Property, Kinship and Cultural Capital: The Ethics of Modelling Kinship in Sustainable Resource Management

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Abstract: This paper originated in the theoretical, methodological and ethical issues raised by the possibility of formally mapping kin-based rights in resources using new developments in GIS and data management software. While acknowledging that there are valuable applications for such mapping exercises in Native land claims or other battles over local rights in natural resources, we argue that the proliferation of such formal mapping methods raise a number of pressing concerns. One concern is the resurgence of simplistic functionalist arguments as with the concept of cultural capital, utilized in some publications on adaptive management and in community based natural resource conservation. Another concern is the implicit reliance on overstructuralist modelling of non-Western kinship systems. Salient ethical questions concern the possible dangers of "making legible" to the state legal systems such highly formalized and thus static kinship models.

Keywords: kinship, law, social capital, resource management

Résumé :   Cet article s'intéresse aux questions théoriques, méthodologiques et éthiques posées par la possibilité de transcrire formellement les droits héréditaires au moyen de logiciels GIS et de traitement de données. Tout en reconnaissant qu'il y a des applications valables pour de tels traitements formels dans le domaine des revendications territoriales et celui d'autres luttes pour l'accès à des ressources naturelles, nous soutenons que ces méthodes de présentation formelle des données soulèvent un certain nombre de questions urgentes. Une préoccupation est le retour d'arguments fonctionnalistes simplistes comme, par exemple, l'utilisation du concept de capital culturel dans des publications sur la gestion adaptée et sur la conservation des ressources naturelles par la communauté. Une autre préoccupation est la confiance implicite accordée à des modèles sur-structuralistes de systèmes de parenté non-occidentaux. Des questions éthiques évidentes proviennent des dangers de «rendre lisibles» pour les systèmes légaux de l'État de tels systèmes de parenté hautement formalisés et donc ainsi rendus statiques.

Mots-clés: parenté, droit, capital social, gestion des ressources

Introduction[1]

Painstaking and prolonged fieldwork provides many anthropologists with an understanding of both the centrality of and the flexibility in kinship rules for distributing rights in and for managing use of resources. However, conceptualizing and communicating that importance across disciplinary boundaries is often very difficult. The specialized language of kinship, taken together with the myriad and highly complex, non-Western tenure arrangements, often makes for a difficult process of translating what we know into language that is understandable to those without anthropological background. And yet, translation of that specialized knowledge takes on increasing urgency in a world where resource sustainability has become the elusive Holy Grail. Some recent publications that explore the role of cultural capital in ecological resilience without adequate cognizance of the basic building blocks of social life are but one outcome of that translation difficulty.[2] When kinship systems *are* considered in relation to rights in resources, simple, ahistorical, linear arguments and functionalist assumptions are common (Aswani, 1999: 418).[3]

The dangers in this type of thinking are exacerbated when new technical methods of modelling relations between the human and physical landscapes are brought to bear. Kinship software (Widlock, 2000), GIS mapping (Aldenderfer and Maschner, 1996), and recent three-dimensional "cone tree" software (Card, MacKinlay and Shneiderman, 1999) offer significant opportunities to translate and make more visible non-Western social organization, especially when used in combination.[4]

The mutual compatibility of these developments is apparent. Any anthropologist who views the fisheye cone trees in the Card *et alii* volume will be immediately reminded of what McKinnon (2000: 43) calls the "elegantly abstract skeleton" of kinship diagrams. What concerns us here

are the many questions about the relationship between such abstractions and the actual on-the-ground kin-based behavior and resource management. This paper began with an exploration of such developments. We quickly realized, however, that the possibilities inherent in such software raise salient theoretical and ethical questions about kinship theory, about the adaptive functions of various kinship forms, and about the dangers of the increased "legibility" of such local adaptations (Scott, 1998). The original and quite simple question we asked was can we make complex, kin-based rights structures and their impact on resource use more visible? But this simple question rapidly generated a host of more complex questions, and at the head of the list was the question: should we?

There seemed several compelling reasons to pursue increased visibility for kinship and its possible connection to resource management and use. First, we were interested in the possibility of exploring the role of kinship in cultural capital, as the term is used by Berkes (1996), Berkes and Folke (1998), Hanna, Folke and Mäler (1996) and other scholars exploring traditional ecological knowledge and its possible role in livelihood resilience and sustainable ecological adaptations. Capital is defined by Berkes (1996: 91) as a "stock resource with a value embedded in its ability to produce a flow of benefits" (see also Ostrom and Schlager, 1996: 129). The sustainability literature defines three types including natural capital (assets from the ecosystem), cultural capital (assets from cultural organization and values)[5] and human-made capital (assets created through use of human technology). These three types of capital are said to be interconnected such that the characteristics of the group and the technology they utilize are the key to understanding their relationship with the ecosystem, as are the property rights that organize the interface with natural resources (Berkes and Folke, 1998: 16-17).

It is clear that this scholarship largely developed without reference to the wealth of anthropological literature on kinship and property, or indeed without reference to longstanding notions of capital. As Harvey (1996: 62-65) notes, this model has intellectual roots in Marxist dialectical notions of capital, but has travelled far from those roots and lost much of its strength in the process. Harvey argues that for Marx: "Capital is directly conceptualized…as a *process* or as a *relation* rather than as a 'thing'" (ibid.: 63; see also Li, 1997: 128). Harvey goes on to add:

This process definition differs radically from that typically incorporated into neoclassical economics where capital is treated as an unproblematic (i.e., noncontradictory) stock of assets (of things) with certain qualitative and quantitative attributes which, when set in motion by human agency, embody causative powers. (ibid.: 63)

In this light, a clear and highly visual representation of non-Western kinship processes and their importance in resource utilization seemed valuable.

Second, there is a growing body of literature that links together ecological economics, common property, policy analysis and other scholarship interested in the role of specific property types in economic growth and in ecological sustainability, again, mostly without reference to anthropology (Dobell, 2001). Given the critical voices raised over the influence of this literature on the World Bank and other international organizations involved in social and legal reform (Harriss, 2002; Li, 2001a; Randeria, 2003), it seems particularly important to make more highly visible the complex relationship between kinship and local normative systems of resource rights. In many nation states of the world, these local normative orders are in conflict with state-generated normative orders, a situation which is called legal pluralism. There is a prolific anthropological literature on legal pluralism,[6] much of which focusses on important interconnections between property systems, political power, ecological impacts, religion and ethnicity (Franz von Benda-Beckmann, 2000, 2001; Wiber, 2001). It seemed useful to be able to clearly demonstrate these complexities to the non-anthropological audience.

Finally, we were interested in revisiting some enduring anthropological questions about the tremendous variability in kinship organizational forms and the potential reasons for such variability. Formal analysis in kinship theory has a long history of generating systemic models with associated functional explanations (Faubion, 1996: 67), many of them uncritically focussed on supposed natural differences between the genders and on associated notions of the evolution of power and governance under conditions of increasing stress on resources. In this context, our view was that a careful mapping of actual resource access rights and use patterns could provide for an ethnographically rich, critical perspective on anthropological kinship theory. But the more that we discussed our project, and thought about recent scholarship in legal pluralism, governance, marginality and state power, the more that fundamental questions about the anthropological endeavor became central to our considerations. In this paper we provide a discussion of some of those questions.

Of Systems, Functions and Social Structures: What is Kinship Good For?

There would be little point in mapping kinship structures onto the landscape if there were no evidence to support the argument that kinship is an important structural and processual component of both social organization and of making landscapes.[7] Even a cursory review of the literature demonstrates a great deal of evidence that local practice often relies heavily on kinship as a mechanism for matching people to resources.[8] There is also evidence that these arrangements are often sustainable over the long run. Our two sets of research data from the Philippines and from Vanuatu, although cases drawn from very different kinds of kinship systems, are a case in point (see Lovell, 1980; Wiber, 1993), and will provide the context to discuss the several issues considered in this article. We also draw on some of the literature on the complex relationship between kinship, rules of access, property rights and resource use to demonstrate that anthropology has never satisfactorily answered the basic questions of why a society employs one kinship system over another, or whether there is any importance to the myriad variations on a single kinship type. We will not revisit all of the debates, but instead select specific areas that have relevance to our concerns as outlined above.

Within anthropology, there have been many attacks over the years on what Parkin (1997: 374) has referred to as "a sort of geneological *doxa* among anthropologists." In particular, these attacks focussed on the formal structural models and associated functionalist explanations common during the heyday of kinship research. Nevertheless, most anthropologists of today would agree that kinship systems are not randomly generated, nor are they in a random relationship with other aspects of social organization. The so-called death of kinship as a central anthropological concern has been recently challenged (Colloredo-Mansfield, 2002; Faubion, 1996; Franklin and McKinnon, 2000), and it is clear that functionalist arguments in particular have a continuing popularity (Goody, 1990).

One example is the assumption that where population density increases over time and competition for resources intensifies, corporate kin groups emerge. Classic corporate theory largely focussed on unilineal descent systems and on their advantages in situations of resource competition. It saw corporate groups as clearly demarcated and strongly hierarchical with particular advantages in managing property access and use, a point to which we return below. The mechanisms that facilitated such control were debated for several decades within anthropology, particu-

larly as additional lineage-based societies were found to vary dramatically from the African exemplars.[9] Other research focussed on the difference between corporate groups and communal organization, arguing that the advantage of corporate property is that it is held in severalty (Appell, 1976). Thus, in communal groups, appropriators can make demands equal to other appropriators whereas in corporate groups, shares in the property are variable and often proportionate to status in the group, limiting problems of exclusion and over-exploitation. Other ethnographic research demonstrated that corporate organization was not unique to unilineal descent groups. In a bilateral society of the northern Philippines, for example, cognatic descent groups performed many of the same corporate functions (Wiber, 1991, 1993).

Thus, despite challenges to classical structural-functionalism, kinship studies continued to focus on the functional characteristics of kin groups and to posit important property holding advantages such that natural resources were managed in a sustainable way. However, there is a significant difference between current studies and classical studies, and that is that any assumed benefits in kinship structure and process must be contextualized through a focussed understanding of their empirical operation in any one place and at any one time. One of the first scholars to articulate this clearly with respect to kinship and rules of access was Sally Falk Moore (1969, reprinted in 1997). We revisit a number of the points raised by Moore as we address the functional arguments made about kin organization and natural resource use.

If we focus on the functional attributes of kin groups with respect to sustainable resource use, there are both structural and processual arguments made. In terms of structural attributes, the most relevant characteristic for our purposes is the rules for membership in the kin group. Here, Moore (ibid.: 379-380) cautions against seeing these rules of membership in a rigid way, either in defining members or in any simple causal relationship between membership and resource access. A key characteristic of kinship appears to be its mutability—a characteristic that frustrates anthropological attempts to plug empirical examples into a typology of pure structural types. But perhaps that mutability should be better understood as an important value. The abstract rules of kinship facilitate *claim-making* based on genealogical connections. The recognition of that claim is not automatic, and often depends on circumstances (ecological, personal, political and religious). Thus, bilateral and unilineal systems both demonstrate a "bargaining" approach to rights, something which is important to keep in mind when theorizing about the role of kinship in ecological sustainability.

Second, kin organization ideally supports a hierarchical structure, although clearly some formal types are more hierarchically organized than are others at the operational level. This in turn offers a number of processual advantages, which we will discuss shortly. This ideal structure is extremely flexible, and globally there are innumerable variations that may or may not have important functions. Third, there are built-in alliance mechanisms—especially through marriage. Fourth, the segmentary building blocks of kin groups allows for units to be organized at larger or smaller scales, depending on any number of circumstances.[10] And fifth, kin groups often have what has been called "assumed perpetuity," or a legal identity that persists over time despite the changeover of component members—this gives them a temporal stability useful in property control and managment (F. von Benda-Beckmann, 1979).

These five structural attributes of kin groups are all theoretically linked—some in more than one way—to processual features, seven of which we identify here. The first relates to hierarchy, which provides for clear rules of leadership and of devolution of authority, usually on the basis of age and gender differentiation, but also on the type and distance of relationship. The second feature is the resulting flow pathways that facilitate information exchange and a command structure. These information pathways are rooted in the rules of leadership and authority. Third, basic kinship units, whether nuclear family, extended family or kin compound provide built-in contexts for the transfer of knowledge across generations within the family, lineage and clan structures. Fourth, members of the group participate in the creation, modification and enforcement of rules with respect to access, within the context of age and status, with dispute resolution similarly facilitated. Fifth, there are clear rules for and demarcation of membership shares in the joint estate, both within a single generation and across generations. This provides for an important temporal difference with non-kin based property groups, which less often are focussed on the long view.[11] Sixth, descent structure allows for natural points for fission/fusion of the group, for ultimate flexibility in the scale of property holding group and for political affiliation across geographical space (Moore, 1997: 383). And finally, these same structures facilitate mechanisms for cross-linkages through alliance networks.

We are not breaking any new ground here. However, while it has long been recognized that kin concepts can be quite flexible in terms of their implementation at any one point in time (Scheffler, 1965), the potential ecological benefits of this have not been thoroughly pursued. For example, in any one context, many notions of blood and affinity can act as *potential* pools of alternative structures in times of flux or perturbations, and as forms for re-assemblage after a dislocation. The same flexibility that puzzled many kinship theorists may in fact be the main strength of kin organization, facilitating what Moore (1997: 387) describes as "adjusting genealogy to convenience." Nor should we downplay the spatial and temporal cyclical operation of kin groups. Among the Ibaloi in the Philippine uplands, all of the descendents of a single founding pair have rights to the resources in which that pair invested labour (Wiber, 1993). Depending on the degree of labour invested, those rights are transferred in different ways to descendents. Some are devolved as a form of private rights held by a single descendent (as in irrigated rice terraces), while others are rights in severalty devolved to the group as a corporate group (pasture lands, fruit trees, irrigation systems). However, as successive generations swell the number of descendents over time, more and more members of the village can trace genealogical connection to it, and many of the resources become more or less communal in nature. Also, each person in the village is a member of many cognatic descent groups at any one time, including those of their parents, of their grandparents on both sides and so on. Each of these descent groups will be at a different stage of this cyclical development, and at a different level of property rights organization. Subsequently, where an individual chooses to operationalize access rights can be a matter of delicate negotiation. The general effect of kinship negotiations within the community, and even across community boundaries, is to allocate and reallocate people over the village resource base across both time and space, not automatically as a result of blood connections, but selectively *in response to specific circumstances*. We argue it would be fruitful for those interested in ecological sustainability to pay more attention to this aspect of anthropological work on human kinship organization.

In short, kinship "systems" do seem to be systemic to the extent that they organize people's thoughts and provide some basis for behaviour, but not to the extent that the behavioural response is automatic.[12] As Geertz (1983) has pointed out, what members of a culture think is not so important as the concepts with which they think, and kinship is a key idiom for thinking and talking about property, and thus for organizing claims to, and subsequent behaviour towards natural resources. Since this idiom is a flexible one, the uses to which it can be put are many. And since the idiom is so deeply ingrained, local groups often resist external attempts to transform it.

While Lovell was doing fieldwork in Longana, on the island of Ambae in Vanuatu, he observed a dispute over

land that illustrates this point. A young man, who we will call Isaac, shocked the district by planting coconuts, taro and other food crops on land which his father and father's brothers had donated to a cultural centre and for which they had received compensation by the community. The young man and his father were against the donation, arguing that the compensation was not nearly enough; but, in Longana, land is administered by sibling sets, and Isaac's father had been overruled by his brothers on the grounds that it would help the community. A portion of that land would have been part of Isaac's patrimony. Isaac and his father continued to complain about the arrangement, long after the land had been alienated, even after Isaac had become the most important Longana employee of the cultural centre itself. He was second in line only to the Australian who had been hired to develop the centre, and was therefore scheduled to take it over when the expatriate left. But Isaac, a self-assured and headstrong man, was always at odds with his Australian boss over a wide range of issues, and, because of his perceived arrogance, managed to annoy many in the community who were associated with the centre. His constant bickering with, and hostility to, his boss finally got him fired.

It was shortly after his dismissal that Isaac planted crops on the playing field of the centre, on the land in which he and his father had historic rights. He also blocked access to this land with logs. These actions made visible again Isaac's (and his father's) kin-based property rights, since you only plant crops on land in which you have rights or for which you have the permission of the rightful owners. Given the earlier kin group decision to transfer the lands to the community, it could be argued that Isaac had neither rights nor permission, and the resulting land dispute created strong feelings in the community.

For months people discussed the case. The chiefs felt particularly strongly about any attempt by Isaac and his father to reclaim their land after all this time. Eventually, a public hearing was called at the centre. People from all over the district showed up to watch Isaac receive the dressing down and the fine that it was widely felt that he deserved. One of the chiefs presented a general introduction to the case, emphasizing Isaac's legitimate interests and former rights in the land. Isaac stood to speak. The crowd hushed. He spoke very softly, and with all the respect due to the crowd, the elders, the political leaders and the centre personnel. He admitted to planting the fields, but he declared that he was not interested in the land. It turned out that all he wanted was his job back!

He went on to explain that the community had been so biased against him that he had never received the pub-

lic hearing which was his due (the centre being a community project), and that planting the field had been a trick to force such a hearing of his case. So now that everyone was assembled, they might as well listen to what he had to say concerning the unfair conditions of his employment, the mismanagement of the project, and his summary dismissal. He was rehired at the conclusion of this meeting—much to the disappointment and anger of the Australian in charge of the cultural centre. Given the way that Isaac had manipulated the idiom of kinship, most Longana agreed with the assessment of one of their most important political leaders—that if Isaac would only learn to control his temper (and his arrogance), he had great potential for becoming a traditional leader himself one day.

Thus, it is important to know how kinship systems connect people with resources, and in what ways kinship is a model for elaborating rights (Moore, 1997: 391). Such knowledge is essential to understand the rights which Isaac and his father once had and that formed the basis for an important community dispute over the development of some of its land. But it is just as important to realize that kinship is more than just a template—its concepts and principles are useful to think *with*—and this is why kinship systems have the potential for being so flexible and adaptive in the face of change.

Systemic Plurality: Property Rights and Legal Pluralism

We have been arguing that when people model their behaviour with respect to resources around deeply ingrained kinship idioms, the outcome *can* be long-term ecological stability. Again, this is not a new observation in anthropology. Others have certainly taken this position (Piddocke, 1965; Rappaport, 1968). Even among some of the earlier studies, however, many analysts noted that functions and systems can operate at many different levels, and these diverse operations may not all be mutually compatible.

For example, F. von Benda-Beckmann (2001) notes that the two "functions" of property systems that have received the most attention from economists and from resource managers, are the ability to promote first economic wealth, and second ecological sustainability. These two may not be mutually compatible given what he calls "concretized" property relations—that is, the way a "right-relationship is established between actual persons or groups and an actual resource" (ibid.: 299). As he points out, this can be quite different than the "categorical rights" which exist as typified legal concepts that may or may not structure real relationships. In their functional analy-

sis of property rights, Franz and Keebet von Benda-Beckmann (1999: 22) speak of the four levels in which property becomes manifest: in the ideological, in the concrete normative, in social relations and in actual social practices. These layers need not be well synchronized, and indeed are often not, which in turn is a source for change and reorganization.[13] Since many property theorists focus on the ideal categorical rights at the ideological level rather than on their actual expression in real relationships, it is not surprising that expected behaviour rarely matches reality.[14] Indeed, F von Benda-Beckmann (2001) has made an argument about property systems that is very similar to the point we raise about kin systems, which is that *categorical* status in kin systems tells us very little about the social, economic or ecological significance of actual *concretized* relationships and real behavioral patterns. We will return to this point below.

Once we have accepted that in however a flexible way, kinship rules do organize the way people are spread over resources, we can then go on to ask if these local maps are *more* adaptive (resilient, responsive, finely tuned?) than the ideological maps being introduced by development agencies and international power brokers such as the World Bank.[15] Even a superficial level of analysis, which is all we have space for here, shows significant differences. The introduced maps are usually focussed on individual freehold tenure, male-led nuclear family households, and involvement in mono-crop commercial/market production, with the entire assemblage backed up with an introduced normative order, or "legal reform." Is this assemblage more sustainable? The consensus in anthropology seems largely to be that it is not, primarily because it usually has a very poor fit with local patterns of production and of reproduction. There is also concern that these introductions can, in a very short time, be enormously destructive of long-established patterns of resource use and management.

But can we argue for the reverse, which is to say that we uncritically trust the local ways of doing things (or *metis*, as Scott, 1998 refers to it, after the Greek term for practice-based, situational knowledge)? Is this *metis* automatically beneficial, ecologically or socially, all the time and in all circumstances? The short answer for most anthropologists, is not necessarily, but perhaps. And that qualified answer depends very much on whether we have accurately reflected real behaviour patterns in our descriptions of other cultures, and have adequately understood their impact on the environment (F. von Benda-Beckmann, 2001: 294)

It is an irony that anthropologists are more loath these days to make firm causal connections between kin-ship and property-style rights to territory or resources at the same time that various state courts are beginning to recognize the foundation of Native title in genealogical relationships over time (see Povinelli, 2002). Perhaps the two phenomena are related, as several points regarding state recognition of local kin organization have raised concerns among anthropologists. Povinelli, for example, notes that state recognition of Aboriginal rights in Australia has been based on a spiritual tie binding genealogically-related persons to territorially delimited spaces. However, any such genealogical system and its associated normative system must first be made intelligible to outsiders so that the cultural basis of any claim can be clearly tested by the courts.[16] Povinelli's analysis here echoes Scott, in that the legibility of cultural practices relies on a level of abstraction that *cannot* adequately represent reality, or more disturbingly, thoughtlessly creates a new reality through the application of formal technology (see Escobar, 1994). In the case of kinship, the "diagram" appears to exist prior to and independent of the social behaviours (including real life negotiations and conflicts about "proper" social identities, roles, and relations) which it tries to explicate. Povinelli's data brings to mind the anthropological debate about the use of an *a priori*, supposedly neutral genealogical diagram or grid as a tool to analyze and understand a system of kinship and its associated rights to land and to other property. Schneider (1984), for example, argued cogently that this grid is solely a Western phenomenon. If this is true, applying the grid uncritically to explicate the organization of other cultures could smuggle into the analysis our assumptions of what kinship, descent, and gender are all about. Although Schneider has been challenged (see especially Scheffler, 1973), even his harshest critics acknowledge that anthropologists have proceeded to use the genealogical grid to analyze kin relationships and related rights and duties without first establishing that it is appropriate to do so. To return to Povinelli, the abstraction resulting from this sort of analysis then gets injected into state legislation and absorbed into state forms of property. The important point for our discussion is the very real possibility that this state-recognized abstraction has been stripped of the very dynamic, fluid and flexible character that may have made it a key feature of non-Western ecological resilience.

We can further elucidate one of the concerns that Povinelli raises. The use of formal models for any analysis of social process may superimpose a hierarchy on the material that is not inherent in the social behaviour (Haraway, 2000). Our intent in mapping kinship-based rights onto landscapes was not to fetishize any kinship system. These systems are always "ongoing events" difficult to

capture in static concrete representation (ibid.: 119). To abstract from a dynamic social fabric, so that people are locked into particular relationships through the codified law of property rights may be exactly the type of "reverent literalness" that Haraway condemns (ibid.: 115).

Any sustainability that arises from kin organization is very situational, time-sensitive and context-specific, as has been demonstrated by recent work in the African Sahel. Han van Dijk (1996: 40) found an "amazing variety" of land tenure arrangements among Fulbe agro-pastoralists, all loosely based on lineage ideology but also particular not only to place, but also to time, in a region where ecological instability is a constant in the environment (see also Aswani, 1999). What worked in the 1950s and 1960s when the rains were abundant, would emphatically *not* work in the drought conditions of the late 1990s. The Fulbe patterns of rights and responsibilities are thus a negotiated order. Moreover, van Dijk credits "the exercise of power" as fundamental in the adjustments required to meet new environmental exigencies. Before the colonial period, this power was embodied in the local chief given his authority over land and pasture, a power that was highly context-specific and circumscribed by checks and balances within the kin system. Unfortunately, the rise of the Mali State has muddied the waters, particularly with introduced notions of rights in water and with state bureaucracy replacing local chiefs. Thus powers no longer so close to the situation are involved in resolving conflicts and awarding rights in ecological contexts they do not really understand, nor take the time to study.

"Cultural Capital" or Historical Product of Relations of Power?

Thus, a related problem in understanding the temporal dimension of kinship organization and ecological sustainability is the historically-contingent source of present-day kinship arrangements and the continuing role of power in their formation. What then are the ethical implications of an anthropological exercise to make such formations more visible? Given the emerging global importance of "cultural rights" (Brown, 1998; Cowan, Dembour and Wilson, 2001), this is a highly political issue. We can only touch on some of the parameters of the problem, and specifically on the tendency, both within anthropology and without, to naturalize historically contingent processes (Aswani, 1999). This in turn brings us to the question of inequality—built in or introduced—and to the difficulty of dealing with this question in anthropological model building.

In a recent article that addresses the rise of inegalitarian societies, Polly Wiessner (2002) provides an example of some of the pitfalls of naturalizing historic processes. She takes the stance that egalitarian societies do not represent a "slate of simplicity" on which status and power seeking individuals eventually leave their mark, but rather are formed of "complex institutions and ideologies created and maintain by cultural means which empower a coalition of the weaker to curb the strong" (ibid.: 235). However, she then goes on to argue that in the long run, such societies are not "maximally efficient" since they constrain competition and overemphasize redistribution (ibid.). Thus, "the seeds of inequality can take root only when the population stands to gain real benefits from stronger leadership" (ibid.: 234). Implicit in her analysis of the last 250 years of upland Enga cultural change is the driver of a "volatile social and natural environment" including rampant population growth and competition for resources (ibid.: 249n25). Thus, her work fits within a long anthropological tradition that views aggressively expansionist societies as somehow better adapted and thus more progressive.

In contrast, McKinnon (2000) challenges standard anthropological "theoretical domaining apparatus" to question our basic ability to recognize, much less analyze, egalitarian or hierarchical structures.[17] Tania Murray Li (2001b) also takes an explicitly historical approach to argue that power is often deployed in "boundary work"—or the process of constructing a separation between communities and what lies beyond—a process that anthropology gets caught up in (re)producing, and one that obscures the tight interconnections between the state and the non-state spaces within state territory, including minority ethnic communities. Conservationists, "green" developmentalists and human rights activists often turn to communities "because there is a hope and/or an assumption that they are (to varying degrees) different in their practices, motivations, or aspirations from the world beyond" (ibid: 163). One supposed difference is that their property systems focus attention on the longer—often multigenerational—time horizon (F. von Benda-Beckmann, 1979, 1999, 2001). However, when one turns to questions of power, Li (2001b: 163) asserts, it becomes difficult to ignore the ways in which "states and communities are not only mutually implicated, but in some respects (and for some purposes), inseparable" (see also Laura Nader, 1997). During the colonial period, state-local interaction often created the very local configurations that then became templates for anthropological notions of difference (Li, 2001b: 165). Further, anthropology often misread the way that the power relationships between state and local agents became a component of the power relationships *within* the local configuration.

The "matrilineal triangle" and other arguments about male power within matrilineal descent systems may exemplify this misreading process.[18] The traditional authority of women among the matrilineal Iroquois, for example, was approached as a "puzzle" (Randle, 1951), perhaps because of the wider symbolic field in which anthropology fitted "a preestablished compartment" as a discipline concerned with "the savage" (Trouillot, 1991). Thus, the "savage slot" formed a major component of the symbolic organization of the discipline. The role of matrilineal descent within evolutionary discourse is part of this "savage slot" and it can be argued that the entire "problem of matrilineality" came from this positioning. It was undoubtedly true that the problematic nature of matriliny was less apparent to those living within such systems until their behaviour had been disciplined within the colonial exercise. Masculine power in matrilineal systems may have emerged to facilitate the colonial state's business, and then became naturalized through subsequent anthropological models of matrilineality.

In redressing this problem in ethnographies that predated her work, Weiner argued that the actual status of Trobriand women derived from the perceived power they have to regenerate the matrilineage and to prevent lineage property from being lost through the exchanges of women's wealth at funeral ceremonies. She noted that whereas men's political control and power were perceived to relate to historical time, women were perceived to control immortality. Only they could reconstitute the lineage through conception, and recover its garden lands through the exchange of women's wealth. But is this reading of Trobriand kin and gender conceptions any "deeper" than the ones that went before?

Can we trust anthropological data on how specific kin systems work? In creating state property regimes, state bureaucrats have tended to award property rights to the most visible claimant rather than to the those who are deserving (Carol M. Rose, 1998). Kinship studies, whether resisting or enabling the deployment of colonial state power, were likely often captured by a similar process whereby state bureaucrats (re)inscribed kin group rights as if they were the rights of a single, highly visible individual, usually male (see also Wiber, 1991: 478). On the other hand, some level of inequality *is* clearly intrinsic to the modern-day functioning of many kinship systems. What is its role? How does it affect sustainability? Rousseau (2001) has suggested that inequality provides room to maneuver so that power can be exercised in pursuit of group goals through political leadership. Are the ecological and the political then directly connected in the way in which Rappaport (1968) so long ago proposed?

More specifically, if one of the functions of leadership is the stewardship of resources, what role does situational power with its foundations within a kin group, play in guiding resource use?

We argue that if they are left to resolve their own problems, local people will probably find ways to match people to resources sustainably, and ways of restricting the abuse of power within a hedge of kin obligations and duties (Ames, 1981; Moore, 1997: 390). Further, these solutions might be more resilient in the long run than the cookie-cutter solutions of Western developers. However, this kin-based inequality may come at some cost to our notions of individual human rights and equality.[19] Particularly when women's rights are concerned, this may be a politically untenable approach, and the result may be the generation of more heat than light from those focussed on social justice (Hernandez, 2002). The potential trade-off is difficult to examine objectively not only because of this political sensitivity, but also because history has left insufficient evidence to provide a definitive answer on the origin of inequality. We cannot know how a kinship system, unsullied by colonial power relations, may have husbanded ecological resources differently, and with what loss of equality in gender rights, or in the rights of different age categories.

Conclusions: Ethics, Legibility and the Exercise of State Power

Anthropologists have long debated how to deal with the situation whenever anthropological methods and materials can make local people more vulnerable to external agents (Pels, 1999; D'Andrade, 1995). The increasing numbers of applied anthropologists, often working for corporate, state, and international or development-aid agencies, have contributed to the controversy (Brosius, 1999; Kirsch, 2002). This brings us back to the question of whether or not we should map kinship systems and make more legible their possible role in resource management, even if such maps appear on the surface to support arguments for resilient cultural capital, or more concrete and mundane arguments of land claims and political rights. Several ethical difficulties plague the exercise.

First, if the state needs legibility as part of its exercise of power as Scott (1998) argues, making the highly context-specific and mutable local arrangements more visible may only increase state power, which will probably not be used for local benefit. We can be optimistic or pessimistic here. Scott argues that high modernism and the state need for legibility only become a problem when paired with a weak civil society and a government that tends towards authoritarianism; in the right hands, the state legibility exercise

allows us to more successfully control new diseases, environmental risks and perhaps mass transportation. On the other hand, fishermen that Wiber has been working with on the eastern coast of Canada are often pessimistic. Many of them reject the digital mapping of their local knowledge about fish nurseries and stock migration patterns. They argue the resulting heightened visibility will only harm their interests by making them more vulnerable to state control and competing sectors of the fishing industry.[20] Scott also notes that the state not only simplifies in order to make legible, but also charts future behaviour based on its simplifications, thus making so what it only theorized at the outset, a pattern of which fishermen are well aware. Fishermen know that increased knowledge about the resource base contributes to government agendas to privatize the right to fish, making the rights embedded in the private property more valuable through quantification. Povinelli notes that this state-sponsored simplification is usually followed by a process of normalization; that process, in turn, "draws up the ladder" and leaves us trying to live in an abstraction.[21]

A related problem involves the role of scientist as objective observer and recorder. As one reviewer of Scott observed:

> If the main problem with high-modernist ideology is that it is bad science or abstract, laboratory science, might one not call for better science, more engaged science, more informed planners? (Yoffee, 2001: 768)

If anthropology had failed to provide richly detailed ethnographic research on non-Western kinship, property systems, and local adaptations one might be swayed by this argument. However, we suspect that a lot of good science simply gets ignored as being too complex to deal with. As Scott notes, bureaucrats require simplifying models for very specific reasons having to do with the exercise of power and control of behavior. Knowledge which is richly detailed, and that demands attention to context specific ethnographic description will simply not fit such needs.

A more complex set of ethical questions is also posed by the possibility of anthropological mapping of kinship systems. As Rowlands (2001: 9) notes, recent trends to legalize the heretofore-moral right to cultural survival have some very negative implications, such that: "If culture is increasingly a form of capital to substantiate rights claims, then disputes over the authorization and legitimization of cultural rights are inevitable."

Rowlands is concerned with how cultural rights discourse enters into and changes the legal definition of ownership and of property. Anthropologists have long recognized another closely-related concern. For example, what *is* culture, and more importantly, who will *authenticate* it? Anthropologists may be accused at one and the same time of both undercutting the cultural authority of indigenous peoples by speaking about "invented tradition," and of endorsing a static and unchanging cultural package that keeps a people from experiencing "development."

And there is the related problem of the complex audience waiting to use anthropological constructs. Li (1999, 2001) suggests that much of the work of anthropology feeds into constructions of the other that are manipulated by many agents (local, state and international) in the power struggle over resources. For example, she notes that both environmentalists and state forestry officials in Indonesia picture the upland swiddeners in much the same way; they simply put different values on the construct. Some green activists see the ultimate environmental solution as the total removal of humans from the landscape, an objective that some state officials in Indonesia would endorse provided that state resource extraction was thus facilitated. If you think about Scott's arguments regarding the ideology of "high modernism" (faith in the power of science to logically transform and socially engineer society), then green environmentalism begins to appear—along with neo-liberal modernization—as just another form of high modernism. As a transformative map for the future, both are untenable.

How then do we strike a balance between sensitivity to local arrangements and sustainable resource management without threatening both? While a number of scholars (Berkes and Folke, 1998; Berkes, Colding and Folke, 2003) have recently suggested an exploration and an exploitation of the cultural capital of local groups, we have reservations. We have identified a number of difficulties and pitfalls, including naturalizing history, re-elevating the concept of the neutral, scientific observer and downplaying local complexity. However, our concerns about the concept of cultural capital do not automatically suggest any concrete solutions. Adding kinship to the concept, for example, and substantiating its significance through formal modelling, seems on the surface to be useful—but a deeper analysis raises many methodological and ethical questions. While it is clearly possible to provide formal mapping of the way kinship systems theoretically distribute their members across available resources, the exercise may not capture real flexibility, and indeed, may undermine it. And further, it will involve complex ethical issues that should not be lightly dismissed.

We conclude then that there are several contributions that anthropology can make to the concept of cultural

capital. One is that so long as kinship is not part of the calculation, important components of local arrangements will be entirely missed. Another is that anthropologists have much to contribute to an awareness of the pitfalls and deep ethical waters involved in developing and in applying the concept of cultural capital. While we might be tempted to promote the value of our highly specialized knowledge on the kinship and property systems of other cultures, we must be careful at the same time to convey the deep ethical dilemmas that plague making use of such knowledge.

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Notes

1 This paper was originally presented at the International Congress of the Commission on Legal Pluralism and Folk Law, Chiang Mai, Thailand, April 2002. We would like to thank the members of that congress for their helpful comments.

2 Few of the contributions in Berkes and Folke (1998), for example, make more than passing reference to kinship in order to elucidate important human/environment interactions in the non-Western setting. More importantly, such work employs what has been called a universalizing "big four" property model that assigns all non-Western property arrangements to one of the following impoverished categories: state, individual, commons or open access (see F. von Benda-Beckmann 1992).

3 These flaws also appear in many publications on ethnoecological classification, where political history and especially intertribal conflict is usually absent from the explanations for toponyms (but compare Johnson, 2000 with Cruikshank, 1998).

4 GIS "is a sophisticated database management system designed for the acquisition, manipulation, visualization, management and display of spatially referenced (or geographic) data" (Aldenderfer, 1996: 4). Cone tree software allows for the on-screen manipulation of heirarchical data sets (including kinship diagrams) in a three dimensional way, so that the operator can sequentially focus on both specific detail (nuclear family) and wider context (lineage). Combining GIS and cone tree software could allow for the computerized mapping of kin-based rights in resources onto a geographic image of the landscape, thereby linking specific units of a kin group (nuclear family) with specific resource sites (a fishing weir).

5 This is a separate concept from Robert Putnam's social capital, but there are similar problems in both concepts (see Putzel, 1997).

6 For overviews see Merry, 1988 and Griffiths, 2002.

7 Following Hirsch and O'Hanlan (1995), we view space and place as important concepts linking anthropological analysis to other disciplines interested in how space is defined,

constructed, utilized and theorized by various human populations. Several of the contributions in that book focus on kinship.

8 Most of us are familiar with classic studies such as Evans-Pritchard, 1940; Fortes, 1949; Rappaport, 1968; Weiner, 1976. For more recent studies see the working paper series of the Max Planck Institute for Social Anthropology, especially those produced by the property unit under the directorship of Chris Hann, which is largely focussing on postsocialist states (available at http://www.eth.mpg.de). See also Ziker (2003).

9 McKinnon (2000) revisits African unilineal descent among the Nuer and offers both a reevaluation of Evans-Pritchard's analysis of patrilineality, and of Nuer egalitarian political organization.

10 Spatial and temporal issues are important variables to keep in mind in this connection. See Wiber (2001). This is discussed in more detail later in the paper.

11 See J. Libby Jr. and D. Bradley (2000) for an example of how difficult perpetuity is to structure into a non-kin property-holding group under current U.S. property law. Their discussion focusses on housing and ecological "land trusts" in Vermont and on the difficulties of bundling private property rights in a way that allows for a balance of individual and group interests.

12 Despite ongoing criticism of systems theory in anthropology, and of functionalism in more general terms, it is useful to outline our view, which relies on Gouldner (1967: 151) and Sally Falk Moore (1978). Both posit a concept of functional autonomy and asymmetrical reciprocity between part and system, and therefore creative tension-producing relationships (see also Keebet von Benda-Beckmann, 2002). The level of autonomy of any part is a matter of empirical research, as is the adaptive function of either the parts or the whole. A great deal of recent ecological scholarship, on the other hand, is retrograde since it relies rather uncritically on universalizing notions of environmental and economic needs that the functional traits of selected traditional systems have supposedly addressed more successfully (see Wiber, 2001).

13 Other layers can be distinguished, as in Alexander (2001) where she speaks of the nested nature of property systems and their dependence on other systemic features of social organization.

14 As Elliston (2000: 185-86) notes, the relationship between kin group and land tenure in the Pacific focussed exactly on this point—and the resulting confusion occupied two decades of work on Pacific kin systems, "working through the inability of African models to account for the practices of kinship in Polynesian societies." What the models were unable to account for was flexibility in membership status, behaviour as an index of kinship, and propinquity or proximity as central to authorizing genealogies, thus instantiating kinship and activating land claims (ibid.).

15 Shanafelt (2002: 18) notes that one anthropological standard for evaluating beliefs and practices pertains to function, as when a practice "can be shown to be an important component of a functioning cultural system." On the other hand: "something may be evaluated in the negative if it can be shown to be maladaptive or obsolete." Shanafelt's posi-

tion illuminates how the functionalist stance implicitly accepts the political ramifications of *the power to decide*.

16　Cruikshank (1998: 21), for example, refers to the way that Yukon land selection forced Natives to enroll in only one First Nation, despite the fact that they could legitimately claim membership in several communities—an arbitrary and ultimately stagnant notion of cultural rights was thus fixed not only in genealogy, but onto geographic space.

17　It is interesting to note that neither Wiessner nor McKinnon question the fundamental relationship between kin organization and access to resources.

18　See Scheffler (1991) on the wider issues.

19　Scott (1998) asserts that individual rights and notions of political equality were concepts developed purely to further the state agenda of creating equally *visible* subjects for purposes of state control. Thus, for example, the strong sense of individual identity, the foundation of international human rights, is backed up with birth certificates, identity cards and state mapping apparatus of all types.

20　There is good reason to be cautious. Cruickshank (1998: 66) describes how similar mapping projects for trappers in the Canadian north were later interpreted as the firm boundaries separating groups. As she notes, such exercises can promote hierarchy and inequality, set communities in competition over scarce resources, and fix patterns of land use.

21　Such abstractions are especially problematic when genealogical criteria for claims are complex, nuanced and contestable (Cruikshank, 1998: 145, 154). In such cases, bureaucratic inability to deal with complexity may mean that some people may not be easily "mapped into" state apparatus, leaving them abandoned outside the land claim or political redress process.

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