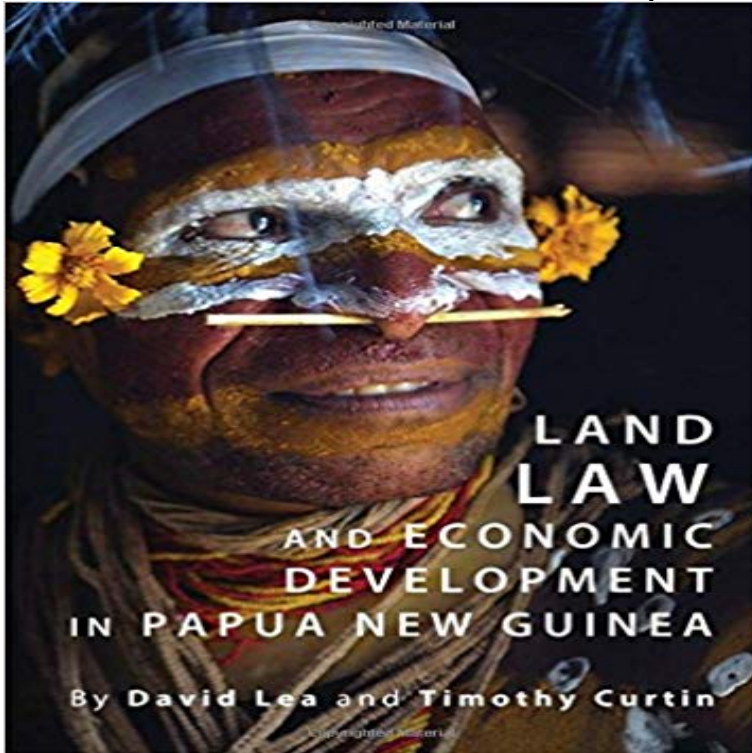


Land Law and Economic Development in Papua New Guinea



This book is devoted to an analysis of alternative land tenure systems in Papua New Guinea and offers a blend of philosophical, legal, sociological and economic approaches to this issue. The text is divided roughly into two sections. The first six chapters provide a religious, philosophical, historical, sociological and legal context in which to understand Melanesian culture and Melanesian customary land tenure, and its contemporary recognition within the country's legal system. The early chapters review the historical approaches to customary land tenure from the pre-independence period up to and including the most recent amendments that deal with the incorporation of customary land owning groups. In these chapters we recommend that the present system be replaced with one that gives greater emphasis to formalized forms of private individual ownership and provides answers to various cultural, social and philosophical objections to such proposals. The latter section of the book demonstrates the economic advantages to be gained through the conversion of customary forms of individual land tenure to private ownership based on documented titling. The economic issues considered include the serious shortage of land for other than purely subsistence food production; the inadequacy of both food and cash crop production for export when based on customary land ownership; and the failure of the new Forestry Act to promote increased levels of sustainable production by Papua New Guineans themselves. The book concludes with examination of the scope for land registration in Papua New Guinea with reference to developments in Kenya that transformed customary ownership across much of the country into individual private ownership, and, in the Appendix, to the impact of the reversion from titled to customary land ownership

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