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**Crime and Culture:
Tobian Response to Attempted Murder**

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INTRODUCTION¹

This paper describes a meeting held in 1973 by the people of a small Pacific island called Tobl, in response to what they thought was a potentially lethal attack on one of their fellows by an unknown assailant. They patterned their meeting after one which had been held under similar circumstances shortly after their conversion to Christianity about forty years before. There are no other meetings of this kind on record nor are any other crimes of this nature known to have occurred in modern, post-conversion times. The pre-Christian method of dealing with such crimes rested directly on aboriginal religious beliefs and practices and thus became obsolete (like much of old Tobian culture) with the acceptance of Christianity. Nevertheless, the pre-Christian technique for dealing with attempted homicides by unknown people has contributed important elements to the shape of the meeting which is the subject of this paper.

What we have, then, are three stages in the development of a judicial procedure. Common threads run through the sequence from pre-Christian times until the present. At each stage there are also important differences. These differences are

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due to changes in the environment or setting in which crime, detection and punishment are enacted. Likewise, the similarities in the three stages are due to continuities in that environment. And among these continuities the most important are to be found in the ways that Tobians think about violence, conflict, social control, and human (or at least Tobian) motivation. My purpose here is to illustrate how a dispute settlement procedure can be made to yield important insights into the world view of which it is an expression. First, however, I shall present ethnographic details necessary for an understanding of this case.

BACKGROUND

Tobi is a small coral island. Its total land area is less than one quarter of a square mile. It is isolated, being situated west and south of the Palau Islands on the western rim of American administered Micronesia. Although its people are not Palauan it is administratively part of Palau District. It forms a municipality within that district and as such is administered from Koror, capital of the district and historic center of Palauan affairs. Political power on the atoll is split between the traditional chief (who was not on the island during the events discussed here) and the elected magistrate, occupant of a status imposed by American political planners. Tobians speak a language which is related to the languages of the many low atolls that lie to the east. Tobian culture is also much closer to the cultures of those islands than it is to that of Palau. Their economy is based on fishing and horticulture and on the export of copra, the dried meat of the coconut. The coconut tree plays a large role in these people's lives. Building materials, food and drink, fish line and household goods are only some of the things that the palm provides. One of its most important products is called in English "toddy." It is a drink made from the coconut tree's collected sap, drawn by the men high above the ground twice every day. Each man has his own toddy tree which he taps for the clear sweet sap, beloved in its pure form by children, pregnant women and the sick, and which is the source of a potent alcoholic brew when allowed to ferment.

There are usually between fifty and sixty people residing on the island at any one time and another forty to fifty Tobians living in Eang, their settlement in Koror. The island is visited three or four times a year by a government chartered ship from Koror. This vessel is known as the field trip ship. It carries representatives of most departments of the District Government as well as a priest from the Catholic mission in Koror and an agent or two from a commercial company that buys copra from the islanders and sells to them the tobacco, rice and kerosene which have become essential for a reasonably comfortable Tobian existence. The field trip is the only means of travel to and from the island. It is the sole contact the residents of the island have with the mission, the traders and all but two of the government departments. The two exceptions are the Education Department which has hired and trained a Tobian to be principal and sole teacher of the Tobi elementary school and the Department of Public Health that staffs the dispensary with one of its nurse-aides.

These men are native Micronesians, trained to about the skill level of Naval Corpsmen. It was an attack on the life of the current nurse-aide that provoked the meeting which is the subject of this paper.

THE CRIME

One evening the extraordinary news that someone had tried to kill Andreas, the half-Tobian nurse-aide, swept the village. He had fallen from his toddy tree because someone had sabotaged the fronds leading up into the crown of the tree as well as the two fronds that formed the seat upon which it was his custom to sit while tapping the tree thirty feet above the ground. The next morning when Marcello, the magistrate, Isauro, the school teacher, and I (at the magistrate's request) went to investigate we found that the fronds had been partially severed, apparently with a sharp knife. Several conclusions were drawn. We thought that Andreas had been lucky that the lowest of the severed fronds had given way on him. His injuries (a bruised shoulder and a sand-impacted ear) would have been much more severe if he had fallen from the top of the tree and not a mere ten feet. We agreed that he was lucky that the previous afternoon's spring tide had cleared away the stones and driftwood that usually littered the beach under his tree. We said that the tide had also benefited the culprit because it had eliminated his tracks. Everyone on Tobi knows everyone else's footprints. The "bad guy" (this was how even non-English speakers were beginning to refer to the culprit) would not have remained unknown but for that tide. The edges of the cut fronds seemed to show that a very sharp knife had been used. This led us to believe that the culprit was a man because women do not possess such knives. As we walked back to the village an old woman called out to us from her garden. She asked if it was true that someone had cut the fronds in Andreas' tree. Aureo, an old man who had joined us a few minutes earlier shouted back: "Of course. Is a person a coconut?" (to fall "naturally" from a tree).

The magistrate told us that we would have a meeting to find out who had tried to commit the murder as soon as we had eaten our breakfast and he had finished his morning radio conference with Koror. So it was that at nine-thirty that morning I found myself outside the church waiting for all the people to arrive and the meeting to get under way. While we waited the gathering crowd discussed the attempt on Andreas' life. The old people discussed the ways that such situations had been dealt with in the past. Even though they had already heard this many times in the hours which had passed since the crime had become known, the young people listened attentively and asked many questions.

PRECEDENT

In pre-Christian times, the old people claimed, the chief called everyone together in the main spirit house when faced with such a situation. There they apparently witnessed a divination in which the chief asked the spirits to name the person who had tried his hand at murder. At this point, people explained, the culprit would usually

become so frightened that he would give himself away. If he did not he would be pointed out by a spirit who would throw a coconut at his head. Such people were dealt with by being set adrift in a provisioned but paddleless canoe to be swept helplessly away by the currents. Asked if they had ever witnessed or heard of such a case, the old ones admitted that they had not. However, they did remember the time that Perfecto had uncovered the person who had put poison in Juanito's cup. That episode forms the second stage in the development of the dispute settlement procedure that is the subject of this paper.

Enrique, whose wife had been sleeping with a man named Juanito, secretly climbed Juanito's coconut tree and put some poison in the cup that his wife's paramour had hung there to collect sap for making toddy. The next morning Juanito sensed something was wrong and tested the poisoned sap on his dog. Thoroughly frightened by the dying agonies of his pet he consulted Perfecto, a powerful, if informal, leader of the one hundred and fifty people then on Tobi. Since the island had adopted Christianity a few years before and the spirit house had been destroyed, the old technique for dealing with such a situation was no longer available. Perfecto responded by inventing a new form.

At the close of communal prayers later that same morning, Perfecto asked the congregation to wait on the steps of the newly built church before going home. All but one of the people did as he asked and soon a meeting was under way to find the person who had put poison in Juanito's cup. The one person who did not participate in this meeting was old Jesus, the brother of the absent chief. Old Jesus had, by prearrangement with Perfecto, remained hidden inside the church where, unknown to the others, he could observe the meeting but not be seen. Perfecto began the meeting by telling the assembled crowd that an attempt had been made on Juanito's life. Feigning anger, he stridently demanded of each man: "Did you try to kill Juanito?" Each man denied any guilt but when Enrique was asked the question he betrayed his guilt to Juanito, Jesus and the men sitting on either side of him. A nearly imperceptible trembling, a fractional widening of his eyes, a darkening of his lips and his complexion--all gave him away. To these men, and perhaps others, his denial ran hollow in the face of such obvious signs of fear.

Having completed his questioning of each man, Perfecto, much to the surprise of his audience, called old Jesus out from the Church. "Now do you know who did it?" Perfecto asked. The old man shouted back "I know!" Enrique jumped. "Good," replied Perfecto, "this meeting is over, let's go eat." Everyone went home. Juanito said nothing at the time but that evening he went secretly to Enrique's house and asked him if he was guilty. Enrique admitted his guilt and apologized, presenting Juanito with some of the gifts that symbolize contrition: tobacco, cloth, and tumeric. Perhaps Juanito did not believe that he was out of danger even after this customary presentation. At any rate he took the next available ship to Koror and has stayed there ever since. He is the sole survivor of the main participants in the drama.

This story, which neither the young people nor I had ever heard before Andreas fell from his tree, served both heuristic and mnemonic ends. Young people learned from it the appropriate shape which such events take. During the hours which elapsed between the crime and the gathering in the church yard the story had been repeated again and again in a variety of contexts. By the time Marcello arrived and began his meeting everyone was an expert on how such events should unfold. Furthermore, at various times during the meeting itself, one person or another recited the tale of Enrique and Juanito, thus recalling to everyone's mind the appropriate course which they should take.

THE MEETING

As soon as everyone except Andreas was present, magistrate Marcello began the meeting. He asked the women to sit apart from the men, whom he asked to form a circle. Three times he carefully, and in exhaustive detail, described the events that had led up to the meeting. After each recital he paused, looked around, and made a comment to the effect that it was "bad" to have such a thing occur. The potentially embarrassing fact that three outsiders were on the island (Andreas and his eighteen year old son James, and I) was mentioned and so was the possibility that after such an event no other nurse-aide would accept an assignment on Tobi. During this part of the proceedings Marcello had what appeared to be the undivided attention of the whole population. He next asked the women if they had witnessed anything the day before that could shed any light on the matter before them. One by one the women told what they had been doing the previous afternoon. None of them had seen anything suspicious. Marcello then mentioned the fact that only someone with a sharp knife could have sliced the fronds. He turned to the men and asked about some of the teenage boys. He wanted to know whom they had been playing with yesterday and at what times they had come home. As they answered these questions about their dependents (who were all sitting in the men's circle watching and listening) the men started to give details about their own activities during the time in question. None of them had seen anything. All, in effect, denied that they had been anywhere near Andreas' tree during the time it must have been cut. Marcello then let it be known that he had not yet reported the matter to the police and would prefer not to do so. Several of the old women heatedly disagreed with this and he gave way, saying that it would be reported and that he would request that a policeman be sent down on the next ship to investigate. He agreed to this against his will because he was worried that he would have to go to Koror if any court proceedings developed from this case. The old women wanted it reported so that a graphic lesson would be taught to all potential

During the meeting I sat next to James, the nurse-aide's son. As the discussion about whether the police should be brought in was being resolved he leaned over and asked if I had found the culprit. I responded by asking if he had any idea who had tried to kill his father. He furtively nodded toward Sergio, one of the older men,

sitting by himself in the doorway of the church. Sergio's face was immobile, his features carefully arranged in the same noncommittal expression as that shown by all the men in the moments when they were not speaking. Sergio had said not a word thus far and he had placed himself apart from the rest of the people. When I walked over to sit next to him he nodded at my camera and told me to take pictures of all the people--meaning that as far as he was concerned they were all equally suspect.

Once again Marcello turned to the women and asked two of the teenage girls if they had seen anything. These girls, who previously had not spoken, replied with detailed itemizations of their activities during the previous afternoon. As it became evident that they had nothing useful to add to the discussion, Aureo, the old man who had made the day's most memorable quip (about the difference between people and coconuts) announced that he had been on the beach the previous afternoon and had seen a set of footprints leading towards Andreas' tree. Before anyone could question him the magistrate's wife pointed at a naked toddler on the steps of the church. "Stop that baby," she shrieked, "he is going into the church without any clothes on!"

I was sitting with Sergio in the door of the church so it was I who stopped the wayward infant from committing a minor sacrilege. Since Sergio and I, as well as other people in the vicinity of the church door, had spent the better part of the meeting quietly preventing just such innocent desecration, the cry of the magistrate's wife came as something of a surprise. As I turned back toward the meeting I saw that she had risen to her feet and was about to strike the torpedo shell which serves this not very affluent congregation as a bell. She rang it twice, we all stood up, the magistrate led us in a recital of a Hall Mary, and, bemused, I went home to eat lunch along with everyone else. I was more than a little surprised that the meeting had ended at what seemed to be such a premature point. As we strolled home, however, I realized that I was apparently the only person who felt that the meeting had been truncated. I was still waiting for the other shoe to drop, but everyone else had begun the process of sorting out the names of possible suspects. In my experience, situations in which Tobians violate my hidden understandings by punctuating events differently than I have been led to expect by apparently analogous events in our culture often lead me to achieve insights into their culture. These situations are always disconcerting but they have often opened up deeper understandings of the world of my friends and hosts on Tobi. Therefore, trying to banish notions of Perry Mason from my mind, I paid very close attention to what followed.

AFTERMATH

Throughout the following afternoon and evening the meeting was enthusiastically discussed and rediscussed. Two or three people would gather in an out-of-the-way spot. Someone would ask the others who they thought the culprit was. He would be met with the same question and names would eventually be traded off. As the day drew to a close more and more unanimity was achieved so that by the time people

started to go to bed everyone agreed that the culprit was Sergio, the man whom the victim's son James had pointed out to me during the meeting.

I was not the only one to watch Sergio carefully in the days that followed. His toddy tree grew at the opposite end of the village from his home and to reach it he had to walk through the village and past the dispensary where Andreas lived. Twice a day he made that trip under the close but disguised scrutiny of one and all. As he passed the dispensary on the first evening he simply kept walking with his head bowed. He did not stop and talk with Andreas as was his usual routine. The following morning he stopped briefly and spoke with some of the people awaiting treatment but did not go inside for his customary cup of coffee. That evening he spoke with Andreas outside the dispensary in full view of the village. By the fourth day relations between the two men were back on their old footing: Sergio was again spending his evenings drinking the nurse-aide's coffee, playing cards and in general being his usual self. Three months later when the next field trip arrived all traces of the incident had disappeared. The policeman could find no one who would name a suspect, the severed Irons had regrown and it was no longer possible to distinguish any alteration in the behavior of Andreas, Sergio, or anyone else that could be linked to the attempted murder. An alternative hypothesis to Sergio's guilt had started to gain adherents. By the time I left the island five months later most people were saying that it was probable that Andreas, who was known to be subject to fainting spells, had accidentally fallen from his tree and, embarrassed at such coconut-like behavior, had climbed back into the tree and cut the limbs himself. The whole membership of Tobian society had changed its definition of one of the most dramatic events to have occurred in the last forty years. A serious crime had been made a non-crime and a near non-event. I am not sure if I can adequately explain this change in public opinion and it is not my purpose here to make an attempt.² Instead I wish to explore some of the ways that this shift exposed and clarified some interesting aspects of Tobian culture.

TOBIAN EXPLANATIONS

The decriminalization of Andreas' fall meant that new explanations had to be found for those things that had led people to believe Sergio guilty. Everyone could now agree that the reason that he had not shown the expected signs of fear was that he was not, in fact, guilty. No longer was it necessary to hold to the paradoxical belief that this very lack of somatic evidence of intense fear was an indication of guilt. It had been claimed that only someone with something to hide would have acted the way that Sergio had acted in the meeting. Adherents of this view had claimed that the reason he had kept himself apart and had not talked was that he was concentrating on maintaining a smooth facade. They claimed that he had not jumped when Aureo had made his claim (later admitted to be spurious) to have seen incriminating footprints because too much time had elapsed between the supposed sighting and its dramatic

announcement at the close of the meeting for the claim to have been true. People originally asserted that Sergio had instantaneously deduced that such an explosive discovery could never have been kept secret overnight. After deciding that he was innocent it was no longer necessary to consider him quite so quick witted.

The alleged motives for the crime also had to be reassessed. This did not prove difficult since no one had ever come up with a very powerful motive for the crime in the first place. Initially, the Tobians had seemed remarkably unconcerned with the culprit's motivation. It was only after the meeting and after unanimity had been temporarily reached on Sergio's guilt that people were willing to discuss seriously why he might have attempted such a crime. After a good deal of searching, a list of reasons for anger between Sergio and Andreas was arrived at. All the items on this list shared one common attribute: they were all minor, petty irritants common to the relations between most adults on the island. It turned out, much to everyone's surprise, that Andreas and Sergio composed one of the few adult pairs not divided by antagonisms over resources.

Tobian society is characterized by a great number of sub rosa, long-term interest disputes over land, women and political office. These disputes provide a counter-current of hostility and tension to the surface pleasantness of daily life on the atoll. Virtually every adult is a direct or indirect contender in at least one of them. Although Sergio was a party to many of them, none of his disputes involved Andreas. What this meant, of course, was that no one could find what we would recognize as an objective reason for Sergio to want Andreas dead. No one could see how the nurse-aide's death would be to the advantage of the old man. Furthermore, since Andreas was also a contender in several disputes, it was obvious that there were other people on the island whose interests would have been served by the death of the nurse-aide. At no time did the "motiveless" nature of the crime appear to be of much concern to the populace. This is not surprising given the model of human nature with which they seem to operate.

TOBIAN ETHNOPSCHOLOGY

Tobians hold the view that the individual is capable of almost any act. Only fear, they believe, makes men exercise control over hostile and antisocial urges. This belief complements their (much more realistic, I think) view of their society as potentially explosive due to the sub-surface disputes which are only kept in check by everyone's determined effort to maintain pleasant relations. Given these assumptions the lack of real motivation for what was thought of as Sergio's crime was not a problem. It could be said, as indeed it was in answer to my inquiries, that he was a fearless person. And the meeting which resulted from that crime was, in essence, an attempt to teach fear not only to the culprit but to everyone else. Furthermore, Tobian beliefs about the role of fear in human nature made the structure of the meeting itself logical (to the Tobians if not to me)--their beliefs about what people are like underlay the way that they punctuated the meeting.

"We have to make that guy afraid," the magistrate told me before the meeting started. By focusing closely on the subject at hand, by constantly interrogating possible witnesses, by constantly referring to the possible island-wide negative consequences (the threat that no other nurse would want to come to Tobi and the possibility that the three outsiders might spread "bad stories" about Tobi in Palau) and by the triple recitation of the events which led up to the meeting, Marcello built up a level of excitement and psychological pressure that, it was hoped, would force the culprit to give himself away. It was thought dangerous, however, to let the excitement build to too great a pitch. The danger lay in the possibility that one of the old men (a class of people notorious for their disregard of the consequences of their actions) might become angry enough to point his finger in the trembling culprit's face and shout an accusation at him. Such an accusation would lead its object to do one of three things, all of which would have negative consequences for the island as a whole.

At best the accused might simply cut himself off from further social intercourse with other Tobians, retreating to the bush during the day and locking himself in his house during the night. Next in order of the harm it was thought that an accusation would do to the fabric of life on the atoll would be the self-destruction of the accused, stereotypically by hanging. Worst of all would be something similar to what the Malays call *amuk*. He might take his toddy knife and run through the village, slashing and killing all who got in his way. All of these behaviors are said to be the result of extreme shame. The task of the leader of one of these meetings, then, is to strike a balance between two end states: one in which not enough psychological pressure is generated to force the culprit into revealing himself, and one in which so much excitement is created that a direct accusation results. Marcello dealt with this problem in an interesting fashion. He alternated periods of focused attention with diffuse and less intense periods.

There was constant pressure to transform the meeting into a more usual Tobian gathering. People constantly started side discussions and interjected irrelevant comments. Marcello used this tendency to relax pressure. In fact he triggered it on occasion by asking someone for a cigarette or by picking up and fondling one of the toddlers who were constantly trying to penetrate the circle to their fathers and older brothers. The magistrate let the excitement die down. After a few moments he gave the child back to one of the women, intervened in one of the more relevant of the side discussions (this is how the question of whether the police should be notified came under general consideration) or in a loud voice directed a pertinent question to the group at large. Any of these three acts again focused attention on the subject of the meeting and pressure again started to build. During the brief relaxed interludes there was never enough time for the side discussions to stray far from the point and it was in those moments that the story of Juanito and also the pre-Christian method for dealing with such situations were rehearsed yet again. Significantly these stories emphasized the way in which a frightened culprit gives himself away.

DISCUSSION

In perhaps no other behavioral setting are a people's beliefs about human nature so clearly exposed as they are in the events surrounding the settlement of a dispute. Regardless of the particular form such procedures take--and ethnology offers a great diversity of types--it is possible to enrich our understanding of a people's self image by closely examining the ways in which disputes are handled. The fundamental reason for this is that a key design feature of any such procedure is the attempt to modify someone's behavior. Settling the dispute means that someone (and perhaps everyone) must act differently. Therefore the beliefs which the participants hold about human nature in general, and human motivation in particular, are especially salient in these contexts and thus are at least relatively accessible for analysis.

The management of aggression, particularly interpersonal violence, is a significant problem in the small atoll setting. The inhabitants of such an island live in a world more closed than most, a world in which both space and cooperation are a premium. In such a world, often less than a single square mile in area, the expression of hostility in violent behavior can set in train a sequence of events disrupting the communal harmony necessary for communal existence. The people of Tobi are aware of this danger and have evolved a set of techniques for the prevention of the expression of hostility. Yet these techniques are not infallible and occasionally a violent incident occurs. The most dangerous of these incidents are those in which the perpetrator is unknown for under these circumstances social pressure upon the disruptor of the peace cannot take place. The Tobians have invented procedures for dealing with such events that take advantage of their beliefs about themselves in order to uncover the disruptor--thus enabling their techniques of violence prevention to begin to operate.

If space permitted, it would be instructive at this point to turn to an examination of the response which occurs in our society to such crimes. Perhaps our ideas about human nature might explain why it is that in the American legal system such procedures invariably assume the character of what Harold Garfinkel in an early and brilliant paper calls Degradation Ceremonies. These are events in which the social identity of the accused is publically defiled and debased (Garfinkel, 1956). In any event it is of some interest that the Tobians, as I have shown here, so successfully avoid this outcome.

NOTES

1. The research upon which this paper is based was financed by a National Institutes of Mental Health grant (UPHA 5 TO1 MH 12766). Thirteen months were spent with the Tobians--a little over three months in Eang, the Tobi village in Palau, and the remainder on the island. An additional thirteen months were spent with the people as a Peace Corps volunteer from 1967 to 1969. All but one of these earlier months was spent on the island. An earlier version of this paper was presented to the symposium "Conflict and Conflict Management in the Pacific" at the Fourth Annual Meeting of the Association for Social Anthropology in Oceania. Stuart, Florida. March 26-30, 1975. Some, but not all, names have been changed.

2. Among the factors that led to this shift in public opinion most weight must be given to the absence of a publically known apology and the rock-like normality of Sergio's behavior.

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