Discovering 'Social Control'

Marilyn Strathern*

Law, states Black, is governmental social control. As he is forced to add, "By this definition, then, law is only one kind of social control". Later he proposes that "law varies inversely with other social control".¹

It is an anthropological platitude that the institutions of 'law' do for societies with government what other forms of social control do elsewhere. Or conversely that the sense of social order enshrined in legal/governmental institutions is simply a more complex, rigid and systematic version of what people do everywhere to sustain an ordered life. A battery of further concepts — regulation, sanction, conflict resolution — registers the diminished governmental aspects of peacekeeping activities in systems where these draw instead on political or religious processes, or on other regulatory forces such as 'reciprocity'.

The platitude is served by the notion that societies do not just exhibit structure, they also sustain themselves as social orders. People make this order known through their formulation of norms (in Black's words, "social control is the normative aspect of social life")². Indeed, anthropological discussion about the nature of normative and sanctioning behaviour turns readily from the issue of whether or not the X 'have law' to the more interesting one of how the X maintain social control. The permeability of the two themes shows in the quasi-legal metaphors which have penetrated descriptions of social regularity itself. There is more in this than simply the elucidation of rule-like formulations. Thus Geertz writing of culture as a whole, uses the notion of control by way of analogy; culture "is best seen not as complexes of concrete behavior patterns - customs, usages, traditions, habit clusters - . . . but as a set of control mechanisms - plans, recipes, rules, instructions. . . . - for the governing of behavior". He

*Trinity College, Cambridge CBZ 1TQ, Great Britain.

This is part of a paper originally prepared at the request of William Wormsley in conjunction with the Law and Order Project being conducted in the Enga Province of Papua New Guinea. Its companion, which continues the argument, will appear in his book, Conflict and Control in the New Guinea Highlands. Versions of the original were presented to Anthropology Departments at the Universities of Sydney, London (L.S.E.) and Hull, and I am grateful for the criticism they received. The present version benefits from and in some cases directly incorporates the detailed comments of John Comaroff, Peter Fitzpatrick, Lisette Josephides, Laurence Goldman and Alan Rumsey. I also appreciate the encouragement of Aletta Biersack, Paula Brown, Jane Collier, Donald Denoon, Rena Lederman, Harriet Whitehead and Anna Yeatman. I must thank two other sources: the Gender Research Group at the Australian National University, Canberra, in whose company the original was written, and Francis Snyder (reader for the Journal of Law and Society).
then adds a note about man’s nature: “man is precisely the animal most
desperately dependent upon such extragenetic, outside-the-skin control
mechanisms, such cultural programs, for ordering his behavior”.3

To follow Comaroff and Roberts’ analysis of Tswana litigation,
however, there seems no reason on the face of it why disputing as such
should concern the imposition of order and exercise of control. The
authors deliberately dislodge Tswana dispute processes from the simple
implementation of norms.4 When they refer to ‘sociocultural order’, they
intend order in the sense of system or structure, in dialectical relation with
practice, and not as a matter of normative control. On the contrary, they
distinguish their analysis from two separate paradigms in anthropological
approaches to social control, the ‘rule-centered paradigm’, and the
‘processual paradigm’ which postulates “the dynamics of order in the social
process itself”.5

Yet again, on the face of it, whereas Comaroff and Roberts avoid the
elision of dispute processes with dispute settlement, for ethnographic
material from Papua New Guinea Highlands which I wish to discuss here, a
whole class of disputes emerge specifically in the context of their apparent
‘settlement’. They are made public at the point at which parties come to
talk about the issues between them and seek adjustments to their relations
through compensation payments. These ‘settlements’ appear to reconcile
differences, and thus to have a regulatory force. Like many others, I have
in the past assumed that such procedures are part of what is meant by
‘social control’, and if I go over old ground in the anthropology of law, it is
as much to understand previous assumptions of my own. It will be clear
that I am dealing with only one strand of anthropological thinking on the
subject, as I deal with only one interpretation of law to which such thinking
is related.6

The interesting question is why the idea of the social control is so
compelling. For anthropologists this comes, I think, not simply from their
interests in elucidating normative order, or order as system and structure,
but from an interest in the activity of making representations of social life.7
As in the case of symbolism, parts of social life are seen to offer
commentaries on other parts, much as the social scientist’s job is to offer
commentary. Social control-like mechanisms perhaps draw us for the
reason that they appear to validate the act of describing behaviour as an
endeavour separate from the behaviour itself. This hierarchism inheres in
western social science. I would argue, then, that one impulse to discover
social control in institutionalised form, and thus set apart as a realm of
interaction which deals with, modifies and above all comments on other
realms (such as conflict or the ‘normal’ state of affairs), lies in its
hierarchical analogue to the activity of describing society as such.

It is worth considering this process of discovery. Social control is
frequently discovered in other cultures as the specific counterpart to
regulatory mechanisms in western society. In the form of ‘law’, such
mechanisms are presented as having a transformative effect on social life
and as adjudicating both on what the sources of conflict are and on social order itself. Thus even where we cannot find counterparts in other societies to our formal judicial structures we nevertheless like to discover regulatory mechanisms, in however a diffuse or generalised form.\(^8\) They may be uncovered as ‘customary law’. Yet it is not always appreciated, perhaps, the extent to which such discoveries simultaneously underwrite western law as a specialised and sophisticated mechanism whose primitive counterparts are uncoverable everywhere, and also underwrite the legitimacy of such law as dealing with fundamental human processes. Societies everywhere are seen to have similar regulatory problems. For certain styles of anthropology, this model is a double validation of the assumption that society is describable.

The model does not have to look at alien societies for cross-cultural support: in extra-legal areas of western life it uncovers regulating mechanisms which are held to replicate the controlling functions of law.\(^9\) Non-legal instruments of social control thus support naturalist assumptions that law is only doing in a governmental context what elsewhere is contrived through a variety of other means but remains directed to the same ends of societal regulation and order. A particular view of human nature is involved here. In this view, what is regulated is disorderly behaviour; as Epstein observes, “universally men have differences and quarrels with their neighbours and fellows”\(^10\). Quarrels, disputes, conflicts in stateless systems thus become the counterparts to litigation over offences, torts and so on in western society, or to informal western processes of conflict managment. Interpersonal violence and warfare may be classed as a ‘breakdown’ of order. Thus, there is a general assumption that customary dispute settlement procedures have an interest in the regulations of social life which is comparable to western ‘law and order’ interests.

At least for the Papua New Guinea case, however, it may pay us to regard dispute settlement in another light. For the very idea that law is a societal mechanism which meets basic human needs for regulation is part of the ideology of law. This ideology in turn draws on a model of social life and human behaviour which belongs very much to the industrial west, as well as to state systems of government. I am referring to that self-description of law which upholds the notion that order is the proper state of society, and society itself is imposed upon individuals who are by natural propensity asocial beings. Indeed ‘society’ is evinced in the regulation of individual behaviour. As expanded by anthropologists, this model classifies societies as everywhere attending to the same ends,\(^11\) including the management of disruptive behaviour manifested at the level of individual conflict. The introduction of novel judicial institutions into third world countries is consequently regarded as a matter of ‘law’ supplanting indigenous dispute-settlement procedure, on analogy with the new social order supplanting the old. Yet for cultures, as in the Highlands of Papua New Guinea, who do not define ‘society’ as the regulation of ‘individual
behaviour’, assumptions about social order and control may underestimate the direction of indigenous interests. They may also lead to misunderstandings about the impact of introduced judicial procedures and the nature of local dispute settlement processes alike.

THE IMPOSITION OF LAW

A naturalist interpretation of western law, that it serves universal human needs for regulation, hardly needs expounding. The interpretation has been thoroughly aired in the context of the imposition of law.

Among the questions posed by Burman and Harrell-Bond’s book of this name is the extent to which all law is imposed law. Kidder criticises the assumption that if people were left to their own devices then they would not impose on one another. He himself suggests that law should be treated as an arena for the promotion of interests; the issue then becomes levels of interest. Interests by their nature lead people to impose on one another, and one could not describe social life without ‘impositions’ of this sort. Yet this leaves us with a further problem of description. Even if they are about the promotion of interests why should some arenas, and not others, be conceptualised as to do with the regulation of behaviour?

Kidder is sceptical about defining law “as a manipulable device for producing social control”. However, a number of the contributors to this volume take as axiomatic the proposition that law itself is a behaviour which ‘controls’ other behaviour. Thus Aubert, distinguishing between norms (means) and values (ends), states:

By norm I refer to a rule of behavior. The tendency in traditional law is to demarcate the borderline between acceptable and non-acceptable behavior . . . The law deals with marginal behaviour; it sets the minimum standards of conduct.

The whole vocabulary of norms, regulations, standards speaks to the postulate that one type of behaviour has to be controlled by another type. Certain institutions, such as the judicial institutions of governments, specifically present themselves as specialised instruments of control. They might promote administrative or class interests, yet are regarded as essentially in competition with other means of behaviour control.

The contributors not only draw attention to the question of ‘imposed’ law, but to basic behavioural assumptions which underlie the notion of imposition. It is pointed out that law is regarded either as imposed in the sense of dominating other interests, or else as a mechanism of self-regulation. These dichotomised views, I would add, share a common conception of human behaviour. Whether, as the editors observe, “man is a social animal, most fully realizing his potential in a society ordered for the common good and in which there is a general consensus on the laws” or is “an atomized individual pursuing his own selfish goals, on whom any social control is an imposition”, the human being in each instance (‘man’) is analytically separable from the social order.

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careful to say apropos the first instance that the consensual tradition constitutes true freedom for the individual: “laws preventing individual action that interferes with social cohesion are not an imposition on people’s freedom, but an aid to it”.

One source of these ambiguities must rest in the attempt to delineate non-European social formations through the concepts of the European Enlightenment: “how men can order their social relations and still remain ‘free’”. Aubert points to the roots of this question in the twin developments of eighteenth century natural law, through the science of economics and the less successful sociology of legislation. Both Adam Smith’s market place and Jeremy Bentham’s utilities solve the dilemma of regulation versus freedom through the notion of self-interest. Self-regulation becomes a social phenomenon, since if individual behaviour is regulated, then society is regulated. Individuals bear within themselves, their conduct, the model of the regulated society of which they are part.

In this constitutional paradigm the individual becomes the site of social interest, the selector (market place) and regulator (legislation) who will shape society at large. Enlightened self-interest means that the individual does not compromise his freedom in pursuing social goals. But this apparent resolution of the legal paradox, between the imposition/enforcement of law and law as depending on the will of the people, works (Aubert argues) for the market place better than it works for legislation. The market place offers a common measure of values where the legal system does not. One could add furthermore that the market place is represented as regulating needs and desires it also creates; whereas the legal system is held to respond more directly to the demands for regulation itself — and thus plays itself out against what needs to be regulated, viz, human behaviour. This requires that the origins of human behaviour lie outside it. ‘Law’ in this interpretation does not set itself up as only creating needs it then fulfills (as one might regard the market place) but also responding to a need to regulate behaviour which arises from other conditions. It implements a theory of ‘behaviour’, then, which requires that persons emerge as social agents when they are able to be in control (of themselves, property, others).

On this premise, westerners have no problems in visualising continuity between criminal and civil law. Individual and state in an adversary confrontation, the one seeking to ‘control’ the other, is imaginably analogous to two individuals each controlling the influence the other has on his or her person. This extraordinary if common analogy leads Hamnett to question the ease with which legal anthropologists focus on control. He would oppose the dissolution of law into the general category of social control. Control recalls criminal law and neglects the operations of civil law. Hamnett wishes to argue that customary law provides ‘normative’ without necessarily ‘controlling’ mechanisms. Actors make normatively clothed abstractions from practice; the abstractions are both descriptions of practice and are invested with ‘binding authority’; one may understand
these as facilitations rather than regulations. His model is thus of a civil order.

Yet Hamnett reintroduces the assumption that order in the sense (1) of structure, regularity, the ground rules for expectations, the definitive contextualisation of actions, implies order in the sense (2) of normative non-contradictory, non-conflictual, non-violent regulation. The whole purpose of the ‘political’ debate within the anthropology of law, including the development of the processual paradigm, was of course to separate conflict in the sense (1) of opposed interests not open to reconciliation from conflict in the sense (2) of a breakdown of social order. Conflict in the first sense could well be part of order in the first sense. An antithesis between conflict and order (sense 2) only emerges when order is defined as peaceable regulation, and thus defined as the opposite of conflict. Conflict and order then become antonyms, and belong to ideologies which promote a transformational view of the relationship between ‘society’ so conceived and individuals/events/acts. This ideology equates the regulatory ends of both criminal and civil law, in the interests of a social order seen at rest.

The premise of those western models which inform much social science thinking on the matter is (a) that individuals reflect society, either as its subject of domination, or else in the sense of regulating themselves as society is also regulated, so that they internalise its norms, and (b) that behaviour has to be regulated — people have to be made or have to make themselves behave. What is taken for granted is the normatively ‘civil’ or peaceable dimension of such regulation: the second proposition (b) can be re-written, on this model, as [unbridled self-interested/violent] behaviour has to be [peaceably] regulated. Regulation, then, implies modification of interaction of a particular kind. These processes may be discerned in other societies. Thus Abel describes tribal systems in terms of the extent to which conflict or dispute may be frequent, polycentric, may preserve relationships, urge ‘behavioural reform’ and so on. He gives a fine description of the vagueness and inconsistency which widespread consensus allows in ‘judgements’. But in the end his subject matter is social control:

Social control operates through special deterrence — convincing each wrongdoer not to repeat his error — rather than through general deterrence, making an example of one wrongdoer in order to influence the behavior of others.  

It is possible to move from talking about ‘control’ to talking about ‘influence’ only if one has a theory of human interaction which sees a certain type of ‘regulation’ (regulation in the interests of social order) as the outcome in either case.

I have argued elsewhere that while we may use problems of our own to explore those of other peoples, it often turns out a totemic illusion to ‘discover’ those problems within the symbolic and ideational systems of those we study. Perhaps we are doing just this when we juxtapose the formal law of our society against the informal legal procedures of other societies, and thus discover a realm of social control which apparently
operates according to principles and ideas not dissimilar to extra-judicial processes in our own. What is discovered is 'more' or 'less' attention (cf. Black) to formal judicial procedure. Yet western law can be interpreted as a microcosm of society only because in the end its regulative functions bear analogy with all 'social' activity. Whatever distinctions exist between formal judicial institutions and their informal social control counterparts, as common regulative mechanisms these together operate to differentiate social from non-social behaviour.

It is integral to this interpretation of law that it at once attempts to recapitulate a whole order and remains a partial description of it. 'Law' as a microcosm of society forever has to work against asocial forces. Moore begins her book:

A conventional self-image of law in the American legal profession is that the law constitutes the intentionally constructed framework of social order. Yet everyone in the profession knows that the practice of lawyers is by and large an exercise in the manipulation of 'the system'.

Given a self-description of contemporary legal process as dealing with an ordering and organisation of rules in the interests of social order as such (order as both regularity and regulation), it is not surprising that the historical origins of law (a source other than itself in its present form) should be seen to come from a different arena, custom. Custom is held to promote regulation, but in a primitive manner:

In capitalist countries the dichotomy between 'law' and the residual category, 'rules that are not law', is encapsulated in the notion of 'government' as opposed to 'private' regulation. The preservation of the division between the state-regulated sector and the private sector is an ideological point of honour.

Whence the ideology?

Fitzpatrick identifies this ideology in the constitution of the state. The notion of state law as a unifying, universalising institution necessarily precipitates a plurality of social forms; "state law stands in opposition to and in asserted domination over social forms that support it". That is, law creates its own boundaries, the area to which it is applied and from which it stands apart, and even those areas to which it is not applicable. It "sets and maintains an autonomy for opposing social forms". Thus the concept of coercion depends equally on the concept of consent (coercion is consent overridden). At the risk of oversimplifying Fitzpatrick's argument, I suggest that such dialectical constructions result from the effort of self-description, which is itself a cultural activity of a particular kind. We belong to a 'society' which describes itself as a 'society' over and against other entities, nature, the individual etc. The relation is a transformative one:

In terms of mentalitites and the supportive complicities of scholarship, law becomes associated with what is effective, that which acts and controls, rather than that which is acted on and controlled. It dominates rather than reflects nature.

Its origins are regarded as lying in the partial move towards such
domination which also constitute ‘custom’ and ‘private regulation’. The area of custom may thus be seen as either a primitive domination of nature, analogous to modern law, or as itself closer to nature, to be encapsulated by or set against modern law. A plurality of social forms is integral to the bourgeois world of which formal law is a part. Fitzpatrick raises the issue of whether the genesis of this plurality should be sought in state or class formation. For my purposes the source is irrelevant. My interest in the manner in which such ideas have formed the screen through which western European anthropology has discovered social control, of a more or less formal kind, in other societies. The notion of extra-judicial dispute settlement, of non-governmental self-regulation, is of course part of the screen.

I turn to interpretations of customary dispute settlement procedures in Papua New Guinea. A caveat is necessary. At issue is the extent to which certain western models of society also become the basis upon which western observers discover legal mechanisms in other systems than their own. This means that I am not in any sense comparing social organisation in Papua New Guinea with that of a specific western country. To take on board a proper comparison of legal systems, for instance, would lead into an analysis of judicial practice, informal settlements, and so on. It has also been necessary to subordinate the ethnographic account to the ends of my argument. Material dating originally from the 1960s and early 1970s is drawn mainly from one central Highlands society, Hagen. Descriptions of the state of affairs at specific historical junctures are already published, and I deal only with certain generalisations drawn from these. Finally, attention is paid to the area of formal dispute settlement in which men alone are prominent, although the character of their transactions here cannot be fully understood without appreciation of the adjustment of relations among kin of both sexes and in the domain of domestic production where women are as significant as men. This is a contrast I mention but cannot develop here.

PAPUA NEW GUINEAN DISPUTE SETTLEMENT

Dispute settlement procedures comprise a special type of social activity in Papua New Guinea; but they do not mark themselves off as regulating or overriding behaviour considered in some sense anti-social or non-social in nature. This observation is indirectly supported by the strong tradition in anthropological analyses of the area which points to continuities between such procedures and other features of social life. Approaches which concentrate on interests reveal this well. Nevertheless, it will be seen that for Hagen society I distinguish my argument from that truism noted by Fitzpatrick which takes “the legal” as “embedded indistinguishably in the totality of social relations”. There are very particular characteristics of the sphere in which Hagen ‘dispute settlement’ emerges as a social form.
Epstein remarks generally for Papua New Guinea on the characteristic reliance on the principle of self-help. Lawrence uses the term self-regulation. A person seeks his own redress, whether for himself or on behalf of a group with whom he is identified. Self-help is perhaps more accurately rendered self-interest, since what is generally at stake is the acknowledgement of an injury sustained to interests. Others come to a person’s aid insofar as interests are seen to be shared. The value of these interests can be commuted into wealth or compensation items under certain conditions, as happens in many Highlands societies.

By comparison with approaches which take some kind of ‘trouble’ as their focus, conflict in Papua New Guinea situations may be interpreted much more neutrally. Epstein himself offers an open formula: “I shall treat as a dispute any kind of behaviour that points to contention based on opposing claims and involves the taking of sides.” Interference in the alleged ‘rights’ of one party (a ‘disagreement’ or ‘quarrel’ arising) turns into a ‘dispute’ by being brought into the public arena. Koch uses almost identical language. “I view a conflict or dispute as a confrontation arising from at least partially incompatible interests of opposing parties.” The incompatibility of interests, and people’s mobilisation in relation to them, leads the analysis back into politics.

Fitzpatrick takes anthropologists to task, however, for tending to subordinate dispute settlement to political issues, and for failing to address the concept of legality — the constitution of the rights and powers of persons which derive from relations of production. By legality he means “individual right and the recognition or constituting of the legal subject.” This gives him a strong purchase in discriminating between situations where principles of legality do and do not apply. Thus, apropos Papua New Guinea, he writes:

aspects of legality . . . can be discerned in absences of their application to some people. If legality were based in production, we could expect that because of women’s subordinate place in production . . . legality would have an attenuated application to them. This was indeed so. He argues that (among men) freedom and equality in formal terms are firmly embedded in production; it is exchange that serves “to create relations of subordination and inequality”. But we need to know whose evaluation of ‘equality’ this is. As far as Hagen is concerned, there is a whole rhetoric of egalitarianism which belongs to the exchange sphere. I here take exchange as constituting political process in its widest sense. In the context of public, political transactions, men assess themselves in terms of both equality and inequality.

The demarcation of persons in respect of legality may discriminate between social categories to perpetuate fundamental differences in people’s access to remedies. But differences constituted on these grounds cannot be the same as those constituted through competing claims. The interests which divide Papua New Guinea men often include those of competitive self-advancement. Insofar as ‘equal’ persons and groups are in competition
with one another, in the creation of inequalities, they are divided only by
the success with which they can pursue their goals in the face of
competitors. When the issue is presented as restoring balance, assertions of
equality between disputants acquire the character of vociferous claims.
Pursuit of redress thus feeds into adjustments of agonistic relations. Indeed
'settlements' as public event often only work where there is a presumption
of bargaining parity. As Reay emphasises, it is within the framework of
egalitarianism that contestants in fact pitch their strengths against one
another. This is the sense in which dispute settlement is seen to be part of
ongoing political processes.

Dispute settlements occur, as Fitzpartick notes, precisely in those
spheres also characterised by ceremonial exchange. This is the sphere in
which persons perceive they have certain interests in maintaining relations
but, not being materially interdependent, are not bound to do so. Dogmas
of reciprocity help sustain these relations, and maintain the fiction of
potential equality between exchanging partners. Ideas such as reciprocity
and equality, then, are ones through which the actors think about aspects
of public life. But the principles of collective life to which Hagen men at
least give voice turn out to be very partial depictions of 'society' as such.

Here I wish to advance a specific argument for Hagen. Their representa-
tions demarcate a public arena of social action, involving men in politics of
various kinds. Assumptions are made about the way people will behave,
especially as far as the issues of motivation and intention are concerned.
These representations also set up an evaluation of other areas of social life
and may see their ends as to some extent subordinated to the demands for
collective interaction. But this political arena is not I think held to replicate
all social interaction. The conduct which 'regulates' relations between
political competitors is not a microcosm of societal regulation at large. By
the same token, what goes on in dispute-settlement arenas cannot be taken
as crystallisations of general sanctioning behaviour. Hagen courts, tra-
ditional or otherwise, were not a focus for the implementation of general
regulatory principles. In short, Hagen dispute-settlement does not stand to
Hagen social regulation as legal and judicial institutions in state societies
such as our own stand to social control. Settlements are not informed by an
overriding concern to discriminate 'social' from 'non-social' human
behaviour, and thus do not see all social behaviour as conspiring towards a
common end (order, regulation).

This throws some light on the comments above. For although the
conflict-of-interest model is one we have known since Evans-Pritchard's
analysis of the Nuer feud, there seems to be a self-adjusting mechanism
which steers even this model towards ultimate formulations of 'social
order'. In the Papua New Guinea case, this shows in the awkwardness of
analyses dealing with the close relation between conflict and violence.
Anthropological accounts of dispute settlement have been successful in
their delineation of a whole range of social interests bar those represented
in violence itself. This comes from, I think, mistaking the relationship
between violent and non-violent action. Because we take people’s interests as directed towards gaining returns, we tend to assume that in the long run such interests are promoted and rewards enjoyed in a peaceable fashion. Violence is interpreted as a means to an end. We thus also assume that people have an interest in non-violent action as such, including the regulation of violent actions. One of the problems, as the next section suggests, may be the way in which the one substitutes for the other.

Let me press the point through Koch’s description of Jalémó in West Iran. Koch suggests that almost any Jalé conflict can be settled by restitution or indemnification, or equally that almost any conflict can escalate into war. His analysis is directed towards the extent to which peaceable settlement is possible. Conflicts can be ‘managed’ peacefully under certain conditions; people try to prevent violent reprisals, however, not because violence as such is abhorred, but because they may see particular benefits in turning the event other ways. Yet in his final analysis violence is explained away through an assumption, that feelings of hostility and desire for revenge will prevail unless other factors intervene; there is no real account of the values of violent reprisal as such. If “peaceful relations within a community” really are so “precarious” then it is questionable the extent to which ‘peacefulness’ is an appropriate description for the general state of affairs. The language of “brakes” and “constraints” will not do. And to assert that “All warfare . . . follows from an absence or breakdown of peaceful means to settle the dispute” is not only a generalisation that goes against his own data, but describes Jalé conflict management in terms of political aims quite alien to their world.

Jalé are thus credited with certain interests that lead to conflict in the first place, and with certain other interests that violent conflict endangers, but the analysis stops short of attention to special interests which violent behaviour itself might embody. Koch is squeezing what he more usefully calls ‘conflict management’ into the frame of reparation and regulation. Yet if conflict arises when an opposition of interests becomes the focus of public action, then these can be channelled, as Young indicates, without being ‘reconciled’. Where relationships are defined by an opposition of interest, it follows that they cannot be ‘broken’ when they are mobilised along these lines. Black took social control as evidenced in ‘problems’ which achieve certain ‘solutions’ in respect of several different ‘standards’ — prohibition, obligation, normality and harmony. Koch’s analysis of Jalémó is set in a theoretical frame which regards violence itself as a ‘problem’. He asks what measures would regulate it. This problem however really turns out to be ours: his interest in the fact that Jalé have “very few and very ineffective methods . . . to transform a dyadic confrontation into a triadic relationship which could secure a settlement by the intervention of the third party” is related to the needs of the modern world to avoid war in the interests of “a higher political unity of mankind” as a common goal. In spite of Chowning’s comment that small scale communities do not need to conceptualise their relations as harmonious,
writers on Papua New Guinea affairs continue, in the words of one, to use the terminology of law and order, that “disputes are ruptured social relationships”, and what must be found is “the wherewithal for repairing these relationships”.49

The model that a dispute is a kind of disruption and that procedures are taken to repair the disrupted relationships rests on the further concept that social order is a system at rest, an arrangement of relationships describable apart from the behaviour and interaction of persons — ‘behaviour’ either acts out such relationships or disrupts them. The problem with this analytical model is that it pre-judges the nature of violent confrontations, as they occur in the Papua New Guinea Highlands. If we do not pre-judge the nature of ‘violent’ behavior, than we need not pre-judge the nature of ‘peaceable’ behaviour either. Metaphors of order are misleading in linking the relationship of violent and non-violent behaviour to issues of control and regulation.

The argument is not simply that we have underestimated the political dimensions of dispute settlement, that some cultures are more litigious than others, or that we need a conflict theory of society. There is more to the Highlands material than that. Men place value on themselves and on what they do through the construction of mediating items (wealth objects), and it is to the character of these wealth exchanges that we should look. It has been received anthropological wisdom that after formal pacification, the ceremonial exchange of wealth items between clan groups became a substitute for competition and hostility through fighting. However, this political interpretation of wealth exchange has been largely insulated in anthropological accounts from the role of compensation and exchange in the local settlement of disputes. The possibility of converting injury or loss into wealth items acceptable as compensation draws on traditional procedures for the adjustment of relations, and provides the basis for settlement through unofficial courts and through the official Village Courts. Yet wealth exchanges (compensation) cannot simply be put into the slot of non-violent solutions which restore relationships and mend torn social fabric.

Comaroff and Roberts’ argument is suggestive in this regard. The sociocultural order which the authors analyse for the Tswana comprise what they call a constitutive order, that is, a set of value oppositions and structural elements, and the lived-in universe, a “shifting, enigmatic, and managerial world in which persons repeatedly negotiate their relations in terms of a set of constant referents encoded in categorical labels”.50 Although the character of the lived-in world is shaped by the constitutive order, Tswana conceive of their society as simultaneously norm-governed and manipulable. ‘Process’ cannot simply be set against ‘norm’, as the old debates had it. One might argue an analogous point for certain New Guinea Highlands societies, especially those such as Hagen which are characterised by large scale organised warfare and ceremonial exchange. ‘Disputes’ can not be simply set against their ‘resolution’. It is not just that
disputes are never finished. Rather I suggest that the more disputes are 'settled' then the more they will erupt. This is specifically true of disputes whose settlement takes place within the sphere of political relations also characterised by exchanges between (clan) groups, and in connection with those processes which channel such settlement through the exchange of wealth. The circulation of items defines a category of public confrontation, where men and groups strive to create inequalities between themselves or, when faced with perceived imbalances, to assert their equality. These transactions do not offer an adjudicatory description of the workings of Hagen 'society'.
considered briefly here involves the public confrontation of interested parties, in a setting seen by them as analogous to government courts. The event is constituted by talk about the quarrel in question and by the suggestion of remedies which generally take the form of compensation of some kind. Men as opposed to women are the managers of these events. The publicity and the handing over of wealth make cultural sense only between parties who are divided by social interest; the forum is not suitable for matters which arise among close kin not differentiated in terms of wealth holding or wider interests.

In the public handling of disputes as they occurred then (see p.118) many compensation payments had two parts. There was a component which matched the injury — which translated personal value into material value — and there was a component ‘to shake hands’, restore good relations. The first was constructed on a premise of substitutability and thus negotiability: the value of things stolen or injury done. Frequently this was yielded with bravado; that the offender replaced the value of something he had taken did not detract from the fact that he had taken it. In overt political offences, it was often judged to be worth inflicting this or that injury, even if it were paid for afterwards. The second item, however, was a gesture towards mutuality — to soothe disturbed emotions. This looks like reparation but is perhaps better understood as a public evaluation of relationships. For reparation is not the right word if it implies that these transfers of wealth had as their object the restoration of something perceived as broken. The image of an entity whole or broken is a western one, and rests on definitions of ‘whole’ persons, ‘whole’ societies, susceptible to shattering. Between ‘partible’ persons, who constantly circulate items amongst themselves, what counts less than the repair of a broken connection (our own metaphor) is the conversion of one type of flow (e.g. of blood) into another type (e.g. of pigs). Power is shown in the ability to effect conversions. Some of the motivation behind making such conversions (compensating with wealth; avenging through war) can be attributed to men’s desire to be seen to be effective in a public arena.

Indeed the conduct of compensation payments and the settlement of ‘disputes’ through them specifically advertise the collective life of men. It is part of their self-representation as managers of affairs. Time and again, orators (mediators, dispute settlers) comment that to exchange wealth is better than to fight: an underlying premise is that the two activities are convertible. It is not simply that the exchange of gifts enables people to settle their differences peaceably, but that either exchange or warfare can indeed turn into its alternative. Exchange enhances the visibility of big men; warfare enhances the display of clan strength. The values of these activities are not identical — but in the pursuit of inter-group competition, each sustains the other as an alternative. Dispute settlement is thus a form of public, collective activity which mobilises support and contributes towards a definition of inter-group relations predicated on reciprocity. Reciprocity is to be understood as framing such equalising relationships,
and underpinning revenge as well as other forms of exchange.

Meggitt’s account of warfare among the Mae Enga, western neighbours of Hagen, is illuminating in this regard. Intermarrying Mae clans are linked to one another through obligations to protect the lives of their consanguines. When a man is injured his agnates must make reparation to his maternal kin. Valuables flow against injury and death. Given the hostility and rivalry which characterise relations between intermarrying clans, it seems likely that such payments also serve as a measurement of affliction. Meggitt points out how clans always “strive to utilize prestations to sustain their reputations, while at the same time placing their rivals at a disadvantage. Naturally enough, the manipulation of homicide compensation payments, themselves a consequence of overt political competition, plays an important part in this ceaseless struggle.” In other words, so-called reparation for loss suffered is also a registration, a measurement, of loss inflicted. It does not necessarily cancel out the loss; it inevitably draws attention to it. Its hardly hidden message may well be a reminder of imbalance under the rubric of an ostensibly balancing action: that one side can afford to pay in wealth what its allies have suffered as injury to their persons.

Ability to pay for offences is certainly a component of Hageners’ attitudes towards compensation. The astute manager is one who does nothing he cannot pay for. Valuables are ‘on the skin’ — they are part of him, and he suffers to lose them; but they also are not part of him — they are the facilitating currency of his interactions with others. Men sometimes speak as though they have weighed up what offences they can afford to commit, a calculation of resources in terms of their ability to act with effect against others. Having wealth to dispose of supports personal efficacy. At the same time ambivalence is built into relationships mediated through all wealth transactions. The prestation itself is a vehicle for tension, and can bear a whole set of political statements — and, like words, does so with ambiguity.

Wealth transactions are regarded by the actors as making statements about people’s states of mind. Let me turn briefly to the management of emotions. Precisely because of its symbolic qualities, as standing for persons and the relations between them, wealth as a vehicle for feelings inflames as well as soothes. This observation goes against Hagen idiom which dwells on the capacity of wealth to make people’s feelings ‘good’. I offer it on systemic grounds. The very fact that emotions are mediated through wealth means not only that persons can adjust their relations towards one another through indirect means (such as through compensation) but that emotions can become inflated as attributes of whole groups who then come to face one another with collective feelings and desires.

States of feeling can be blown up to collective proportions: thus a group of dancers may feel shame in public; whole clans, hundreds strong, may be mobilised to seek revenge through anger, and allies are moved to sympathy with one another. This is not a vague, behaviourist observation. There are
two significant systemic features here. First, the structural context of such expressions of emotion is reciprocal relations between formally equally social entities. Public gift giving is said to inflame as well as soothe people within the sphere of conversions upheld by reciprocity. That is, politics involves among other things a constant circulation of messages between formally independent groups who seek to balance out or aggrandise their fortunes in relation to one another. They may exchange aggressive acts, or friendly ones, or take pleasure for themselves in inflicting pain on others. That feelings can be mediated through injury or through wealth transfers facilitates this circulation. The only measure of satisfaction is of course the claim to have equalled or bettered one’s rivals. Dispute settlement procedures are part of this circulation. Second is the precise mechanism of mediation. Mediation is necessary because collectivities do not, in the Hagen view, have ‘minds’; there has to be an instrument which will set the individual minds of its members on a common course. When by contrast these emotions are experienced in the context of complementary relations between unequals (as in the sphere of domestic kinship), they are presented through a range of non-competitive means. Here it is possible to acquire unmediated information about the states of people’s minds, and adjustments in such relations do not require the facilitations of wealth exchange and public talk.

Three points can be made in summary. First, wealth exchanges, like fighting, enable emotional states to be converted into political acts. That is, since a whole group can be seen to be liable for its actions, and to be indemnified for injury, it is also held to be emotionally unified in its anger or pleasure. But, second, political groups are related through negotiated reciprocity and strenuously sustained independence, not through relations of dependency; intermarriage, for instance, is seen as a matter of exchange rather than interdependence. In so far as feelings of anger or pleasure circulate to promote reciprocity (positive or negative) between these groups, they operate very differently from their contribution to domestic kinship relations where they underpin asymmetrical relations of dependency. Finally, group appropriation of emotional states makes them, as it were, lethal instruments of self-aggrandisement. The mediated display of emotion does not feed into long-term dependency, but into those assertions of independence which create an endless cycle of exchanges of mutual hostility or mutual assistance.

‘Mediation’ generally connotes mediatory adjustments, that is, the avoidance of confrontation through the mediation role of a third party or mediation substances (such as compensation). The term is used almost exclusively in anthropological accounts of dispute settlement to refer to the socialising intervention of a third party or principle which prevents naked confrontation. Yet in the kind of society I have been describing, where kinpersons, for instance, are held to have direct, unmediated influence on one another (manifested in bodily health), the capacity to mediate relations may not necessarily represent a superior sociality. Rather,
mediation in this sense constructs a different kind of sociality — broadly
glossed here as ‘political’ — at least to the extent that one can appreciate
why the more disputes are settled, the more they erupt. The paradox refer
to disputes settled publicly, and thus to values mediated primarily through
talk and wealth exchanges. Mediation does not introduce a superordinate
(socialising) capacity to surrender confrontation to the social interests of
peaceable resolution: it displays the capacity of men to objectify and
transact with the values they have for one another. Each mediated
settlement reinforces the possibility of converting one type of reaction into
another.

CONCLUSION

I do not see myself as having entered the hustings in the debate over the
nature of social control charcterised by Hamnett as between ‘order’ and
‘interaction’.61 Jousters on both sides of that debate seem to be interested
in normative behaviour and the kinds of sanctioning pressures brought to
bear on disputants. An assumption of such accounts has to be that people
are aware that their relationship is broken; the further factor to be
considered in Hagen is that people regard themselves as chronically unable
to read off the intentions of others. They may be uncertain as to whether
they have been injured or not (in the social sense: who is the cause of the
injury) and need to test the situation to see what effect the next move will
have. The handing over and receiving of wealth items offers a contestable
interpretation of the social relationships in question rather than unambi-
guously ‘expressing’ or ‘reflecting’ them. Much the same may be said of the
talk which accompanies such transactions, and which is itself a major
component in dispute settlement. It is a helpful point upon which to
conclude, for ‘talk’ is both a medium into which and from which wealth
may be converted, and raises similar problems about regulation. As one
might expect the occasions on which Hageners talk out conflict cannot be
reduced to the imposition of norms. They test the meaning of incidents in
the light of its penetration of people’s intentions.

But even the formula of testing in my description implies too much of the
second-order event. The anthropology of law started out with investigating
how far customary procedures were specialised or non-specialised instru-
m ents of regulation. In concentrating on the degree of specialisation (did
the x have courts?) observers assumed that regulation had to be a feature
of social life. Anthropology itself specialises in the elucidation of social
regularities. Thus people’s self-consciousness about ‘norms’ (values,
interests, ideologies) are held to represent society as it ‘normally’ exists —
to be a description of a society the actors themselves conceive of as an
order. Arenas in which norms are given voice (as dispute settlement and so
on) thus attract analysis as second-order commentaries on the nature of
social order itself. I have said enough to indicate that this is not useful
framework in the Hagen case.
As a set of events, the Hagen dispute settlement process is on a continuum with those it also describes — the antecedent thefts, say, and the exchanges which follow. It is one among several arenas for public re-definition. Each arena recontextualises the translation of intent into action. Litigants’ talk cannot be abstracted as a commentary on acts already completed as it were — that is, as not part of the acts themselves. When third parties offer their own views, these stand juxtaposed; they do not necessarily encompass or summarise and thus displace (redescribe) previous statements. In the same way, the norms promulgated in the context of such hearings are not special to those hearings: they are not second-order framings. They draw on the same rhetoric by which people appeal to solidarity or confrontation in other contexts. The prospects of settlement through talk brings in concrete possibilities for action (to do with compensation and indemnity) bypassed when violent reprisals are taken. The social context thus provides for nonviolent solutions if the parties want it; but the norms implemented in that context are not of themselves concerned with the issues of violence or peace. They do not constitute a description of society as norm-bound in the interests of peaceful coexistence. There are no norms that could not also be used to justify actions of a different kind (including the perpetuation of dispute itself — quarrelling, conflict, suicide). One cannot thus gather up all the apparently normative statements uttered during a Hagen court hearing and come out with a depiction of a social order ‘disrupted’ by conflict.

Neither the talk, then, which give a particular character to indigenous dispute settlement mechanisms nor the norms appealed to in the context of such talk can be seen as second-order abstractions from ‘practice’ (as Hamnett put it). That is, they do not have an authority beyond the fact that they offer a special arena for men’s collective display. Men certainly promote the advantages of entering that arena — “Let us exchange wealth rather than fight” — but those advantages do not afford some kind of privileged access into the normative workings of society overall.

In western society judicial processes may be seen as having exactly that funcion. To describe one’s social world as apart from the actions which constitute it, to set up procedures which deal with events as already enacted and closed to further modification, to see adjudication as not itself participating in the events under scrutiny all participate in a common philosophical position within western cosmology. Life is understood in terms of a split between representations (descriptions) of it, and as it really is. This promotes a parallel conceptual split between social action which incorporates the ideal, the normative, and what that action controls/ regulates/modify. Certain types of behaviour thus have the potential for transforming others. In the adjustment of relations described here for Hagen, it is not transformations which occur so much as conversions. Within the public/political sphere actions, either violent or non-violent, can be converted the one into the other.

Public speech operates among other major conversions, notably wealth
exchange and warfare, to register the effects of people’s actions upon one another. Transactional metaphors which emphasise currency switches would be more apposite than the transformational metaphors suggested by resolution or reparation. These are not systems which operate a logic of social transformation. Wrong-doers cannot be reformed; they can only ‘feel’ the effects of their own faults. Similarly, enemies cannot be transformed into peaceable neighbours. On the contrary, enemies are always enemies; but if the relationship is conducted in that political zone where enemies are also allies, people with whom one exchanges as well as fights, then the currency of interaction may be converted by events.

The mediation of conflict through wealth exchanges (compensation) of the Hagen sort cannot be taken simply, then, as non-violent solutions to potential or actual violent eruptions. Mediation, effecting the mutability of values, must also be seen as an instrument for specifically political interaction between clan groups; it helps define relations between such entities as a matter or reciprocity. Reciprocity involves a constant strain towards balancing or out-balancing exchanges. Added to this, the mediatory character of wealth allows the inflation of emotions to collective dimensions; it thus sustains the circulation of violent as well as non-violent interchange.

Much of the paper has been taken up with a critique of traditional approaches to dispute settlement, and the imposition of law, because I wished to detach public dispute settlement processes as they occur in Hagen from the representational place they often occupy in anthropological analyses. Obviously they cannot be read as implementations of a separately constituted and normative social order. One dichotomy derived from the idea of social order is that between violent and peaceable forms of interaction, a view of society as a state. We may equate society with the internal regulation of violent behaviour, so there is a sense in which it is coterminous with the operation of social control. Yet in stateless systems such as those of the Highlands, ‘control’ does not figure as a second-order imposition on ‘behaviour’. I have tried to suggest that violent outcomes from talk and wealth exchanges in Hagen are not a matter of practical affairs impinging on the ideal, of politics interfering with government, or the irregularities of behaviour disrupting an order. The mutability of values is a technical mutability, a characteristic of a system of conversions. What they really interfere with is the observer’s ability to see parts of their social life as commentary and adjudication on other parts, and thus incorporating a descriptive activity which echoes his or her own descriptive endeavours.

NOTES AND REFERENCES


5 *Op. cit.*, p.5. The authors raise a number of criticisms in relation to this latter paradigm, and suggest that society is no more a field of endemic conflict than it is a moral universe. The important thing, they argue, is to know what is represented normatively, and what is open to negotiation, so that “to account for the relationship between conflict and the social order . . . we have found it necessary to formulate a particular analytical conception of the sociocultural system itself” (*id.*, p.248).

6 I attend neither to the whole range of folk models of ‘law’ nor to theoretical/political critiques which would provide very different starting points for discussion. The orthodox interpretation taken up here is pertinent insofar as its central ideas have had impact on common social science thinking. Fitzpatrick refers to it as bourgeois legality.

7 I follow Comaroff and Roberts’ point that dispute processes are not an instantiation or icon of social processes at large, but integral to them, to wonder if the attraction of a social control analysis does not lie in its analogue to the controlling efforts of analysis itself. This ‘interest’ in making representations is an implicit rather than explicit component of anthropological practice.

8 Referring to the Bedouin of Cyrenaica, the Lugbara of Uganda and so on, Black states: “Anarchy has its own kinds of social control” (*Op. cit.*, p.126).


11 This observation is derived ultimately from R. Wagner’s critique in *The Invention of Culture* (1975).


14 *Id.*, p.296.


17 Aubert *op. cit.*, p.28.


22 Abel, *op. cit.*, p.171.


24 *Id.*, p.21.


26 *Id.*, p.126.

27 *Id.*, p.133. Fitzpatrick goes on to observe that law thus partakes of the rationality
constructivist rather than the organic and of the universalist rather than particularist; “Law is an encompassing of the individual and general social relations formalized in universal and equal rule. As such, it is integrally set against social relations of a lesser scale or of a particularistic nature” (id).


30 Epstein, *op. cit.*, p.25.


32 I use the male pronoun advisedly, since the observation is specifically applicable to men, not women.

33 For instance, L. Nader and H.F. Todd jr, *The Disputing Process: Law in Ten Societies* (1978) p.8: “all societies have developed procedures that can be called into operation when trouble arises”.


37 Id.

38 Id., p.229.

39 Women’s restricted access to remedies differentiates them “judicially” from men (cf. M. Strathern *Women in Between. Op. cit.*). However, in a companion paper to appear in *Conflict and Control in the New Guinea Highlands* (ed. W.E. Wormsley) I expand this into an argument about methods of domestic conflict management involving men as well as women; the remedies for any wrongs among close kin form a class of their own.


43 Koch *id.*, p.48.

44 Koch *op. cit.*, n. 35, p.174. He reports that Jalé themselves “conceptualize their patterns of conflict management according to five distinct modes of antagonistic interaction: altercation, scuffle, sorcery, avoidance, and warfare” (id., 67; my emphasis).
In reference to my general argument, the context of Young's reflections on his own earlier analysis are worth quoting in full:

In my book *Fighting with Food*, I characterised Kalauna people as . . . given to 'endemic conflict' . . . and divided rather than united by a configuration of values which stress competition rather than cooperation. A general problem . . . was how the consolidated community of Kalauna manages to withstand internal rifts and tensions. . . . My analysis was influenced by assumptions of homeostasis characteristic of much political anthropology; for example, that there *must* be institutionalised modes of conflict resolution in order that the social system may persist. While this and similar views still appear to me to be generally valid, I would not now accept them so uncritically . . . Kalaun people . . . tend to enjoy disputation and they accept it as a normative mode of conducting certain social relationships outside the domain of kinship. Even so, disputes have to be dampened if not settled, conflicts contained if not resolved, and it seems to me that competitive food-exchanges serve these ends admirably . . . by channelling conflicts into contests which allow people to take sides and arbitrate issues by appeal to common moral attitudes and cultural values (original emphasis) (*op. cit.*, 41).

Black, *op. cit.*, p. 5.

Koch, *op. cit.*, n. 35, pp. 159, 175. The notion of global harmony and common goals has to be put into the context of 'conflict management' between nations with vast populations armed with the means of total destruction. Jalé conflict management is an instance not of a common human predicament but of specific mechanisms produced out of specific times and places, and on a specific scale. I repeat the point that it is legal ideology which makes us see 'human behaviour' as everywhere dealing with the same problems.

Chowning, "Disputing in Two West New Britain Societies: Similarities and Differences" in *Contention and Dispute* (1974; ed. A.L. Epstein) p.153. She notes that "in some Melanesian societies there is considerable enjoyment to be derived from quarrels, and as long as they are regulated — that is, do not lead to killing within the community — there may be little general interest in really establishing peace". She adds the important rider that simply because people do not habitually fight (within a community), we cannot make any presumption that they expect to live in harmony. They may expect to live with trouble, dispute, conflict. This can carry on at low cost — reparation if needed at all is not expensive. In cases of intercommunity conflict, however, one enters an arena where *all* actions cost more. Gift exchange, compensation payments, fighting are likely to be conducted at an inflated level.

Gordon, *op. cit.*, n.41, p.212. Earlier he observed: "social order is achieved through exchange relationships whereby people (essentially men) are controlled", and that "social order is ultimately generated through the personal power of big men", a rendering of the way big men would no doubt like to see their influence. *id.*, p.207.

Comaroff and Roberts, *op. cit.*, p.68.


*Id.*, p.54.

The way in which dispute settlers both drew on traditional practices and regarded themselves as borrowing power from the then Administration is treated in my account of official and unofficial courts in the early 1970s, M. Strathern, op. cit., n. 28. Where it is relevant, the ethnographic present refers to this period. Were dispute processes as such the subject of this paper, precise historical contextualisation would be necessary.


M. Reay argues this for these Wahgi neighbours of Hagen; see “Lawlessness in the Papua New Guinea Highlands” in Melanesia: Beyond Diversity (1982; eds. R.J. May and H. Nelson).

Hamnett, op. cit.

As seems to be the implication of the exchange-of-information model offered by Gulliver, op. cit., n. 10, p.79.

Goldman's account of Huli disputations is highly pertinent here, though I cannot do justice to it; see L. Goldman, Talk Never Dies: the Language of Huli Disputes (1983).

The extent to which they constitute a description of men's collective power will be discussed elsewhere (see n. 39).

R. Poole attributes the modern origins of such formulae to certain conceptions of society such as lay behind Kantian morality:

The sphere of material life [commercial society] . . . does not constitute a morally coherent whole. One way of bringing out this incoherence is to show the way in which self-interest and the form of practical rationality appropriate to it are self-destructive. This incoherence is resolved by positing a form of reason which is not that of means to ends, but which emphasises the notions of universality and consistency. This form of rationality is ideally embodied both in the legal and administrative structures of civil society and in the motivations of its individual members. Civil and material life will constitute two symbiotically related spheres of human existence. Particular self-interest must be constrained by universalistic legal and motivational structures; in this sense, the formal rationality of civil society must dominate the substantive rationality of material life (“Reason, Self-interest and 'Commercial Society': the Social Content of Kantian Morality” (1984) 1 Critical Philosophy 24, p.42).

Reason has the capacity to describe itself — the very notion of civil life, with its legal and administrative structures, implies an other order of practice. “(T)he role of reason is to provide a criterion by which already existing principles of action might be evaluated” (id., p.29). G. Lloyd traces some of the symbolic dimensions of this ordering, with its internal structure of domination. In particular she delineates the concern of Baconian science with matter “no longer to be seen as what had to be dominated in order to attain knowledge; but as the proper object of knowledge, now construed as the power to manipulate and transform” (original emphasis); “History of Philosophy and the Critique of Reason” (1984) 1 Critical Philosophy 1, p.14 Knowledge involves a practical self-knowledge — including
the ability to describe the activity of the pursuit of knowledge ('science') as distinct from mind itself (id., p. 16).

Finally, western binarisms are thrown into relief in D. Tuzin's account of Arapesh horror at Japanese wartime cannibalism. Their refusal to accept an explanation in terms of starvation is to be contrasted with the way 'we' seize on such acts as evidence of a return to nature, or as a response provoked by fundamental need. Society or humanity as such is not threatened because normally society controls such behaviour: here the controls were simply absent. For the Arapesh, however, proper humanity is sustained in contra-distinction to a non-human realm, so that the blurring of the distinction becomes a terrible threat to the idea of humanity (“Cannibalism and Arapesh Cosmology: A Wartime Incident with the Japanese” in The Ethnography of Cannibalism (1983; eds. P. Brown and D. Tuzin).

My discussion on the mutability of values is not of course to be read as suggesting that ceremonial exchange, dispute settlement and the like 'encourages' warfare such that if the former were to disappear so would the latter. On the contrary, the argument has to be that if ceremonial exchange and compensation payments were discouraged, then men's collective life would be channelled into other forms. The cessation of warfare in the 1950s and 1960s brought about an escalation of exchange. An immediate effect of discouraging exchange would no doubt be an escalation of war or increasing competition along sharpened class lines.