A. Strathern

P. Stewart

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ANDREW STRATHERN and PAMELA J. STEWART

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Introduction

In mid-1999 an issue arose in the Southern Highlands Province of Papua New Guinea whose ramifications widely disrupted social and economic activities throughout the province and continued to do so for some months. The issue arose over whether to classify an event as an 'accident' or not. Dick Mune, a politician who had been ousted as governor of the province in the 1997 national parliamentary elections by Anderson Agiru, had challenged the validity of the election result. The Supreme Court was about to begin the process of deciding on his challenge, and Mr. Mune set out by car to travel to the town of Mt. Hagen in order to catch a plane for the capital city, Port Moresby, to attend the court hearing. On the drive to Mt. Hagen his vehicle left the road and tumbled over a hillside. Mr. Mune was a passenger in the car, and he jumped out to save himself but struck a rock and died from the blow. The driver of the vehicle survived and declared that the brakes had failed. Mune's relatives and supporters declared that this apparent accident was in fact caused by sorcery or by tampering with the car, engineered by supporters of Agiru in the expectation that the court would rule in Mune's favour. A revenge attack was mounted on a relative of Mr. Agiru, who was manager of a major store in the provincial capital, Mendi. After this killing,

PAMELA J. STEWART, currently a Research Associate in Anthropology and Religious Studies at the University of Pittsburgh, obtained her PhD at the University of Illinois. Her academic interest focuses on gender issues, religious and political change, and violence in Papua New Guinea; medical anthropology; biography; and social change in Europe. Her two most important publications are: (both with A. Strathern as co-author) *Curing and Healing: Medical Anthropology in Global Perspective*, Durham, N.C.: Carolina Academic Press, 1999, and 'Female Spirit Cults as a Window on Gender Relations in the Highlands of Papua New Guinea', *The Journal of the Royal Anthropological Institute* 5-3:345-60, September 1999.

ANDREW STRATHERN, who is currently A.W. Mellon Professor of Anthropology at the University of Pittsburgh, took his PhD at the University of Cambridge. His main field of academic interest is social anthropology, and his two most important publications are: *The Rope of Moka*, Cambridge: Cambridge University Press, 1971, and (with Pamela J. Stewart) *Curing and Healing: Medical Anthropology in Global Perspective*, Durham, N.C.: Carolina Academic Press, 1999.

Both authors may be contacted at the Department of Anthropology, 3H01 Forbes Quad, University of Pittsburgh, Pittsburgh PA, USA 15260.

Tari people from Mr. Agiru's electoral area seized police vehicles in Tari township and killed several people from Mr. Mune's home area in retaliation. The whole province was convulsed by this conflict, since Mune and Agiru had contested the regional seat for the entire province and had divided the province between them. Supporters of Mune's cause set up roadblocks on major roads. People were afraid to travel. Business transactions were widely disrupted. There was much criticism of the Southern Highlands MPs as a whole, who, like every other politician in the country, were embroiled in the factional fights to replace the government led by Prime Minister Bill Skate. The new government led by Sir Mekere Morauta, elected in mid-July by a vote in Parliament for the prime ministership, inherited the problem and set about resolving it with the help of a province-wide Committee.

This case showed the enduring, and still urgent, significance of modes of thinking about the causation of events in places such as the Papua New Guinea Highlands. It also clearly indicated the pervasive power of politics. A single car crash led to province-wide conflict, further losses of life, polarization of different areas, and considerable economic loss to businesses. Of course, this was linked to the fact that an important politician was killed in the crash and to the interests of his constituents; but the results would have been different in a different cultural context. The question of whether an event is seen as an accident or not is evidently not simply a matter of debate for anthropologists and linguists to settle.

In this paper we re-examine some notions of liability in relation to compensation payments in Highlands Papua New Guinea societies. Our overall argument is that in these societies there is a tendency to attribute events to human agency and that in particular ideas of agency involve the tracing of pathways which explain how liability is constructed. This stress on agency tends in turn to overshadow the significance of notions of accident, even though such notions do exist in the Highlands. The reason is found in the fact that Highlanders see events as preceded by chains of prior causative events in terms of which notions of liability, responsibility and blame are constructed. Ethnographically, we want to draw attention to a phenomenon that appears not to have been systematically developed in the literature previously, that is, the reversals of the direction of compensation payments that can result from accusations of wrongdoing. Thus, for example, a person accused of some wrongdoing may be held responsible for paying compensation, excessive pressure to meet a payment may lead to the person's suicide, and from our case materials it appears that this not only sets up a counter-demand for compensation but also annuls the original demand, or at least a part of it. The direction of compensation is therefore reversed. Not only are pathways of agency therefore involved, but also one action may negate another and alter the flow of payments involved in compensations.

However, by explicitly introducing the concept of pathways of agency, we are able to place both the discussion of accident and the phenomenon of compensation reversal into a single analytical framework. Reversals of the kind we explore here illustrate how strongly Highlanders in fact make *linkages* between actions in terms of preceding cause, effect, and liability. The causes of these reversals are to be found in ideas about the emotions, specifically anger and shame, and the triggering actions involved are homicide and suicide. The phenomenon is linked to our general argument by the fact that pathways of agency are transformed by these triggering actions. Our cases on this point will be drawn from the Duna area of the Southern Highlands Province in Papua New Guinea, but we suggest that the principles involved are not restricted to the Duna case. 'Compensation reversals' should therefore form an illuminating category for cross-cultural comparisons in Highlands New Guinea as a whole.

The broad argument that in Highlands societies there is an overly strong concern with the significance of human agency is a familiar one. It has recently been challenged by Laurence Goldman (Goldman 1993). Goldman constructs his critique around the concept of 'accident'; arguing that this concept does exist among the Huli people and that in certain circumstances it can be used to mitigate claims of liability to pay compensation for misfortune or death. We must therefore begin our own discussion by reviewing Goldman's points.

Accident and Liability

In his book *The Culture of Coincidence*, Laurence Goldman cross-examines a range of ethnographic witnesses regarding the presence or absence, and significance, of ideas of accident and liability in New Guinea cultural contexts (Goldman 1993). He finds many of their accounts wanting in accuracy or completeness and argues from his data on the Huli of the Southern Highlands Province of Papua New Guinea that concepts of accident definitely both exist and are important in forensic decision-making. If an event is judged to have been accidental in the sense that no one is declared to have intended it to happen, compensation and counteraction, he maintains, are not needed in the same measure as when an intentional background to the event can be imputed to someone.

Goldman points out that some ethnographers claim that ideas of accident are absent from indigenous discourse; assert that such ideas, though present, are far more restricted in scope than in 'western' legal systems; conflate ideas of liability and responsibility; argue incorrectly that absolute liability operates across the board, regardless of the idea of *mens rea* (the guilty mind or

the question of intending or planning knowingly to do what is wrong); do not collect data on a range of cases and outcomes and on conflicting opinions in a given case; change versions of case histories in different publications; and do not attend to linguistic evidence or produce transcripts of cases.

Many of Goldman's points seem to be well taken. He himself makes it clear in more than one context of his argument that liability (an obligation to pay) and responsibility (being seen as a cause of an event through one's actions or failure to act) are *not* the same, even if indigenous exegesis appears to conflate them; that what we call 'compensation' may have more than one rationale; and that the question of what is an accident may not be simple to answer. One of the interesting sets of examples Goldman discusses is taken from work by Paul Sillitoe on the Wola people of the Southern Highlands Province. Sillitoe first refers to the principle that fight instigators must pay reparations to their allies for deaths incurred in the fighting (Sillitoe 1979:222). He then gives instances of how 'a person may assume responsibility for' accidental deaths. In one case a man asked a friend to travel with him and the friend drowned while crossing a vine bridge over a river; in a second, two men went out to hunt and one fell from a tree while searching for a marsupial and died; in a third, two children played and one died through impaling himself on a fence post; finally, a young woman killed herself by drowning after being in a dispute with someone over a pig (Sillitoe 1979:222-3). In all of these cases the surviving party was held liable to pay compensation to the deceased's kin. Sillitoe reports that the Wola explained that responsibility (and liability) in these cases flowed from the fact that the surviving parties 'should have been more concerned for the welfare of the deceased person' (p. 223). He adds that there may also be suspicions of foul play in cases like this (which lack witnesses, perhaps) (p. 223; see also Sillitoe 1981:76; both these sources are also quoted and discussed in Goldman 1993:54-8).

Sillitoe's analysis points up the interesting fact that a number of considerations may intersect in determining liability, rendering it in some sense contingent and complex rather than simple and absolute. Goldman also comments that it is important to study how these factors may intersect (Goldman 1993:55). Of particular interest is the issue of care, which can be at stake in addition to (or perhaps separately from?) the issue of precedence, which we describe below as the inviter-invitee scenario. In our own fieldwork among another Southern Highlands people, the Duna, we have found that care of others is an important matter also, but this is usually tied in with further factors, such as responsibility for initiating action, being senior, having more knowledge, and the like. In general, we argue that the notion of accident takes on a varying degree of importance, depending on its association with other concepts that come into play in any particular situation.

There is, for example, the well-known idea of 'levels of causation', which

entered the anthropological literature decisively with Evans-Pritchard's citation of the Zande notion of witchcraft as 'the second spear' (Evans-Pritchard 1976:25). Goldman considers that this 'Zande principle' has been applied too widely. How often and why was the concept invoked among the Zande themselves? We need survey data, he points out. He then proceeds to cite Frankel's finding for the Huli response to illness that only in a very small percentage of cases are mystical causes invoked, and that a naturalistic explanation of death may be given even when the event is considered serious rather than trivial (Frankel 1986:74, see also pp. 144-9; Strathern and Stewart 1999). Frankel's findings may be open to question, however. His figures are based on ascriptions by survey subjects, and in such cases people find it easiest to reply to the ethnographer (especially one identified also as a biomedical doctor, as Frankel was) that things happened 'for no reason' (Huli *bamu*). A response of this kind may cover up or seek to preclude an idea of mystical attack. People may simply give one level of the full answer; or they may ascribe a mystical element only at a later stage of events, when other evidence has surfaced. Furthermore, the Huli (like the Duna) also attribute death or sickness to arrow wounds or blows suffered many years previously and make such matters subject to compensation payments (Frankel 1986:127). They thus extend the effects of intentional harm well beyond what we might otherwise have expected, and so perhaps obviate the need to explain a range of deaths from other, mystical, causes, while still generating compensation claims (this also holds true for the Duna). This is not to deny that a concept of accident or coincidence as such exists and that in certain circumstances it may come into play. But it may be only one hypothesis among many constructed by the actors at a given time. Ambiguous linguistic usage may be observed in the case of Mount Hagen, where a death may be said to have occurred *we*, 'for nothing, without cause or agency'; yet a variation on this expression, *pömggi*, in fact is sometimes used to conceal a suspicion (not yet confirmed) that a death has been caused by a kind of sorcery (*konga* or *kopna*, 'poison sorcery').

Conversely, an action that is avowedly recognized as intentional may be euphemistically referred to in public as an 'accident'. In 1998 we witnessed this happening in the case of a compensation payment made for the killing of a co-wife in Hagen. The son of a business leader had two wives, one from Goroka in the Eastern Highlands, the other from the Enga area, and the Goroka wife stabbed the Enga one in an altercation. With the aim of reducing the potential for inter-ethnic conflict as a result of this event, political leaders in the Western Highlands Province called the event an 'accident', using the English word in speeches otherwise made in the local Melpa language or in the lingua franca, Tok Pisin. Classifying it in this way clearly did not obviate the need to pay a large compensation to the dead woman's kin (Strathern and

Stewart in press).

Accident and lack of intention are conceptually linked, and it is certainly true in Hagen that, unless an intention of a relevant kind can be confirmed, suspicion is not enough to press a claim. It must be strengthened by confession or 'proved' by evidence. Goldman makes the same point for the Huli in the lengthy case materials which form the core of his analysis. However, as he himself notes, the giving of 'compensation' is not necessarily predicated on blame established through an imputed intention. Further clarification depends on dissecting the etic category of compensation and turning it into a set of differentiated emic categories. In these, also, 'intention' is inscribed in a variety of ways, from direct to very indirect. The texts which Goldman selects for criticism (1993:35-63) most often contain reference to two structures of action. One we may call the inviter-invitee motif; the other the motif of care versus negligence. Of these two, the first is structurally more powerful or weighty. If someone initiates a course of action and invites another to participate, the structure is already set up in emic terms. There is already a presumption of liability and the question of care is secondary, though relevant. In Hagen the point is inscribed in the relationship between the formal initiators of a fight, who are *pukl-wō*, 'the base-men', and their allies, invited/obligated to join them, who are defined as *kui-wō*, 'dead man', and must *ipso facto* be compensated for losses incurred on behalf of the base-man (see Glasse 1959 on the Huli, where the same pattern is observed). This is a very strongly established pattern in Hagen (in practice, allies may volunteer to help, but this does not change the formal situation). All inviter-invitee scenarios can be classified under this heading, and in practice are likely to be so. If we look at the place of intention in this scheme of things, we see that it enters at the point of the invitation. The term *mens rea* or a concept of guilt is not what we need for this, but the state of the inviter's mind or *nomian* is relevant: the inviter knowingly intends an action which *could* lead to an injury or death for the invitee. In that sense there is a built-in liability, whether we call it absolute or not, but it does depend on relevant intentions at a connected point along the total pathway of actions. Goldman is right therefore in suggesting that intention is important, but we have to see how the concept operates for the people themselves and not restrict it to *mens rea*. The Hagen rule also overrides any concept of *volenti non fit injuria* ('wrongdoing cannot happen to one who has willingly taken part').

There is also another inscription of liability that is written into the kinship structure itself in Hagen, namely the duty to make payments to the matrilineal kin of a deceased person on his/her death. The idioms in which this is expressed are various: that the matrikin have lost one of their 'blood' (*mema*) and must be compensated – this is the basic level; that the agnates have not taken sufficient care of the deceased; and that only by a payment are

the matrikin enabled to recover from their grief. Ethnopsychology and liability blend together here, and while in no instance is an accusation of *mens rea* made, there is an indubitable obligation to make these funerary payments. The obligation exists whether there is a genuine accusation of negligence or not. In most cases the accusation is a formality, a conventional way to vent a feeling of grief, and not a real statement of liability based on any form of blame. If there is a serious issue of negligence or responsibility, it becomes a matter for a separate debt outside the ritualized context of mourning. In a sense the whole sequence is already implicitly 'there' from the time a marriage is intentionally entered into, leading to affinal connections. The manner and causes of death may also be relevant, but they need not be so. The matrilineal kin may be compensated by the agnates; while the latter separately seek counter-action against a third party who had 'invited' the deceased, for example, to travel in a car with them, leading to a road accident and death. The examples we have given here reinforce the point that we need to make a distinction between liability, responsibility, and full culpability or blame, and that 'intention' enters differently in each category in terms of the construction of pathways of agency and the intersections between agency and the structure of local groups. There can be overlapping or isomorphism between the operation of these categories, or they can be separated.

The conceptual difference we employ here between liability and responsibility has, then, to do with agency. Liability may be incurred on a corporate or co-implicational basis regardless of personal agency. Responsibility, however, implies some personal action that contributes to a pathway of agency leading directly to the events in question. Where a concept of liability is absent, there can be responsibility without liability; and where a concept of responsibility is lacking, there can still be liability. These propositions show that there is a point in making a distinction between the two terms rather than simply equating them. This point holds even though in terms of linguistic usage (but not practice) the concepts may be subsumed under a single general notion of 'origin'.

Stéphane Breton (1999:20) also remarks on the significance of basic ideas of causation in discussing materials from the Wodani area of Irian Jaya. A concern with tracing matters back to a foundational point or cause shows itself in Wodani usage with the term *hemba*, paralleled in Hagen by *pukl*, which was described above in the context of warfare. As Breton remarks, such a cause is 'a form of real presence' (p. 20): a force that manifests itself along a chain of events as these are retrospectively constructed. It marks an end-point for liability, which may or may not imply also responsibility or blame.

Liability can also obviously operate in cases labelled as 'accidents', where as an attribution of responsibility modifies the labelling process itself.

Responsibility implies having a part in bringing an event about, although this may not mean that anyone directly intended the event to happen. In a sense a claim of liability implies that somewhere along the pathways of agency there is responsibility. A group cannot be implicated in a claim for compensation unless some member of it is imputed the responsibility for an action that brings liability into play. Where direct intention is involved, there is clear culpability (as well as liability/responsibility), and the event cannot be called an accident (unless euphemistically so, as we have seen above). Further, in 'layered' causality systems what is accident at one level may not be so on another. Cases in which 'pure accident' is involved would have to be established empirically, and may not in fact be very common in practice. This is largely because of the political context of events.

Hagen Ideas

In Hagen, for example, there is some resistance to the idea that a death that results from conflict can be truly accidental in this sense. The death of E., a young Kawelka tribesman, in 1988 illustrates this point. E. was struck down in a late-night brawl in the precincts of the Administrative College in Waigani, Port Moresby, putatively by a Tipuka Kitepi clansman who was himself married to a Kawelka woman. No one declared outright that the accused (and later convicted) man had planned or intended to kill E., and yet no one could quite maintain or accept that the killing was simply accidental. E. was struck over the head with a blunt piece of wood while drunk; he lay in the grass for several hours before anyone apparently checked on his condition and by that time he was beyond saving. There was both unreasonable force and subsequent negligence involved. Later, further interpretations were made that suggested that premonitory omens had occurred to E.'s father in the home territory in Hagen, or that tribal politics were involved, since E. had proved a redoubtable warrior in the new style using guns, and that he had therefore been marked for death by tribal enemies of the Kawelka. The effect of these conjectures was that the event was moved further and further away from any connection with 'accident'. There were more and more imputations post hoc of intention and mystical determination, until E.'s death entered the mythopoetics of religious and political history. Later, the identity of his actual killer was also rendered moot by rumours. It is this constant fashioning and refashioning of interpretation that results in a 'saturated' version of history by which events are loaded with agency and in time become condensed political symbols. The diachronic interpretive process thus works *against* accident as an idea whenever the intergroup political context is already charged. At a final level a death may be said to have occurred because the

person was 'ripe for it' (*pol rurum*), an enigmatic notion that is the outcome of the *post hoc* interpretive process but projects this backwards and forwards, creating an aura or image of inevitability which again militates against the epistemological and legal development of accident as an idea in discourse.

Duna Ideas

With regard to the more narrow issue broached initially here concerning the presence and operation of ideas of accident, we may now say that such ideas certainly exist but tend to operate on the margins of legal systems in the New Guinea Highlands, rather than as central concepts. As an experiment an enquiry was made into notions of accident among the Duna, the north-western neighbours of the Huli, starting from the term *kogopo* (*kokopo* in our transcription), which Goldman gives as the Koroba Huli expression, allegedly borrowed from the Duna (Goldman 1993:114). Duna informants at once recognized the word, deriving it from the reduplicative *koko-* = 'for no reason' and *-po* = 'done/happening' (a similar term, *bahamay* ('nothing'), is found among the Wola – Paul Sillitoe, personal communication). Examples were given of various scenarios, and informants were asked for each case if compensation (*tamba*) would have to be paid or not. All cases involving the inviter-invitee scenario were judged to entail a liability for payment on the part of the inviter, or by extension, the original instigator. For instance, in 1994 a Duna man was asked to go on a difficult walk to a distant village and bring back a much-needed informant from there for a set of interviews on ritual trackways (Stewart 1998). On his own initiative he asked a fellow-clansman to accompany him, since the latter had a good, sharp axe and they would need to cut down trees on the banks of a flooding river in order to construct a rudimentary bridge on their way. The man accepted and they went off together quite happily. When asked what would happen if either man suffered injury or death on the journey, the reply was that the sender would be held responsible and would therefore be liable to pay compensation. The sender was seen as the *tse* or basis of the men's actions and would be required to pay, even if, for example, one of the men were to be negligent in helping the other, contributing to the other's death by drowning. The Duna concept of *tse* ambiguously covers blame, responsibility and liability all in one. And it was held to be operative even in those cases which were otherwise clearly labelled as *kokopo*. Thus, if the man had cut down a tree which then by chance struck the other man, or if one man were helping the other but his hand or foot slipped and the companion were drowned, this would clearly be seen as *kokopo*; yet, the sponsor of the expedition would still be held liable to pay. In these scenarios, then, *kokopo* and liability went together, regardless of inten-

tionality with respect to an accident itself, but having an absolute regard for the more remote pathways of agency seen as implicit in the temporal sequence of actions.

The essentials of the Huli case history that is the centrepiece of Goldman's book were recited to one of our chief field assistants (J.T.), who commented at once how strange it was that compensation was not demanded in this instance. The background here is that a women's house occupied by two co-wives caught fire and burnt down. One wife escaped with her pigs, while the other was burned to death. This circumstance brought suspicion on the survivor, but the son of the woman who died consistently declared that the death was an accident and he did not wish to claim compensation. J.T.'s comment was that by Duna reckoning, compensation could have been claimed whether the event was a *kokopo* or not, since there was at least some appearance of negligence or questionable conduct involved. The concept of a 'pathway of agency' (or of non-agency, or wrongdoing by omission) proves relevant here also. Only in such instances where the moral 'co-presence' of others (to use a phenomenological term, see Csordas 1994:13) is unequivocally *not* involved would J.T. allow that compensation need not be paid. The example here was that if a man went into the forest entirely on his own initiative to hunt marsupials, and in doing so climbed a tree and fell to his death, this would be indeed a *kokopo* and no compensation would need to be paid for his death (regular matrilateral death payments as 'compensation' are not made among the Duna, although, as we have noted, they are made elsewhere in the Highlands, for example by the Melpa, in line with the 'exchange orientation' characteristic of Western Highlands societies). But if it was claimed that witches had caused the man to fall to his death, then those identified as the witches involved would be forced to pay compensation.

Duna ideas about compensation thus tend to be located also in the pragmatic world of actions and social relationships. There is a drive to ascribe meaning to events by tracing pathways of agency, and 'accidents' may or may not entail compensation claims, depending not simply on whether an event was intended or otherwise, but on whether the potential pathway of its occurrence was a product of someone's intention. It is this idea of 'pathways of occurrence' that needs itself to be 'followed up' if we wish to understand Highlands New Guinea ideas of causation and their variable intersection with rules of liability and responsibility. It is certainly interesting that in quite a range of cases a similar metaphor is used to indicate both cause and liability, namely either that of a pathway (in Melpa *nombokla*, in Wiru *ka*, in Duna *hatya*, in Wahgi *kol* (O'Hanlon 1989:8-9)) or that of the base of a tree (in Melpa *pukl*, in Wiru *pine*, in Wola *tay* (Paul Sillitoe, personal communication), in Huli *tene* (Goldman 1983:16), and in Duna *tse*, obviously cognate with the Huli term and with Enga *tee*, see also above). The base of a tree may be far

from its uppermost branches and leaves, but it is temporally prior to them and has sustained them. Such a notion turns out to correspond rather closely to that of a 'temporal pathway'. In the Duna case, it is also interesting to note that the original ancestors of a group who are its *tse*, base or reason for existence as well as origin, are referred to as 'down below'. The image is not that of a top-down genealogy but of the ground itself and its depths. Ancestors are in the ground and the stones that signify them 'come up' after a set number of generations from their deaths (these *auwi* stones are said to be the hearts of the ancestors). As agents deep down in or at the base of the reasons for things, they may require sacrifices to be made to them, but such sacrifices are different from the compensations paid between people. The difference here consists in the fact that the ancestors or spirits are in a hierarchical relationship to the people who sacrifice to them. They can directly cause sickness in their living kin, as aggrieved living kin cannot. Compensation is paid to the living to make them feel better and to ward off their physical revenge; sacrifices are made to dead kin to appease them and to persuade them to release the life force of those who have done wrong or who are aggrieved with others for doing wrong to them.

Emotions and the Theme of Reversals

Looking at the cases we have discussed so far from another perspective, we can ask not simply what kind of pathways of agency or categories of agency are involved, but what sorts of feelings are expected to come into play in the generative processual chains which are constructed by the actors. Stereotypically, what generates a process of liability ascription in a given context is anger at an injury or death that has occurred and the search for an appropriate arena of revenge-taking. It is this anger that must be assuaged in order for a settlement or return to the status quo to be effected. People do not become angry with ghosts or other spirits if these are held to be responsible; the proper action to take in relation to these, as we have seen, is sacrifice. Rather, they become angry if other human agents are involved, even if these in their turn have putatively been influenced by spirits. The anger is directed back along a pathway of agency until the first instigator is conventionally located, and either revenge or compensation is sought. Where the issues are then debated between those involved, and the instigator admits both responsibility and liability, an element of 'shame' may enter, associated with this admission. This occurs especially when sexual wrongdoing is involved, for example if a man has had intercourse with the wife of a close relative and sickness results from this because the ghosts are displeased, or indeed angry. Actions can produce sickness as a result of anger, so that responsibility is

evidenced directly on the body. These bodily signs can be removed only if compensation payments are made. At a fundamental level, then, Melpa ideas are the same as those of the Huli, for whom Goldman has argued, quite correctly, that compensation payments are bodily healing rituals (see, for example, Goldman 1993:181). The same certainly holds for the Duna, who indicate that a wound or injury will not heal as long as compensation for it is not made. Herein lies perhaps a reason why compensation has to be made even if no intention to harm is involved. It would be a simple matter if harm was held to lie solely in the intention to harm, *mens rea*. But an intention to produce a different set of events may result in or cause harm, and therefore, by this logic, even an 'accident' may have to be remedied by compensation, since only compensation can produce healing. Compensation is a kind of medical treatment, mediated by the emotions of shame and sympathy (Strathern and Stewart 1999). Further, when compensation, one way or another, is refused or is regarded as inadequate, a resort to hostile bodily actions may ensue. Such resort in turn can lead to reversals, as some further Duna case histories will show.

Cases of Compensation Reversal

Case 1. A young local government officer reportedly had sexual liaisons with several young girls from an area south-east of the Lake Kapiago government station. From one romantic encounter in 1994 the girl became pregnant and gave birth to a baby girl. Her kin came to the station demanding that the man raise a bride price and marry her. Such issues are very serious in Duna terms, since there is a strong anxiety that sexual immorality is one of the contemporary signs of the cosmic decline of the ground and its potential demise (Stewart 1998; Strathern and Stewart 1998; Stewart and Strathern 1999). The man, however, refused to do this and the girl's kin became very angry (*lembo kaya*). The girl's father moved to a village near to the station and was living there with his two sons when the father of the young man against whom they held their grudge went on an expedition into the mountain at the back of the station to collect some bush rope for lashing the timbers of a new house he was building. There he allegedly met the two sons of the girl's father, who went home, collected the father and returned to the forest to ambush the man, kill him, and hide his body. His kinsfolk subsequently searched in vain for traces of the body. Nevertheless, they accused the others of murdering him and in turn demanded a compensation payment, which was duly refused. It was a particularly painful matter that no body was recovered, since without a body it is impossible to hold a satisfactory funeral, but the kinsfolk made a funeral platform as though there were a body and killed a large number of pigs

(about 70). The young man originally accused of the seduction was devastated and he and his relatives continued to accuse the other side of murder, without extracting a confession. In effect, the others maintained that the death was an accident, *kokopo*, without any agency other than the dead man's own. In spite of these denials, however, the girl's father now went to the forest and there hanged himself, supposedly out of 'shame' (*itakeu*) induced by the accusations of murder. Then in turn his kin came and demanded compensation for his death by suicide. Finally the original seducer and his family were forced to pay a huge compensation of almost 200 pigs to settle the matter.

The stages of imputed liability (L), responsibility (R) and blame (B) in this case are as follows:

Stage 1

Man has sexual liaison and girl gives birth to child.

Man and his kin decline to pay bride price.

Girl's kin are angry.

L/R/B is incurred, but denied in this first instance.

Stage 2

Man's father dies, allegedly killed by the girl's kin.

They refuse to pay.

L/R/B is incurred, but denied in this second instance.

Stage 3

Girl's father commits suicide, out of shame/anger.

L/R/B is incurred in this third instance.

Stage 4

L/R/B in the first and third instances are both admitted and a large compensation payment is made by the man's to the girl's kin.

The demand at Stage 2 was intended as a counter to that at Stage 1 and as either annulling it or creating a larger obligation in the opposite (reversed) direction, since murder stemmed from seduction. However, this demand in turn was countered by the suicide in Stage 3, since suicide stemmed from imputations of murder. Hence, a reversal of the reversal occurred and a doubly large compensation was paid.

The case shows the escalating effects and costs of denying liability and refusing sympathy (*arei*) to others. Anger was met only with anger, resulting in killing and suicide, and the upshot was the necessity to pay a huge indemnity, far greater than the original bride price that was demanded would have

been. The sanction behind such large demands is the threat of full-scale hostilities, which has re-emerged in recent years, exacerbated by the fact that the groups to the south-east possess a stock of firearms and are therefore feared by the people at the station and to its west (since 1994 these groups also have acquired a large stock of, mostly home-made, firearms, as was observed directly in 1999). The seducer may originally have relied on his superior status as a government officer in trying to refuse the demands for bride price. Seductions are infringements. The refusal to pay here constituted a *prima facie* justification for murder. Finally, perhaps the most surprising act of all was the suicide of the girl's father, an extreme act prompted by a combination of shame and anger corresponding to the category of revenge, or Samsonic suicide, since he would have known that his death would force the seducer's family to pay a crippling compensation in the absence of any legal regulation of the rates of such payments. What is also remarkable about the case is that the first death could easily in fact have been an accident. Limestone sinkholes are common in the forest and are hard to detect, and the man could easily have fallen into a very deep one and so vanished. Interestingly, the case also shows the opposite of what is exemplified by the main case discussed in Goldman's (1993) book. The latter case was supposed to indicate that an explanation of 'accident' may hold even in suspicious circumstances. The case discussed here shows that a charge of murder may be pressed even when the circumstances are not obviously suspicious. Which are we to take as 'more typical' of Highlands mentalities? We are inclined to argue that the Duna case here, while extreme in its details, is fairly typical in terms of its implicational logic (LiPuma 1994). The tendency is to impute intentionality and agency whenever there is anger involved between people, which thus sets in motion chains of events and their interpretations. This does not mean that all imputations 'stick' or are recognized. It is clear that deep damage is done when 'proper' shame is denied and flows of wealth are blocked. That in such a case very deep feelings are aroused is evident from the fact of the girl's father's suicide. His death remains as much of an enigma as the first death in the forest of the seducer's father. Whether the suicide is to be seen as an admission of some sort of lethal implication in the first death (as we might be impelled to conjecture), or as a strategizing act of aggression fuelled by a local Duna sense of being unjustly shamed, cannot be completely determined. From the time of these two deaths, all was a matter of uncertain interpretation, until the issue escalated into an implicit threat of war, resulting at last in a payment of compensation that recognized the ultimate legitimacy of the claims of the girl's kin.

Case 2. In 1998, the people of Hagu village in the Aluni Valley of the Duna area experienced severe drought conditions for several months, followed by

floods and an outbreak of diseases such as pneumonia, malaria, and possibly typhoid fever. Numbers of adults and children died, including the youngest daughter and son of a leading couple in the village. The father of these two children is the prime representative of the agnatic line of succession in Hagu and the loss of his only son while still an infant was particularly upsetting to him. Suspicions against numbers of women declared to be witches had been harboured in the village for many years, and now these were expressed openly. An expert, described in contemporary terms as a 'prophet', was brought in from outside the area and rewarded with a monetary payment for confirming the identity of several women suspected in this way. One of these women, who had married into the group and whose family was involved in a land dispute with the members of the agnatic line in Hagu, came forward and made a confession of guilt, implicating others as well. With this, events were set for compensation to be paid to the family that had lost the two children.

The process was interrupted, however. The woman who made the confession was reportedly kicked during an altercation with her own son. She subsequently died, and her death reversed the direction of the discussions. The death took precedence over the death of the two children, since it was putatively due to accusations of witchcraft and the fact that she had been hit. The children's parents now found that they and their kin networks were the ones who had to compensate the paternal and maternal kin of the woman who had died. In a small, closely intermarrying community of this kind, where ramifying sets of kin ties are important on both sides, this kind of situation may lead to complex and involute patterns of payments that may be drawn out over months and years. What was notable in this case was that the death of the woman appeared to take complete precedence over the initial claim for compensation for the death of the children. In other words, her death appeared to annul the first claim and to reverse the direction of compensation payments. The situation continued to play itself out along these lines in 1999, with some payments still outstanding.

Other elements have to be taken into account in order to understand this case. While the direction of payments was reversed, the leader who had lost his two children was able to insist that the women suspected of witchcraft should leave Hagu and take up residence elsewhere, mostly in the low-lying area of Yeru, where many of them had natal kin ties. He was thus not entirely without redress. His local group was 'purged' of those suspected of hostility against his family, and his own leadership position was affirmed, enabling him to draw others closer around him in the course of 1999. His acceptance of the reversal of the direction of compensation payments probably further consolidated his position, since it meant that wealth would flow to those in Hagu who had lost co-residential kinsfolk or who themselves had relocated to another part of the village in the process of cooling down the

hostilities arising from the witchcraft accusations.

In this case the compensation reversal has to be seen as a part of the complex overall set of processes of a regulatory kind that followed the accusations of witchcraft and the co-incidental death of one of the accused women.

If we look at the case in terms of a 'customary law' notion, it affirms the point that arose from case 1, namely that one event may overshadow or outweigh another. The death of the accused woman outweighed (at least during the time span of the observations so far) the death from illness of the two children.

Case 3. In mid-1999 a suicide case occurred in Nauwa parish, also in the Aluni Valley. A young man had been accused some months previously of sexually interfering with a girl of the parish, who was moreover considered to be too young for sexual activity. Neither the young man nor the girl came from an agnatic line within the parish. The girl's father came from Kelapo, a distant parish to the south, on the border between the Duna and Huli language areas. He had married the sister of a former Nauwa councillor and agnatic parish member and had come to live at his wife's place. The young man was also tied to Nauwa as a 'sister's son', and his own paternal kin lived elsewhere, near to the Lake Kapiago government station. In addition, his parents apparently were both dead and he had been cared for by his maternal uncle.

When he was accused, parish councillors and leaders heard the case and stipulated that he should pay compensation in the form of a sum of K300 in money (three hundred kina was equivalent to c. US \$100 in late 1999) and a certain number of pigs. He was able to raise half the amount of money and most of the pigs, and the leaders were said to have told the girl's family to acquiesce in the settlement. The young man himself left the parish and went elsewhere, probably back to his paternal area. Some time later he returned quietly and, while taking part in a basketball game with other youths, was accosted by an uncle (father's brother) of the girl and abruptly asked when he was going to pay the remainder of the compensation owing for what he had done. The boy made no reply.

That evening calls reverberated throughout the valley system, reaching Hagu from Nauwa just before dusk. The boy was lost, and his kinsfolk were concerned. Had he gone to visit relatives in one of the other parishes in the vicinity? Early next morning yodelling calls indicated that he had been found dead, having hanged himself from a tree. Relatives from every direction prepared to go to his funeral and brought a stream of rumours back to Hagu and Aluni. The uncle's demand for further compensation had apparently confused and intimidated the boy and caused him shame (*itakeu*). His suicide in response to this brought down community condemnation on the girl's family for renewing the claim for compensation. The claim was branded as

excessive and demands were turned on the family itself, especially on the father and his kin, since it was his brother who had precipitated the crisis by his insistent demand for more. The dead boy's paternal kin came and declared they would take his body and bury it in their own place. The Nauwa kinsfolk rejected this claim and a public debate ensued that involved leaders from all the surrounding parishes. Eventually the boy's body was buried in Nauwa, and the regional leaders decided that a very large claim for compensation for this death should be lodged against the girl's father and his kin at Kelapo, and that a delegation of leaders should go with him on the several days' walk to Kelapo to deliver the claim. The sum involved was a conventional 14 x 14 items in money and 200 pigs, according to one report. The father accepted the claim and was permitted to take his wife and children with him to his own place. He reiterated his views on his own outstanding claim, arguing that the boy had not only interfered with his daughter but had entered his compound without permission. It seemed unlikely that this claim would be recognized. Many commented that it was also unlikely that the Kelapo people would honour the commitment to pay compensation for the boy's death, since they lived so far from Nauwa and had few exchange ties with people there and since the girl's father himself was said to be an ill-tempered man with little social standing or support.

The case nevertheless displays the same pattern as cases 1 and 2: a reversal of a compensation claim following the death, by suicide in this case, of someone initially accused. People with whom we discussed these cases in the field remarked that the pattern involved was not new but was known from before. The implication is that claims for compensation need to be tempered by reason and moderation, because otherwise the feelings of shame and anger that are aroused may lead to an untoward backfiring. This idea in turn shows that notions of pathways of agency are at work. The boy's suicide was regarded as being triggered by the excessive and unwarranted way of shaming him on his return to Nauwa. Words are dangerous and powerful and can cause trouble that is apt to translate into a need to pay out vital wealth. Much of the pressurizing of people to make them meet obligations or respond to requests depends on a modicum of shaming. But immoderate shaming causes a reversal of roles and carries its own nemesis. In a social context that depends for its continuity on a blend of coercion and persuasion, the rules of compensation have clearly come to enshrine the principle of moderation.

Discussion

Our object in this paper has been to look at some of the perceived parameters of human agency among the Hagen and Duna peoples of the New Guinea

Highlands. Noting the important role attributed to human agency by these peoples, we reviewed the question of accident in an attempt to resituate the debate begun by Laurence Goldman (Goldman 1993). Goldman's project was to stress that a concept of accident does exist among the Huli and that it bears upon compensation claims. Our own effort was directed towards examining the concept of accident itself further, since questions of agency are crucially involved in this. We concluded that, while ideas of accident certainly apply among both the Hageners and the Duna, they are in practice intertwined with subtly structured notions about pathways of agency. An event may not be the result of anyone's direct intentions, but someone's intended actions still set in train earlier events that led to the later one. This event is thus an accident in one sense, but liability and/or responsibility for it may still come into play and result in compensation claims.

We found it useful to employ the distinction referred to earlier in this paper between liability, responsibility, and blame (a definite attribution of culpability). All three can be involved together, or each separately. Liability is linked most often to someone's responsibility, and where this is so, again to agency. An 'accident' can result in liability; it can also have elements of responsibility and blame mixed in with it. Retrospective evaluations can change the perception of an event such as a death. All of these considerations tend to reinforce the Highlands stress on agency in general.

In the three cases from the Duna area which we discussed particularly, questions of accident as such were not principally involved. Ideas of pathways of agency were strongly evident. In cases where a compensation claim for wrongdoing had been lodged, subsequent deaths were interpreted as being linked to these claims and as flowing reactively from them. In case 3, for example, the boy's suicide was seen as a direct response to the excessive demand placed upon him. The demand was interpreted as the relevant cause of his death, via the concept of shame. The accusers had allowed their anger to go too far. The same reactive nexus of anger and shame is found in the other two cases also. Since shaming can 'cause' death in this way, it leads to the reversal in the demands for compensation which we have described. The implication is that in these cases shaming should have been moderated, should not cause death: a principle that appears to be related to the way shaming is said to operate in some other Melanesian societies where wrongdoers are reported to commit suicide out of shame (see, for example, Epstein 1984). Evaluations of shame and shaming clearly therefore offer us a perspective on ideas of personhood that may not otherwise become evident. Where shame is thought to lead to suicide or to direct killing, the act of shaming is regarded as immoderate. A principle of moderation in personal action is thus revealed. People also need to anticipate or think of the possible consequences of their own actions in chains of interpersonal events. This is an

important part of morality and concepts of social personhood, a topic mooted long ago for the Highlands by Kenneth Read (1955).

In terms of technical ideas about agency, the chief concept we have brought forward is that of pathways of agency. This concept can be used to help us understand the reasoning at work in the compensation cases we have examined. It is also useful in deepening our understanding of the problem of accident. Ideas of accident are modified because they are intersected by notions of causation that derive from the perception of pathways of this kind. An event may not be directly intended, but it has meaningful antecedents which establish the nodes of liability and responsibility, enabling processes of social reckoning to take place.

Finally, our case materials here raise questions and offer possibilities regarding the understanding of suicide. The suicides we have discussed have to be seen as intentional acts caught in the pathways or webs of agency we have identified. They are regarded by the people themselves as being both reactive and proactive, contributing to claims of imputed liability, responsibility and blame. Most notably, suicide can be a potent social act, transforming or reversing a previous situation and 'turning the tables' on accusers. Linked to ideas of excess versus moderation in human social action, suicide forces people to comment and reflect on the justifications for action and generates transformations in flows of vital wealth (see Bonnemère 1992 for a comparative discussion).

From a different analytical viewpoint, suicide can be seen in terms of social pathology. The 'compensation reversal' theme seems to be culturally and historically embedded among the Duna. However, the cases given here, dating from the 1990s, also reflect the historical change in practices in relation to sexuality, the resurgent fears of witchcraft that are in part a product of modernity and its pressures, and the difficulty actors experience in negotiating the justifiable limits of their actions in uncertain contexts of contemporary sociality.

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