LAW AND ORDER IN PAPUA NEW GUINEA: PERCEPTIONS AND MANAGEMENT STRATEGIES

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The breakdown of law and order reflects complex social and economic issues. Papua New Guinea is undergoing rapid transition, resulting in a breakdown of traditional social controls. Rural areas lack the services and opportunities available in urban areas, resulting in rural to urban migration. The cost of living in towns is very high and causes some people to turn to criminal activities in order to survive (GOPNG Office of National Planning and United Nations Development Programme, 1999:141).

Even were reliable, accurate and timely statistics available … there are serious concerns as to the value of statistical information in determining the extent of crime in a community. Statistics must, therefore, be interpreted keeping in mind their limitations and the dangers of generalising from statistical data. Other means of measuring crime such as victimisation surveys and self-report studies may have particular relevance in PNG where it is often difficult or impossible to even report the occurrence of a crime (Banks 1997:43-44).

Civil society organisations can increase the participation of the poor in the development and implementation of poverty reduction policies and programmes. In the current social unrest, we have witnessed the vital role that these organisations have played in providing some aspects of the social safety net to protect those who have been displaced. Solomon Islands in its Peace Agreement or Peace Plan must provide an enabling environment that allows institutions of civil society to be established and perform their functions freely (Liloqula, 2000:8).

Introduction: Perceptions and Strategies

In Papua New Guinea, as in most countries throughout the world, individual and group perceptions of personal or property security risks, and the strategies adopted to minimise these risks, are diverse and multi-faceted. Many responses reflect the reality of law and order risks in a particular area, or for a particular group (women, strangers, the elderly, and the conspicuously wealthy). Other influences shape individual or group perceptions of the severity and prevalence of crime, and the choice of particular strategies to minimise risk. In addition to the social impact of crime, law and order problems have major political and economic consequences, at local, national and international levels.

Media reports of serious violent incidents, and stories told by intrepid visitors and those who have had the misfortune to become a victim of crime, add to a general image that the situation is 'out of control'. Yet, as I concluded in a recent paper (O'Collins 2000:31), 'we need to be able to stand back, to look at the positive, as well as the negative, aspects of the changing nature of society'.

The purpose of this paper is not to analyse the level of crime, or the efficiency of the criminal justice system. Rather, the focus of the discussion will be on the varied responses and reactions to perceived law and order situations, and the strategies adopted to minimise personal, group or organisational risks by Papua New Guineans, expatriate residents, and short term visitors.

As with all broad-brush discussions of social issues, there is no neat statement, which can adequately encompass all the concerns of individuals or groups, and the particular strategies they adopt in the face of perceived risk. Often, the fear of crime may be as potent a force as the actual level of crime in a community. In outlining a crime prevention strategy which focuses on government, police and community 'working together' the Western Australian Crime Prevention Bureau (1997:3) noted that Western Australians were increasingly concerned 'at the unacceptable rate of property crime and the rising level of violent crime. At the same time 'fear of crime, as much as crime itself, is steadily causing much apprehension in our community and is eroding the quality of life' (ibid: 4). One response to these fears has been to develop a network of state and community initiatives aimed at crime prevention. [1]

In recent years, there is some evidence of a shift in the law and order debate from an attempt to understand and mitigate the socio-economic causes of crime, to an emphasis on rational choice and a rational offender. It is therefore not surprising that another response to the fear of rising crime has been to consider harsher penalties and that discussions of mandatory sentencing in Western Australia and the Northern Territory reflect the notion that the offender knows full well the consequences of his or her actions. Considering the politics of crime prevention, O'Malley (1997:259) notes that:

> *Consistent with this broad vision of enhanced individual accountability and responsibility, offenders come to be seen as rational choice actors in command of their own lives and personally responsible for their offending.*

In Papua New Guinea a shift in the law and order debate towards a more 'rational' approach also suggests a return to more punitive and mechanical crime prevention strategies. But, while there is value in considering legal, policing and correctional strategies aimed at minimising opportunities to commit crime, and increasing the risk for the offender of detection and punishment, this should not be at the expense of community, non-government, and other initiatives.

There is also a problem when law and order debates focus on particular forms of crime and violence. Domestic violence and sexual harassment have often been overlooked or treated as somehow different from 'real' crime against person or property. And, as the recent debates on mandatory sentencing for petty theft, compared to sentences for large scale white collar crime have shown, perceptions of what constitutes crime differ markedly throughout many societies. The violence of poverty and official neglect - whether in indigenous communities in Australia, in settlements and villages throughout Papua New Guinea, or in urban areas of Fiji, Solomon Islands, or Vanuatu may be completely ignored. Yet, as is clear from poverty surveys conducted in Papua New Guinea, Fiji and Vanuatu, these problems are often interrelated (see O'Collins 1999).

As O'Malley cautions, the 'model of the rational offender who calculates the risks and potential benefits before offending', while popular with those who are seeking retribution, may have very limited currency in the real world of unemployment, dislocation and dysfunction.

Nonetheless, even a cursory examination of law and order in Papua New Guinea suggests that, although the absolute accuracy of criminal statistics may be questioned, crime and violence (however defined) are major and increasing concerns. Since Independence in 1975, a number of reports and conferences have considered the social, economic, and political consequences of crime. Attempts to find answers and solutions have ranged from a focus on legal sanctions and increased police, justice and correctional efficiency, to an emphasis on the changing social and economic contexts in which crimes are committed.[2]

Ten years after Independence, Morauta (1986:13-15) pointed to the 'weakness of the state' as a contributory factor which had to be taken into account in any analysis of law and order in the rapidly changing Papua New Guinea society. More recently, the interrelationships between deteriorating social conditions, crime and problems of governance were outlined by Standish (1999:9-10):

Paid employment is limited in rural areas and, as in towns, high unemployment and lack of economic opportunity are seen as the prime cause of crime. The police force is under-trained and under-funded and has grown little despite the national population of 4.5 million having nearly doubled since Independence. Personal insecurity, especially fear of sexual violence by women, is a real concern. This combination of limited state capacities and a divided society leads to weakening of the authority of the state.

Given this lack of confidence in the capacity of the state, it is not surprising that recent non-government and community initiatives have received greater attention and support from international aid agencies. Yet, the fragmented and situation-specific nature of many of these projects means that they may not provide complete answers for what must be a shared government/NGO/community responsibility. As an AusAID funded survey of community initiatives (1997:9) cautioned: 'While some of these programs are showing promising results, they are severely constrained by funding limitations and increasing frustration of staff.'

At the same time, the positive and courageous responses of NGOs and local community groups to problems of violent ethnic conflict have shown just what can be done in difficult and dangerous situations. Examples from Bougainville, Solomon Islands and Fiji, illustrate how much can be accomplished by civil society in times of crisis. These efforts, and the more mundane but no less valuable work being undertaken in urban settlements and villages throughout Papua New Guinea, need to be recognised and supported. They provide significant alternatives to the harsher and more punitive approaches which may be proposed by politicians and law enforcement agencies.[3]

Law and Order: meeting violence with violence?
Since early colonial contacts, accounts of explorations in Papua New Guinea, and advice to travellers and those about to take up residence in Papua New Guinea, pointed to the dangers and uncertainties which awaited the unwary outsider and outlined the steps which should be taken to avoid such dangers. Strategies employed to overcome real or perceived problems often emphasized the value of harsh punitive measures and authoritarian stances as ways of minimising danger and maintaining control of unruly and potentially violent local residents. The fears of minority colonial enclaves surrounded by culturally different and dangerous 'others' were reflected in legislation such as the 'White Woman's Protection Ordinance' enacted in Port Moresby in 1926 and in the use of physical punishment and the death penalty as means of pacification and crime control. [4]

A similar and uncompromising 'them' and 'us' approach is clearly reflected in Mick Leahy's accounts of contacts with Highlanders in the early 1930s. From his perspective: 'there were no ethics of law and order other than force and the ability to use it' (Leahy 1994:233). His reaction to the news of the murder of a missionary in 1935 was that this reflected a dangerously 'soft' approach, which would never work.

'They [the missionaries] believe their own inherent kindliness and goodwill is telepathically transferable to primitive man, whose way of life from the beginning of time is completely foreign and whose values directly conflict with our centuries of civilized behaviour (ibid.: 236).

It could be argued that these reactions merely reflect the attitudes of the time and should be

viewed through the lens of history, rather than through modern, perhaps (although not necessarily) more enlightened perspectives. Yet, other early accounts show that reactions and responses to culturally different individuals and to potentially violent situations differed widely. An equally tough man such as Jim Taylor was able to modify his approaches when encountering these different cultures, and, despite the ambiguities of the relationships which were established, quickly came to value and appreciate his 'beloved Highlanders' (Gammage 1998:239).

A much earlier, but very different reaction was recorded by the explorer Mikloucho-Maclay (1975:31ff.) when he described an encounter with nearby villagers in October 1871. After some reflection, he had decided not to take his revolver, as:

I am not sure how I would act, having a revolver in my belt, for example, today, if the natives began to treat me in such a way that I would not know how to cope with it; would I remain completely calm and indifferent to the uncertain behavior of the Papuans?'

In the event he did encounter some uncertain behaviour when he entered the village. A spear narrowly missed his eye and the atmosphere was one of hostility and suspicion. He recorded that this made him glad that he had left his revolver at home as he was not sure he would react with such equanimity at a second attempt to intimidate him. He decided instead that the best move was to take a nap as: 'If I was fated to be killed, then it was all the same whether I was standing, sitting or lying down on the mat, or in my sleep' (p.33). What was most remarkable [and to my mind almost unbelievable] was that he did indeed manage to sleep for two hours. When he woke the atmosphere had eased somewhat and he was able to return to his host village without incident.

More than a century later, a Papua New Guinean police officer recounted to me a similar situation when his patrol vehicle was surrounded by angry tribesmen whose village had been raided by police a few weeks earlier. They were armed with traditional weapons and homemade shotguns and clearly he was out-gunned, out-manoeuvred, and in grave danger. However, a member of the attacking party was a university student on vacation. He identified the police officer from a different ethnic group as a fellow student, and persuaded his hostile clan members to let him go. My informant commented that it was this cross-cultural friendship, established when he had undertaken a course at the University of Papua New Guinea, rather than harsher laws, a gun, or policing skills, which had saved his life. His comments echoed the conclusions of the final report of the Enga Law and Order Project (Wormsley and Toke 1985:70) that:

The government must place greater emphasis on dealing with underlying social problems. Laws, of themselves are not the answer. Laws are most likely to be observed when they are consistent with the needs and goals of citizens.

In the years since Independence, middle-class Papua New Guineans have begun, as Gewertz and Errington suggest (1999:102-119) to share with expatriates the sense of being 'chronically vulnerable to criminal attacks', and to demand that the Government and the police do more to protect them from criminals. Demands for tougher penalties are often most strident after a particularly violent incident. A report in the *National* (25/2/2000: Item 14) entitled 'Medics back call for capital punishment' stated that:

Calls for capital punishment by senior police officers have been backed by the National Doctors' Association after two senior doctors were attacked last week. … Dr Danaya [President of the National Doctors' Association] urged the Government to consider imposing

capital punishment on criminals who are a threat to the public, living and working in the city.

In 1926, when the White Woman's Protection Ordinance was debated in the Assembly, more moderate opinions were voiced, albeit in the minority, urging that the death sentence should not be mandatory, and that flogging was not the answer (Inglis 1974:59-88). Despite the calls for vengeance and retribution, similar counter arguments that violence and harsh mandatory sentences are not the solution continue to be put forward.[5]

More holistic ways of dealing with law and order problems have been suggested as presenting a longer term and less divisive way of dealing with underlying causes of crime. Observers (Wormsley and Toke 1985, Dinnen 1999, Standish 1999), have pointed out that harsher minimum penalties, and attempts to strengthen police powers through curfews and 'states of emergency', do not address the social and economic problems and weaknesses in governance at the core of the breakdown in societal control. Even if improvements in the efficiency of state instrumentalities do occur, the search for solutions must take place at all levels of society. As the *1998 Papua New Guinea Human Development Report* (GOPNG/UNDP 1999:141) concludes, a more effective criminal justice system is not sufficient on its own, but must be linked to improved educational and employment opportunities for young people and to greater community involvement.

The Peace Foundation Melanesia (which developed out of the Foundation for Law, Order and Justice), provides another example of how community involvement can be harnessed to provide local level solutions to combat violence and crime, and promote restorative justice rather then vengeance and retribution. Courses in conflict resolution and negotiation skills have been provided for community leaders and others working with local groups. Since 1998, a number of training courses have also been conducted with combined police and community participation. The aim is to build bridges between the police and the community and create a climate of cooperation and restraint.[6]

Nonetheless, frustration at the ineptitude or apparent helplessness of law and order authorities often leads to more direct and violent self-help actions by victims or potential victims. As Louise Morauta (1986:16) pointed out:

Although people may be dissatisfied with government performance in health, education, agriculture or urban services, their dissatisfaction does not have the same implications as in the field of law and order. By rejecting the state's law and order services and resorting to violent self-help, highlanders [and I would add not only highlanders] *have come into conflict, and in some cases physical confrontation with the state.*

Highlighting and encouraging community and non-government initiatives in partnership with government action may also provide a counter to the 'state versus people' sentiments which have continued to plague Papua New Guinea. It is also encouraging to see that, even where initial reactions were for stronger punitive action, more reasoned responses are also given media publicity. A thoughtful article by senior lawyer and academic, Dr John Nonggorr was published in the *National* on 2 May 2000. He accepted that it was only natural that there would be calls for retribution and that politicians and members of the public also felt that the death penalty might deter those who committed violent crimes. However, he suggested caution in assuming that more severe legal penalties would deter all would-be offenders:

But, they do not deter everyone. In other words, deterrence is one way of preventing people from committing crimes but it cannot be relied on to solve the law and order problem. … The

purpose of this article is to caution everybody that the death penalty is not the answer to the law and order problems. Nowhere in the world where the death penalty has been or is being administered, serious crimes like murder have been stopped.

Pointing out that the problems of violence and crime have been the subject of many reports and implementation plans, he reminded readers that this was not a new issue, and that many sectors of the community were actively engaged in trying to find solutions. There were continuing problems in the coordination of these efforts and in strengthening consultation and cooperation between different organisations. During a period of transition when the clash between traditional and modern culture was creating particular pressures on society more innovative thinking would be required.

Despite an earlier call by the President for the Government to immediately impose the death penalty for brutal crimes ('Call goes up for PNG death penalty', *Canberra Times* 21 April 2000:6), the National Council of Women later participated in a forum at the University of Papua New Guinea. This led to further consultations with those working in the community to combat violence, and follow-up meetings were scheduled (Report by Theresa Ame in The *National* 3 May 2000). It is clear that more moderate views are gaining some credence, even if there is still a tendency for politicians and community leaders to reject what are perceived to be 'soft' options or the unrealistic approaches of social theorists or activists.

Calls for harsher penalties may also reflect a yearning to return to older ways of dealing with crime by reasserting traditional authority and leadership. In 1975, the establishment of Village Courts was seen as one way of returning social control to the community. However, this yearning to return to the past to find solutions for current problems is not without difficulty. Often Village Court officials have stressed harsh penalties, rather than mediation or conflict resolution and reference to custom and tradition can produce some curious results.

I witnessed one such problem in 1976, when visiting Pangia in the Southern Highlands. Local village court magistrates had jailed several women who had been found smoking 'store-bought' cigarettes. The rationale was that this was prima facie evidence of adultery, as husbands would not have given their wives such cigarettes. Although the supervising magistrate overturned the decision and the women were released, other observers (Paliwala 1982 and Fitzpatrick 1982) noted continuing criticisms of a lack of evenhandedness, and bias against women.

Younger members of the community may also ignore prescribed sanctions or leave the village and join the increasing flow of unemployed youth to towns. This poses an additional challenge to local and state authority as troublesome and disaffected youth are seen as a major cause of the deteriorating law and order situation in many villages and towns. At the same time: 'They are also an important source of support for politicians or aspiring local leaders, particularly those who are in opposition to the existing power structure' (O'Collins 1993:245).

Similar dilemmas have arisen in Bougainville, where the strengthening of traditional authority and of the role of the Council of Chiefs is seen as one way to counter burgeoning law and order problems. Regan (2000:291) points out that: 'Underlying what is proposed is the assumption that by reverting to the ways of the past, present problems can be tackled'. Yet, as he concludes, tradition is not static. Neither is the society in which traditional solutions are to be implemented. This means that any effort to strengthen local level authority must be within a context of the changing nature of society. Attention must continue to be paid to the human rights of less traditionally powerful groups (women, youth, and people from other ethnic groups). It is essential that human rights are not constrained by a rigid and unbending adherence to what happened in the past, rather than what should happen in the future.

The work of the Peace Foundation in Bougainville illustrates the way in which traditional and modern methods of restorative justice can be integrated. The 1999 'Report on Bougainville' described how principles and processes of restorative justice were introduced into training courses. The emphasis was on involving Chiefs as well as delegated Mediators as (Peace Foundation Melanesia 1999b: 6):

In the past more enlightened Chiefs have used methods containing some of the best elements of Restorative Justice. The process is culturally acceptable… and in the best traditions of the Melanesian way. … Chiefs should take part along with the trained mediators in dealing with conflicts.

At the same time, while traditional ways should be preferred to others, there was also an important place for the normal justice system, but there should be closer linkages between government, non-government and community agencies. In the view of the Peace Foundation team:

Restorative Justice should be preferred to courts because it satisfied the community, restored the community, and left no remaining scars whereas jail sentences failed to correct offenders and often made them worse and made for future conflicts when the offender returned to the community angry and unforgiven.

Managing reality: Anticipating and minimising risks

Although problems of violence and crime impact most severely on Papua New Guineans, it is the unpredictable and changing nature of Papua New Guinea society which often completely baffles newcomers. For some, even before they arrive, there may be stories of dangers lurking on every corner, and of the need to be forever vigilant. Others know little or nothing about the country in which they will travel, or take up temporary residence. While individual circumstances may differ, practical advice on how to minimise security risks would seem to be generally desirable. At the same time, what appears balanced from one perspective may appear hysterical and alarmist from another.

In the years prior to and after Independence, profound and rapid social, economic and political changes to Papua New Guinea society make the attitudes implicit in earlier advisory instructions seem quaint and completely out-of-date. But old attitudes have persisted, even if couched in more circumspect language. Often it is not what is included, but what is left out that is instructive.

Criminals and strangers who would do one harm or steal one's property have almost always been seen as Papua New Guineans. But even in pre-Independence Port Moresby there could be some surprises. In August 1968, the *South Pacific Post* (21/8/68:3) quoted a warning from then Police Commissioner Cole that a large percentage of the criminal class were tradesmen being recruited from Australia to cope with the rapidly expanding building programme. 'Mr Cole said many of these tradesmen embarked on a career of break and enter soon after arriving in the Territory'. Regrettably for those who may object to the racially focussed perception of the 'criminal classes' this seems to have been an unusual and temporary problem. With a few dramatic exceptions, most expatriate criminals tend to be involved in white-collar crime and fraud, rather than offences which threaten individual security. In the 1980s, advice on 'security' given to newcomers by the firm Touche Roche (1985) reflected the sharp increase in car theft and other crimes against property.

Petty theft is a problem in most centres, especially Port Moresby and Lae, with the emphasis on pilfering of cash, liquor, food, electrical goods, etc. Standard precautions include deadlocks on

doors, bars or mesh on windows, security fencing and lighting, watchmen and/or guard dogs. Car theft is rife in Port Moresby.

It was noteworthy that the advice was couched in neutral non-specific terms. One might well have asked why such precautions were necessary to deal with 'petty' theft but it may have been felt that more graphic warnings of violent crime would only serve to 'frighten the horses'. There was no suggestion that newcomers could learn a great deal and gain advice from Papua New Guinean colleagues and others in the wider community. An implicit assumption was that the only nationals likely to lawfully enter the newcomer's premises were domestic servants or watchmen.

In a recent American State Department guide to personal security in Papua New Guinea (c2000 USA Department of State) a very different, if rather daunting, approach was taken. Pointing out that, despite the unreliability of statistics, there was a serious threat of violent crime in many parts of Papua New Guinea, it warned all visitors to take precautions to minimize risk. However, throughout this advisory guide, mention was also frequently made of the value of obtaining advice from others with more expert knowledge of a particular area, and of travelling with local leaders, officials, other knowledgeable individuals, and national or expatriate colleagues. The guide concludes:

The vast majority of PNG citizens are friendly, live peacefully and are eager to learn about life in other countries. Attention to personal security will enhance your confidence in undertaking personal and professional contacts, leading in turn, to a deeper understanding of Papua New Guinea and its people.

Nonetheless, it is these newcomers, and in particular unaware naïve newcomers, who now place an added burden of responsibility on local residents. The somewhat tortured account of the experience of one female volunteer assigned to work in Enga Province illustrates vividly the need for a good system of selection and briefing of outsiders coming to work in Papua New Guinea. She had no knowledge or experience of the country before taking up the position and arrived in Wabag completely unprepared. Willingly or unwillingly, local colleagues had to become her security advisers and absorb her resentment at suddenly finding that her freedom of movement had to be curtailed.

I would have liked to wander there, but I had been warned not to go outside of 'town'. Already I was experiencing something I had never experienced before. I listened to warnings. I did not go where I was told not to go. No other woman wandered around alone. They weren't used to the ways of us. Something about the atmosphere of the place told me that I could not risk transgressions. (Baranay 1994:28).

Most Papua New Guineans have developed a range of responses and strategies to minimise personal, family or group risks. In some cases these are just accepted, as part of normal day-to-day living requirements and the need for members of the family and the wider network of friends to look out for each other. While security measures may include many of those recommended by Touche Ross and the USA State Department Bureau of Consular Affairs, Papua New Guineans know that family and community awareness and support are essential if they are to cope with even minor law and order incidents.

All these strategies have costs as well as benefits. The security value of inter-dependence on members of one's extended family may be offset by the economic and social stresses involved in overcrowded houses and the need to 'turn a blind eye' to unsociable or illegal behaviour. If

social gatherings and celebrations cannot be scheduled during daylight hours, all guests may have to stay the night, whatever the cost. Young working women or students often need male protection. Sometimes this means that unsatisfactory or violent relationships are formed, and endured, as the alternative is no protection at all.

At the same time, family and community efforts to work together to address problems and strengthen social cohesiveness has had very positive spin-offs. Often these new solutions to old problems reflect an ability 'draw upon the best from indigenous and foreign traditions and deploy them in creative ways' (Dinnen 1999:71). The AusAID (1997) survey of community projects documents many potentially valuable examples of this integration of the old and the new. In Enga, a recently developed church and community 'partnership for peace' (Lacey 1998), may also have had some unexpected spin-offs. Newspaper reports of the 1999-2000 Christmas/New Year period noted that Enga had had a comparatively peaceful period, although there were still some law and order problems. A somewhat curious sign of progress towards crime minimisation was the report of an incident, where the Catholic priest active in the conflict mediation project had his car taken by a group searching for their enemies. However, he was unharmed, and the car was quickly returned, apparently undamaged.

Conclusion: risk management in a perplexing society
As papers presented at a conference on 'Crime and the Bilateral Relationship' illustrate (Boeha and McFarlane 2000), the law and order situation in Papua New Guinea has national, bi-lateral and international implications. Given these problems, the anger of many Papua New Guineans against politicians and state instrumentalities and their distress at 'the big iniquitous events' (Baranay *op.cit.* 255), are understandable, but may be overlooked by outsiders preoccupied with their own security problems. At the same time, local level community based solutions, and small but significant successes do not receive as much publicity as negative incidents.

Reports of the work of the Peace Foundation Melanesia in Bougainville (1999b), West Taraka, Lae, and among the Toaripi in Port Moresby and the Gulf Province (Howley 1999a and 1999b), illustrate how local communities can develop alternative strategies to manage conflict, and to begin to address the causes and consequences of crime. These reports also describe the very real barriers which remain, and which must be overcome if communities are to rebuild trust and confidence. Nevertheless, when a start is made, even those who are initially dubious have become more supportive. After one village training course in mediation and conflict resolution skills, it was noted (Howley 1999a: 6) that:

The village councillor Mr Kulete reported that although he did not attend the course himself the atmosphere in the village had improved. There is more cooperation and people who were participants are active in using mediation to settle minor disputes which would normally have grown into big disputes and finished up in the village courts. He pointed out that there are a number of issues which will need to be settled and he is hopeful that mediation will be a suitable medium for dealing with them.

Similar work is being undertaken by the 'Partners for Peacemaking' project in Enga (Lacey 1998). Even if these seem to be only small steps towards a more just society, it is important to recognise, document, and encourage the activities undertaken by some communities, and support these and similar initiatives. The focus at the recent symposium on 'Conflict and Peacemaking in the Pacific' was on recent conflicts, and the work of the Solomon Islands Women for Peace Group, the Fiji National Council of Women and the Bougainville Leitana Nehan Women's Development Agency. Once the immediate crises are resolved, their skills and commitment, and those of other similar groups, could again be mobilised to achieve a more peaceful and just civil society.

It may be as difficult for members of a society, as for expatriate observers, to accept that the road to a better future has many twists and turns and that surviving the journey has to take up so much time and energy. But, just as O'Malley cautions against the idea of a rational offender weighing up risks and benefits, it would be equally foolish to think of risk minimisation as representing a rational and well-thought-out basket of strategies. Responses and reactions may be just as opportunistic and unexpected as crime itself, and the rational victim or potential victim may be just as absurd a notion as that of the rational offender. In his call for more reasoned responses, Nonggorr concludes:

> *There are no simple solutions to the law and order problem. If there were simple solutions, we would have tackled the problem already. The fact that we have not and we are still struggling with it now means that the solutions are not straightforward.*

Current attempts to encourage lateral thinking and to see how restoring the balance may involve both offender and victim, as individuals, as members of families and as a community, may not solve every problem. The promotion of conflict resolution, mediation, compensation and other elements in the restorative justice equation can only achieve long term success within a cooperative and collaborative climate where formal and informal law and order agencies work together. And, even more problematically, poverty, unemployment and increasing inequality must be addressed if there is to be a hope of building a more secure and peaceful society. The resulting confusion of voices reflecting different perspectives and promoting different solutions is not at all surprising. This is because, as Sean Dorney (1990:318), sums up his reflections on post-Independence Papua New Guinea, there are no neat answers.

> *Papua New Guinea will never be what outsiders want it to be. It will continue to perplex. ....The best I can offer is what I have written – in the hope that when the extraordinary does happen, as it regularly seems to, at least the observer may better understand why.*

It is this search for better understanding that continues to engage many Papua New Guineans and other outside observers seeking to find ways to prevent or minimise crime and so achieve a more peaceful and productive future.

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[1] The Queensland Criminal Justice Commission (1999) also stressed partnership between state and community agencies and 'working together' as essential components of any crime prevention strategy.

[2] See PNG Department of Provincial Affairs 1983, O'Collins 1984, Clifford, Morauta and Stuart, 1985, Morauta (ed.) 1986, Millet 1991, Foundation for Law, Order and Justice, 1992, Dinnen 1994. AusAID 1997, PNG Office of National Planning and UNDP 1999, Boeha and McFarlane (eds.) 2000, and Dinnen and Ley (eds.) 2000.

[3] At a recent Conference on *Conflict and Peacemaking in the Pacific: Social and Gender Issues,* representatives of church and community groups involved in mediation and reconciliation in Bougainville, Fiji, and Solomon Islands, reported on their work (Development Studies Network 2000). See also the *Report of the National Peace Conference* (SICA Peace Office 2000), Peace Foundation Melanesia 1999a, 1999b, and Lacey 1998.

[4] This Ordinance was nor repealed until 1958. The racial exclusivity of this Ordinance should also be noted as similar protection was rarely afforded to Papuan women. Most accounts of foreign explorers in both Papua and New Guinea, suggest that, although crime against foreign owned property was often dealt with severely, sexual exploitation of local women was generally taken for granted.

[5] See the Foundation for Law Order and Justice 1992, the Individual and Community Rights Advocacy Forum (ICRAF) statement on 'Justice and Freedom' 1997, and the December 1999 Draft National Law and Justice Policy and Plan of Action prepared by the Law and Justice Sector Working Group.

[6] The Peace Foundation Melanesia 1999a and 1999b, and Howley 1999a and 1999b, describe training programmes and other community based activities undertaken by the

Foundations
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