pounds Sterling to 20,000 Pounds Sterling. This was compared to the Australian subsidy of 3,500 Pounds Sterling for the same year. More and more of the British subjects were forced to embrace the French system and live under the Tri-Color in order to survive.
Australian reaction and British inaction demonstrated the lack of a definitive policy regarding the New Hebrides. In July of 1904, speaking in the Commonwealth Parliament, Senator Stanisforth Smith said that:

"In the opinion of the Senate a bill should be introduced by the Government to provide for a rebate of the duty paid on the actual products of the soil imported into the Commonwealth which have been grown in the islands of New Hebrides on land owned and occupied by British subjects."

(Quoted in Latham, page 14)

In the House of Commons on the same day, Sir Elliott Johnson encouraged Government support of Australian settlement of the island and urged a "more satisfactory agreement with the French Government respecting their control than at present existing"

(Latham:14).

In the meantime, Australia continued to press for annexation and accused Britain of apathy. It even offered to pay the cost of annexation. This rhetoric, however, became less enthusiastic when the Colony was asked if it was prepared to pay 150,000 Pounds Sterling worth of French interests. Proponents of annexation argued that it was really the responsibility of the Imperial Government. Thus, while Britain continued to be passive, France increased its interests during the early part of the 20th Century.
CHAPTER II: Land, Polity and Alienation

More than 100 distinct languages are spoken by a population of more than 100,000 (1980s) which results in a situation of extreme cultural fragmentation (Plant:9; Van Trease1987:4). This situation, in turn resulted in a great variety of land tenure practices. But there are sufficient similarities that create substantive commonality throughout the Island Group. In addition, the social structures through which land practices are implemented are similar.

Land ownership is traditionally vested in tribal groups or clans and lineages (Linden 1954:451). An individual's rights to land are acquired at birth through either mother or father, depending on whether the society in which he lives in is matrilineal or patrilineal.

The native New Hebridean views land as an integral part of his being. He depends on land for all requirements of his existence, from the building of his house to the cultivation of his garden, plants and fruit trees. Shifting cultivation is practiced and because land must be allowed to fallow for some time, New Hebrideans require large tracts of land for planting his garden. (Van Trease:3-4).
Land is the source of New Hebridean identity as it is an extension of his lineal descendancy. It is his connection to his ancestors. This is where they are buried, where he was born and is expected to be buried, and where his progeny are born and expect to be buried in the future. From the land the individual New Hebridean derives his "social status, powers and livelihood . . . (and) name" (Van Trease:4).

The tribe represents the largest land holding grouping and may comprise one to three villages, each with a population range of 50 to 300 people (Sope, n.d.:7). Clans are the second largest unit, and they in turn are divided into lineages and extended families. An individual's relationship to the larger society is always through these connections of descent.

Land owned by clans is divided into plots which belong to lineages and families. Each man divides his plot among his children who inherit "ownership" upon his death. The disposition of land, however, is the prerogative that rests with the clan as a whole. Where hereditary chieftainship exists, the chief is trustee for the clan and may enjoy virtual ownership of the property. He cannot, however, dispose of the land on his own judgement. This is a decision of the whole clan or village (Linden 1954:451). Ownership in this case is defined as the continuing occupation and
utilization of land. In some areas of New Hebrides, this "ownership" is rediscussed in the clan upon claim of each generation of families (Van Trease:5).

Although land may not be sold outright, an individual can acquire usufruct rights to a piece of land for which he pays rent in produce, or the land owner may simply take his due. Temporary use is usually an "agriculture year" which is 12 months with each counting based on the stages of yam cultivation. Magic plays an important role in agriculture. Sometimes, a magician decides the times for planting and harvest. Magic is mixed with technology, and the magician, because of his knowledge of the stars and celestial calculations, is also known as a specialist (Deacon 1970:172-177).

Another manner by which land may be temporarily alienated is through debt. For example, if a man borrowed pigs from another man and he dies before he returns the same number of pigs to the original owner, the creditor breaks as many leaves as there were pigs sold. The claim on land is activated by displaying the leaves in a prominent place as a sign of default in repayment. The sons and male relatives of the debtor reclaim the land by providing the number of pigs owed. The leaves are then removed and the claim on land is lifted.
As in many aspects of land tenure, very little or no information is available on sanctions that underpin practices except that trespass on land within a person's claim may lead only to verbal protest or grievance. Trespass on land outside the clan may lead to war. Likewise, no information is available on how the gardens are utilized except the types of food traditionally planted, such as yam, taro, bananas and breadfruit.

The following primary features of land tenure in the New Hebrides describe the varied procedures of ownership and land usage:

"The emphasis of rights of various levels of groups over those of individuals (but with the clear recognition of both), the almost universal practice of granting temporary rights rather than absolute alienation, the predominance of male over female rights and the concept that land rights could be perpetuated or acquired through the application of physical labor. Furthermore, underlying the total structure was the implied notion of extreme flexibility allowing for alternative solutions to almost any situation in which the overt rules of custom created undue obstruction for the individual in gaining access to the necessary land to enable him and his family to meet their daily needs. (Van Trease: 12)

Claims and counter claims over time are the results of idiosyncrasies specific to local people. Solutions are never clear cut and require informal negotiations, give and take as well as political maneuvering. The basic issue in land dispute is the strength of the claim to plots or boundaries of the individual plots.
**Native Polity:**

Native polity is based on a chiefly system which varies throughout the Group, with the "big man" on the one end and a hereditary chiefly system on the other (Melone 1980:43). Basically, however, society requires that each individual who aspires to be a chief or big man must prove his ability in everyday life. For example, he has to demonstrate his ability to build his wealth by mobilizing his family and relatives; or he may be a brave warrior as in Erromanga, and must constantly demonstrate his dexterity in warfare by killing an enemy every once in a while. He may also be a hereditary chief as in Efate, an indication of Polynesian influence. For example, Ati George Sokomanu, (present Secretary General of the South Pacific Commission) was named George Kalkoa at birth, until he was invested with the Sokomanu title in the Village of Mele on Efate. Underpinning these variations is the fact that each chief or big man must demonstrate his wealth, and must strive to accumulate for the purpose of distribution and sharing among the clan in a concept that is similar to the idea of "one upmanship" in the western world.

Throughout New Hebrides, especially Aoba and malekula, a system of graded societies exists in a graduating ladder which provides conduit for upward mobility (Lamb 1905:117-1233). Each grade has its own representative paraphernalia that includes carved images and art work such as masks, freeze figures or dance implements used in their own ceremonial rituals. The higher the
grade the greater the degree of secrecy and the farther the ceremonial house from the communal area. The uninitiated breaks into this secretness on pain of heavy penalty or death.

Other than land, the most important possession is the pig. With it, an individual can buy anything he desires, from women to food to land to sympathy, to forgiveness, to higher office, to absolution from wrongdoing and even the death of an enemy.

"Pigs become the be-all and end-all of life; when they are small the woman suckle them; years of industry are devoted to their nurture and a good tusked pig is a man's most cherished possession; in some islands it never leaves its owner's hut, and it is fed with great care upon selected leaves and grated coconuts. In old days, tusked pigs of different degrees of excellence were the only currency, and with them men bought their girls, wives, and paid fines for breaches of native morality, and it was by sacrificing these pigs that they took their place in the ritual of the secret societies. Even to this day (1925) the only file in the Government office in north Santo is headed, very significantly, 'Pigs and Women'" (Buxton:1925-1926:423)

The higher the societal stakes the greater the number of pigs that must be accumulated and distributed, until the individual accumulates the greatest number, thus graduating to the highest levels of society chieftainship which, in some islands like Efate, are titled. The phenomena of the pig has become more intensified in the central New Hebrides where the size of the tusks, and not that of the pig, has become the object that counts (Shineberg:1967:175). As such, there is painstaking care in the
breeding of the animal, with much attention directed to training the lower incisors into perfect circles or curvilineal amulets. The grade is more than just an honorific status, as each rung in the ladder marks further exemption from taboos and food restrictions which beset the life of the uninitiated.

Magic and religious belief play an important role in the life of the people. Planting and harvesting of crops, particularly of yams, is determined by the family or clan magician or medicine man. This also includes the timing and preparation of ritual ceremonies. Magic has been used to "attract women, help anybody who wishes to commit adultery, wage war, causing death and even making peoples' legs to swell" (Linden 1954:521). Fertility and adequacy of food supply depend on magic. Sometimes the clan chief is the family magician. If not, he may have one or two practitioners to perform the rituals and assure all around success of the clan. The practitioner is highly knowledgeable and exacts a high price, which in turn helps him to advance in the graded society.

Along with this belief in magic is the strong belief in the afterlife and mythical beings, all related to the ancestors and communication with them through objects and rituals. Pig sacrifices are made to secure survival in the spirit world. Ancestor skulls are modeled and painted to literally reflect the identity of the deceased relative, and his effigy is decorated to reflect his wealth and rank in life. Drawings and paintings are
executed in complicated design patterns as essentials in the journey "followed by the ghost of the dead man to the land of the dead" (Linden:454).

"The elaborate preparations for the rites occupy the collective energies of the village and serve to perpetuate in the people a deep consciousness of their unity as a group with their ancestral spirits." (Linden:454)

The whole life of the individual is thus regulated through and by cults built on ceremonies and ritual that represent religious beliefs and which celebrate kinship relationship even beyond physical life. These beliefs are directly related, through kinship relationship, to the land. From childhood and adulthood, neophyte to initiation, clan and communal ownership to usufruct rights, kinship relationship to clan loyalty, all make up the total sense of being of the New Hebridean tied to the land through kinship. Land, therefore, represents the cultural and hereditary link of the individual to his past, present and future.

"One called another 'brother' because they had both been nurtured by the same soil. It was the clans who owned land, families having individual holdings within the clan's area. In fact a clan was its land and 'men ples' the indissoluble identity of a man and his land, is one of the most important connections governing Ni-Vanuatu life." (McClancy:n.d.:20)
The Alienation of land:

The first sale of land in the New Hebrides took place in 1867 when Henry Ross Lewin bought 324 hectares on Tanna for 800 Pounds Sterling worth of goods (Van Trease:19). Other Europeans followed and much of the land on west Tanna was purchased but the killing of Lewin in 1871 ended European settlement on the island. The situation on Efate was a lot more friendly and several land purchases took place, mostly by British nationals from Australia and New Zealand. This wave of settlement and land acquisition coincided with the rise in demand for cotton, occasioned by the American Civil War (Van Trease:21).

Commercial settlements were on a small scale and the planting of crops (cotton, maize and sugar) did not appear threatening to the local people. In addition tribal wars had declined by the 1870s due mainly to restrictions imposed by the British Government on her citizens (Van Trease 23). London was unwilling to repeat the Fiji experience where settlers increased internal rivals, forcing Britain to annexed Fiji (Scarr 1967:176). Licenses to recruit labor for the plantations were refused. Furthermore, British planters were susceptible to malaria and other maladies associated with climate. The commercial blow to British settlement came with the collapse of world price for cotton.

British policy towards land alienation also frustrated citizen efforts towards settlement. In 1881, Sir Arthur Gordon, the first
Western Pacific High Commissioner and Governor of Fiji, attempted to restrain land transactions by requiring land claims to be registered in Suva, Fiji. The application for registration had to be accompanied by a description of indigenous land tenure. The idea was to limit land transactions by forcing European purchases to respect native tenure practices (Scarr:189). The requirement for a description of land tenure, however, "seemed to imply granting of title and protection by the Government" (Van Trease:23).

"Though I was especially careful to impress on British subjects in these islands in general and particularly on those who brought papers to me to be registered, that it was not to be assured that registration would convey any guarantee of title, it did appear that . . . in spite of this caution . . . the claimants as a rule believed, or at least hoped, that their claims would in some measure be strengthened by it.

"They seemed to be persuaded that registration of the papers connected with land claimed by them could at least give them a right as against any subsequent purchasers (of British nationality) of the parcels which they asserted that they have already bought from the natives; and that in the event of annexation of the islands by a foreign power, the fact that their claims being registered would tend to improve their position.

"I am inclined to think that the recommendation to register claims has had the effect of rather encouraging purchases of land; though, it may have tended also to make purchase a little more exact in their proceedings with the native vendors." (Quoted in Van Trease:24)
The Colonial Office thereupon ordered rejection of all applications to register lands (Van Trease:24). The policy, however, did not specifically prohibit the alienation of land by British citizens. In addition, no internal agreement existed governing individual practices. As a result land alienation became rampant.

The Europeans came to the Pacific for the express purpose of turning a profit and they saw land as a commercial property, acquired by inheritance or outright purchase and sold for profit, lock, stock and barrel. Land, to the European settlers, therefore, represented not only wealth but power and influence and is expandable only for those purposes. In this regard the Europeans could not accept the pre-existence of any native rule or law governing the use of land (Beasent 1984:1-3). This view was diametrically opposed to the New Hebridean's view of land as part of his being. The sale of land to settlers was therefore acquisition of usufruct rights by the Europeans. Silence by the Melanesian on land issues was likewise interpreted as acquiescence to alienation when in fact it was due to his belief that the use of his land will return in time.

British economic interest decreased towards the end of the 1870s, although they (British settlers) continued to arrive. At the same time French interest began to increase with the establishment of a large plantation on Efate by Ferdinand
Chervillard in 1880. French planters began to thrive in Epi, Malekula and Santo (Van Trease:24).

The most famous and most notorious of these French settlers was John Higginson, originally a British citizen who moved to new Caledonia and became the nickel magnate. He later moved to New Hebrides as a French citizen and began to acquire huge tracts of land for plantation (Aldrich 1990:18).

Higginson founded the Compagnie Caledonienne des Nouvelle-Hebrides (CCNH) in 1882 which became the mechanism for amassing land holdings and to encourage French settlement of the New Hebrides. In this way, Higginson intended to assure French influence and eventually annexation of the Island Group. One of the biggest land grabs in the Pacific had begun. He purchased every available land, most of which came from British nationals who could not maintain their plantations due to British restrictions through regulations, illness or other reasons. One of them, Donald McLeod, sold his 100,000 hectares on Efate and Malekula and became Higginson's agent in Port Villa (Van Trease:26).

Land was also purchased direct from the New Hebrideans. The ship Caledonnie was sent on tour of the islands. Natives were enticed on board and plied with liguor and western goods. (Beasant:10) They were induced to transfer title to lands along the coastline by affixing their hands to sale documents. In most
instances the captains and the sellers did not leave the ships to inspect the properties. Instead boundaries were visually established from the ship's railing. Some 95,000 hectares in northern New Hebrides or 8% of the total land area of the Island Group were purchased on board the ship Caledonienne in 1882 within a period of only 12 days.

In order to give official recognition to the purchases, the Governor of New Caledonia ordered the captains of warships around the area to certify the date of purchased. The next year, the company claimed the purchase of almost 2 million acres of land (Morrell 1960:352).

The company went bankrupt in 1894, but the French Government came to its rescue by buying CCNH assets and renaming the company Societe' Francaise de Nouvelle Hebrides (SFNH) under Government guidance. A subsidy was granted of 360,000 French francs for a period of 15 years. Part of the sale provisions allotted 50,000 acres of land to be made available to French colonists. Free transport and mail services were also provided (Morrell:352). By 1904 SFNH laid claim to some 3,000 square miles of New Hebridean land, a full 55% of the area of the whole Group (Sope:12).

To counter this massive French effort at land acquisition, the South Sea Speculation Company (SSSC) was established in 1884 by Mr.
W. E. Morgan, a trader in Australia (Van Trease:27). Techniques similar to those used by Higginson were used to buy land from the New Hebrideans (Scarr:199). In 1886 and 1887, company agents established claims to land on Epi, Ambae, Ambrym, Emae, Pentecost, Malekula and Santo. These claims were similar to those made by Higginson in that they were for large tracts of land along the coastline. But boundaries were vaguely set out, as was the case with the Higginson purchases. For example, land in northern Malekula was described as:

"Commencing at the north east point called Latatarre extending along the coast for a distance of two miles in an easterly direction, from the south west point called Lomamaris running in a southerly and easterly direction for three miles. The inland boundary to be a direct line joining the extremities of either coastline and frontage to be the sea beach including all bays and rivers and the Bay of Wabeau lying between the points Latatarre and Lomamaris." (Van Trease:27)

Land was also purchased from white settlers who were operating on a small scale. The same methods were used and boundaries were vaguely described. The paper to which the sellers affixed their mark were registered as outright sales. These claims were registered with the Western Pacific High Commissioner and were immediately sold to Higginson. This was a pure case of land speculation.

In addition to resistance to activities by the French companies, the Presbyterian Church began to urge the Australian
Government to establish a company to counter French activities. In 1889 the Australian New Hebrides Company (ANHC) was established. It provided trade and shipping services to both British and French citizens in the region. But the most important purpose of ANHC was the acquisition of land and the encouragement of British settlement of New Hebrides (Van Trease:31-32). Large tracks of land were purchased on Santo, Epi, Efate and Tanna in 1889. The recruiting of settlers from Australia was on the way by 1891 and nine settlers were placed on 24,000 acres on Santo.

The Burns Philip Company assumed the land holdings of the Australian New Hebrides Company, which amounted to some 50,000 to 100,000 acres (Latham:13). Its colonization scheme of 1902, a purely Australian initiative, offered land practically for free to any interested settler. It also offered free transportation and guaranteed mail services for almost every month.

Although their manner of acquisition cannot be compared to speculation by the European businessmen, the missionaries, as a group, nevertheless represented another means for land alienation. The first requirement of mission work was the acquisition of land upon which a mission house and home for the missionary were constructed. On July, 1970 Rev. Watt purchased land from the natives of Tikilasoa Village on Nfgunda (Van Trease:16-17). The sale documentation contained detail description of boundaries and the transfer of land as well as trees and stones on the property.
The purchase were European goods. The whole island of Aniwa was
deeded to the Presbyterian Mission by the chiefs of all districts
who signed the transfer and received the price in goods (Van
Trease:30). More than 1400 hectares of prime land was acquired
near Port Vila on Efate which would have gone to settlers if it had
not been for the Presbyterian missionaries (Van Trease:31).

The most important reason for accepting missionaries to stay
was the acquisition of trade items useful in the life of the New
Hebrideans. There is no real cost to the land inasmuch as the
natives were not interested in their use, at least at the time of
purchase. In addition, the sale is viewed as temporary, based on
their land tenure practices. A piece of land, therefore, may be
sold for trade goods because it is considered to be haunted, as in
the case of the Nguna Village land and Erakore Village on Efate.
In some cases land was of no value due to its unproductivity, as in
the case of the island of Mataso which had sandy loames (Van
Trease: 17).

These trust lands, or land deliberately acquired by the
missionaries on behalf of their New Hebridean converts, were later
turned over to the New Hebrideans. However, they were no longer
governed by customary land policy and their traditional value was
replaced by western commercial ethics. The lands had lost their
original utility and stewardship (Sope:13).
The most effective way to denude New Hebridean society of its underpinning was the dispossession of land. The preceding discussion underlines the value of land as an integral part of New Hebridean life. This enables the identification of commonality despite extreme cultural fragmentation due to diversity of language and tenure practices. Land provides a sense of permanency that counteracts the impermanence created by the fluctuation of genealogical lines and descent groups and the need for flexibility of land utility principles to take into consideration existing conditions in the communities.

In this connection, the sale of "ownership" of land would be tantamount to the sale of oneself, his family, his ancestors and his community. It would be the sale of his past, present and future! It is inconceivable, therefore, that the New Hebrideans sincerely intended, at any time, to wipe themselves off the face of the earth for only a few trinkets from the western world. It is said that native procedures and decision making create the natural solution that mitigates against inadequacies that surface in society due to the changing nature of culture. In the case of the New Hebrides, ownership of land must remain forever with the unchanging descent line. The use of land, however, becomes personal property and may be transferred or sold to another individual on a temporary basis. This makes sense inasmuch as descent lines remain but individuals do not.
The British Government continued its overall policy of non-intervention except in the supervision of its citizens in the Group. Averse to acquiring additional expense to its already bulging exchequer balance sheet, the British proposed the independence of the New Hebrides as a people that should be respected and left to their own existence. This policy, however, held fast only as long as there was no other government interested in annexation.

In terms of land alienation, Great Britain allowed herself to be moved by events. Although it preferred preservation of New Hebridean environment for the indigenous people, it would not, or could not prevent the acquisition of land by the Australian business people and Government. The compelling consideration in this instance was the active interest of the French nationals and the French Government for annexation of the Island Group.

CHAPTER III: The Coup D'état

Concomitant to its policy to regain honor and prestige after the Napoleonic Wars, France effectively used the state, religion and science in playing its role in the imperial rivalry in the Pacific. Nowhere else was this more apparent than was demonstrated in the New Hebrides, as France set out to abet and protect its interests, through the French nationals in the Pacific, at the expense of Great Britain, British settlers and the native New
Hebrideans. After establishing a penal colony in nearby New Caledonia, France began to lobby its influence in the Island Group.

French nationals mounted a massive effort to purchase large tracks of land throughout the Island Group, most of which represent some of the best real estates in the islands. Potential settlers from Noumea and Europe were enticed to establish plantations and to engage in trade. Subsidies were offered as well as shipping and mail services. France's support for these activities was both overt and substantial. It took over a bankrupt land holding company and allotted land for occupation by French settlers. Trade policies were altered to assure advantage to French plantation owners and to direct trade to French colonies and the mother country.

Later on, France embarked on a program to lobby native sympathy by establishing and subsidizing schools, health services and other developing activities for the New Hebrides. France was intent on achieving supremacy in the New Hebrides by preserving land ownership by its nationals. This became its central concern throughout the land issue in the Island Group.

British involvement in the Pacific was greatly influenced by Victorian morals expressed in the urge to uplift the native islanders to a higher plain of nobility by bringing them western civilization. Christianization of the islanders became the
rallying call for this noble purpose, and the missionaries came to
the Pacific with bible and hymnal in hand and faith in God. Their
zeal became one of the strongest currents that drew Great Britain
to the New Hebrides. The Imperial Government provided the
assistance of the Royal Navy, a lot of moral support and no money!

Although it annexed Australia in 1788, New Zealand in 1840 and
Fiji in 1874, Great Britain was uninterested in acquiring distant
territories. It was preoccupied elsewhere in the world and was not
prepared to add the cost of annexing New Hebrides to its already
bulging budget. It would not, however, allow any other government
to claim the New Hebrides. The development of British presence in
the Pacific during the period of imperial rivalry was therefore
left up to the British nationals who settled Australia and New
Zealand and the Presbyterian Church.

British policy of limitation and prevention followed the lines
of Christian principles of love thy neighbor as thyself. Great
Britain considered the New Hebrideans disadvantaged and as they
were totally unaware of western civilization the Imperial
Government was eager to play the Big Brother role. British settlers
were prohibited from trading in arms and alcohol because it
corrupted the natives. Titles to land which the settlers claimed
were purchased from the New Hebrideans were refused registration
because they infringed on the natives' right to ownership. Trade
in human labor was also prohibited. These regulations to implement
the policy restricted British nationals while leaving the French with a free field for trade and plantation operation (Scarr:176).

But Great Britain could not ignore its citizens in Australia, New Zealand and New Hebrides, nor could it turn a deaf ear to the Church. These were its nationals and they required the protection of the Mother Country. The Church, especially the Presbyterians, would not allow Great Britain to forget that it was the most civilized and humanitarian country in the world with a general disposition to respect the rights of the underdog. Still the Imperial Government remained indifferent and would not annex the New Hebrides. Instead, it declared the independence of the Island Group and advocated its rights to development. This declaration was, however, attached to the provision that no other government could annex the Island Group.

Intent on countering French influence, the Presbyterian missionaries increased their efforts to acquire land in trust for the New Hebrideans. In the meantime the Church in Australia and in Europe continued to solicit Government and private sector interest. This resulted in a substantial effort to purchase land and to recruit British nationals to settle and establish plantations in the islands. Plots of land were made available and subsidies were provided. Shipping and mail services were also made available to British settlers.
When land acquisition by Europeans was at its peak the New Hebrideans were nonplused because most of these large tracts were not occupied. This made sense from their standpoint since to the New Hebrideans the sale of their land was acquisition of the right to temporary use and not the transfer of title. Moreover, most of these land purchases were still unoccupied. They were surprised, therefore, when the Europeans began to clear the land for settlement and for planting. Some of these activities even encroached on land that were currently occupied by the New Hebrideans (Beasant:12).

On the island of Epi French settlement and plantation plans were the focus of SFNH activities. A memorial in 1899 by the Presbyterian Mission indicated that,

"... matters have now reached a condition that is simply intolerable. Land, in varying-sized lots, along the shore, has been acquired from time to time by the French New Hebridean Company. These pieces of land ... were strictly coast lands, and did not extend far inland. It now appears that for the purpose of making a French settlement ... a plan of the French company's property on Epi has been prepared showing the situation and extent of the said property, as divided in allotments. This plan was secret and no British subject is supposed to see it. This secret plan discloses the astonishing fact that the claim of the French Company includes the whole of the west coast of Epi from the Front-land ... stretching inland to a uniform depth of nearly three miles, the back boundary running parallel to the west. This area includes whole inland villages which have never had any dealings with the French Company.
(Full quote in Van Trease:41)
In Tanna in 1871 Presbyterian minister Reverend John Geddie understood that,

"The natives on the west of Tanna have sold much of their land to white men . . . . it is very doubtful if these land transactions were properly understood by the natives, and they will at no distant time be a fruitful source of trouble." (Thompson 1980:20)

Conflicts between the indigenous New Hebrideans inevitably found physical expression. In Malekula settlers were attacked by villagers who proclaimed that they would purge the New Hebrides of Europeans (Beasant:12). A settler was killed in Santo in 1891. There were other attacks against Europeans (Van Trease:33) and the conflicts could not be ignored by the two metropolitan powers.

French troops landed on Efate after some settlers were killed in 1886, and the British protested. The Colonial Office expressed the view that land claims,

"was hardly a matter to be dealt with by naval officers, but more connected with civil administration . . . . these disputes should be settled by Consuls or special officers delegated for the purpose as civil Commissioners, but that their decisions should be enforced by the Naval Commission . . . . provisions being made to that effect in the proposed Regulations . . . . ." (Van Trease:38)

But there was no response on record by the French Government, and the matter was not discussed until about 16 months later. France did, in fact, propose in July of 1886 that the two
governments should discuss the issue of protection of their citizens and their properties, although it took that long to complete negotiations and produce a Convention in November 16,1887, establishing the Joint Naval Commission. During that interim period, French settlers were able to simply move onto land they claimed with support from the French Navy.

The British were able to prevail upon the French to change the wording of the Convention of 1887. The original language provided for the protection of "lives and property" of French and British settlers. The British amendment included the New Hebrides in that provision (Van Trease:39)

Regulation No. 6 under the Convention establishing the Joint Naval Commission read:

"The Commission shall have no further or other powers than are expressly delegated to it by these Regulations, and no British or French officer shall interfere in disputes concerning the title to land, or dispossess of their lands any persons, natives or foreigners."
(Ibid)

This time London noted that the provision left room for French settlers to force the natives off of their land. Yet the British did not followup with an amendment to the Regulations and the French elected to "let sleeping dogs lie" (ibid). France, however, proposed the only amendment to the Regulations, substituting "Shall
not" in place of "... no British or French officer shall (ibid). The British were quick to accept France's proposal, thinking that this was an indication that France might accept the idea of establishing a Mixed Civil Tribunal to settle land disputes. But no such provisions were inserted into the Convention and, because of the difference in objectives by the European powers regarding settlement of land disputes between the New Hebrides and settlers, there was no progress in this matter.

The 1906 Convention

Clearly, the Joint Naval Commission failed to respond positively to the issue of land in the New Hebrides. By taking over the bankrupt Compagnie Caledonienne des Nouvelle-Hebrides in 1888, France increased its interests in the New Hebrides dramatically. It was therefore to its advantage that land claims by French settlers were recognized. As such, France embarked on an aggressive policy of protection for itself and French settlers in the New Hebrides. But it was becoming increasingly difficult for France to maintain control of the situation in the islands, and there was conviction that another arrangement to administer activities in the New Hebrides was necessary (Van Trease:42).

Responding to increasing pressure from its nationals in Australia and the New Hebrides, the British continued its efforts towards settling land disputes. It proposed to the French that the
two governments convene a special commission to review land titles. The British view was that titles should be tested by investigating the way in which they were acquired. France balked at this idea because such a scheme would reveal the questionable manner with which land was purchased by the CCNH. It preferred, instead, that claims be accepted at face value and proposed extending the powers of the Joint Naval Commission to include the settlement of land disputes and title issues (ibid).

In subsequent discussions to reach agreement on a mechanism to address the land issue, France argued that governments were not responsible for past actions, and proposed the establishment of a fixed period beyond which claims could not be contested. At stake were hundreds of thousands of hectares acquired by the SFNH which France now wished to legitimize.

"A Basis for an Agreement" was proposed by Great Britain which, after several amendments, became the Convention of 1906, establishing the Condominium of the New Hebrides. Article 15 of this document represent British concessions to the French. Rather than its previous position of investigating the manner of purchase of land, Great Britain accepted the principle of occupation as being adequate to confer title. In addition, specific criteria already provided for dealing with defective land claims was substituted by the principle that the Joint Court should deal with such cases by using its discretion to "effect a just and equitable
compromise of all matters in dispute" (Van Trease:45). France was in total disagreement with the British proposal.

The other key issue was how much importance the proposed Court would give to the principle of actual occupancy in deciding land claims. The British position was to maintain "effective occupation" because recognizing all land claims without occupation would increase the likelihood of conflict. The intention of Great Britain, according to its representative, Sir. Eldon Gorst, was to prevent injustice to the natives and to stop the acquisition of large quantities of land (Van Trease:46). France countered by proposing that deeds dating more than 10 years back and duly registered should be confirmed without dispute.

France continued to offer amendments to press its intentions. They dealt with two categories of land disputes. These were cases involving registered titles more than 10 years old which could only be contested if unsigned, and all other disputes. In the case of the second category involving disputes between natives and non-natives the Court would have rules where claims by non-natives may be established on evidence of occupancy for three years and improvements on the land, "and/or by the submission of title-deeds" (ibid). This was significant because it meant that the Court could accept occupation and improvements as enough grounds to issue permanent title without having to submit a title-deed. Based on the French proposal a non-native could simply occupy a piece of
land, install some improvements and then proceed to claim title through Court. The British original proposal provided that non-native claims could not be considered without title-deeds. The British further proposed that disputes could be heard if the,

"... deeds were not signed properly, the vendor did not understand the effect of the sale, the deed was obtained by improper means (violence or fraud) or the conditions of the deed had not been fulfilled." (Van Trease:47)

Conspicuously absent was an earlier stipulation by Great Britain that the deed must include an accurate description of the land that was being claimed. But, as the French proposed, the Court would be empowered to examine and set boundaries for disputed properties.

The British held firm to its objection to the French proposal to hold inviolate title-deeds that were more than 10 years old and registered. The French continued to press for British acceptance of its proposal until finally Great Britain yielded and agreed that these deeds should be separated from those of more recent dates. The two sides proposed amendments. For the British, this was their last resort. It proposed that deeds of more than 10 years old could be questioned if they were,

"... not properly signed, had been obtained by improper means or if the land did not belong to the vendor but to another individual or tribe." (Van Trease:49)
France proposed that such deeds could be admitted only if a tribe or an individual could prove that he had the right to use the property and that "this right has been infringed" (ibid).

But France added another catch all amendment,

"Title deeds which received de facto recognition by reason of transactions between non-natives for valuable consideration shall never be disputed." (ibid)

This meant that if a property was sold after the original transfer it could not be contested even if the manner of acquisition was fraudulent. Great Britain yielded to French pressure and the Convention to establish the Condominium was officially confirmed on February 17, 1906 (ibid)

Article XXII, paragraph 4 provides for registration of title-deeds to land registered before January 1, 1896, which assured confirmation of title by Europeans to hundreds of thousands of hectares of land that were unoccupied at the time. Native interests were considered in a provision for Reserves in cases where such Reserves were necessary. But the determination of the value of these Reserves was left entirely up to the discretion of the Joint Court (Van Trease:50; Jacomb:136-137).
Article XXVII, paragraph 8 reads,

"Whenever the High Commissioners or their Delegates jointly consider that the amount of land acquired from the natives in one of the islands of the Group is so great that the land remaining undisposed, if it is indispensable for the needs of the natives, they may prohibit any new sale or grant of land in such island to non-natives." (Convention of 1906)

Again there were no guidelines or underpinning principle provided for determining the needs of the natives. In addition, the perception of the need to protect New Hebridean interests differed greatly between France and Great Britain. As such, the provisions had little effect.

Some aspects of the Condominium administrative structure also reflected the low priority given to native rights as compared to European rights. Article I grants each of the two powers jurisdiction over their own subjects or citizens. Other non-native nationalities were given 9 months to decide which side of the Joint Administration they preferred to become citizens of. The natives were, for all practical purposes, stateless. They were governed under administration of the High Commissioners and through delegates, who had power to promulgate rules and regulations binding on them. Native New Hebrideans were not allowed to register title to land unless the property passed through a second party so that the native may be able to buy back his land. Furthermore the New Hebrideans had no right to challenge the legality of European purchases.
Conclusion

As set out in my Introduction, this paper has examined the colonial policies of France and Great Britain and how these policies led to the alienation of land in the New Hebrides. The indigenous people had no chance of winning the fight to retain ownership of their land. Imperial rivalry and competition to establish influence and supremacy in the Pacific generally, and in the New Hebrides specifically, had polarized the two Europeans powers. France asserted all its effort to make the Island Group its sphere of influence. Great Britain assumed the role of advocate for indigenous rights. The New Hebrideans finally woke up, too late, to the fact that the basis (land) of their society and way of life was being undermined all along. Their reaction was violent! It would appear, therefore, that there were three major players in the New Hebrides experience: France, Great Britain and the natives of New Hebrides.

The history of contact with the west and subsequent interaction between the New Hebrideans and the Europeans indicate a different observation. The Europeans considered their society far superior to that of the indigenous people of the New Hebrides and their self appointed mission was to share these advances with the New Hebrideans. The Europeans were also unanimous in their intent and conviction that the only way to benefit from the western experience was for the wholesale acceptance by the New hebrideans
of European spiritual values and ideological concepts. Total Christianization of indigenous culture and society was the formula for this conversion. However unfair or disruptive European actions were to the New Hebrideans, the important consideration was that the natives could always benefit from exposure to and interaction with the Europeans!!

Since the mission of European venture into the Pacific to supplant indigenous society with western values and institutions was first priority, the real players were the "white man" and the indigenous people of the New Hebrides. Expressed in another way, France and British rivalry was part and parcel of life in Europe, which happened to spill over into the Pacific. The natives were incidental to their purposes. When the "chips" were down, the European governments elected to stick together. Great Britain felt that it had a duty to perform on behalf of the underdog Melanesians, but as demonstrated by history there was no depth and the commitment was somewhere else.

The Condominium clearly cast in concrete the alienation of huge tracts of land acquired by the Europeans in their bid to outdo each other's influence in the Islands. Title to some 300,000 hectares which Higginson purchased from other Europeans between 1882 and 1887 were confirmed. In addition, about 400,00 hectares
bought directly from the New Hebrideans could only be challenged with great difficulty. Likewise title to land purchased by British subjects to counter French influence were also confirmed.

British disinterest is reflected by the fact that while France openly flaunted the rules of the Convention to establish the Joint Naval Commission, the British became a bystander in principle and in fact. I agree with Edward Jacomb that the British played into the hands of the French.

"The British Residency has always pursued a policy of unswerving loyalty to the spirit of the Condominium. No attempt has ever been made to advance the British interests at the expense of the French, either by encouragement of the British settler or by endeavoring to secure a preponderance of influence over the natives. The work at the British Residency has been purely of a routine nature, and the utmost care has been taken never to offend French susceptibilities. Better that a thousand injustices should take place than that the French Resident Commissioner should be annoyed. Its strength has been to stand alone." (Jacomb:77-78)

Clearly Great Britain did not have its heart in protecting the rights of the native New Hebrideans. The speech by the British representative at the conclusion of the Conference was a dead give away,

"He praised the Commissioners for having reached an agreement which would 'promote the welfare of the British and French colonists in those distant islands'". (Van Trest:53)
France was aggressive in establishing its influence in the New Hebrides and in assuring protection and legitimization of its interests in the Island Group. Great Britain declared its humanitarian interests by becoming the advocate for the rights of the indigenous people of the New Hebrides. But it lacked commitment and as such, lacked a clear cut policy and the strength to pursue it to the end. The result was an arrangement that directly provided for the alienation of land in the New Hebrides. There was no provision for redress available to the New hebrideans. This situation was intolerable and set the stage for the movement towards independence.
BIBLIOGRAPHY


Speiser, Felix, 1913. *Two Years with the Natives*, Mills and Boon, Ltd., London.


