Reach Alliance

Between State and Nonstate Systems: Access to Justice in Rural Solomon Islands

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Cover image: Daniel Danegu, one of Makira's community-appointed Village Peace Wardens, speaking with young men in his village (PC World Bank/Hamish Wyatt)

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Executive Summary

Most of the Solomon Islands population, spread across 1,000 islands, lives in rural towns and villages. Their geographic spread, and the centralization of government resources and services as a result of recent ethnic tensions, make access to justice difficult for most Islanders. In this context, the World Bank's Community Governance and Grievance Management Program offers a novel solution by involving community officers at the nexus between state and nonstate actors. They help address grievances and communicate community needs to the state. This program represents partnerships between international organizations, government institutions and local community leadership who each play a role in training and working in collaboration with community officers. Community officers' unique position between formal and informal state justice systems gives them access to resources and insight from both sides, for the community's benefit. We highlight how community officers operate within a restorative justice framework to manage grievances and conflict within communities. Although the project is currently limited to four provinces, it provides a useful framework for justice delivery in other resource-poor and remote communities and a promising solution for expansion across the entire country.

Context and Project Rationale

With nearly 80 per cent of the Solomon Islands' population located in rural and remote areas, spread across almost 1,000 islands, access to government services and resources is significantly limited, creating an important "reach" problem. The country's Community Governance and Grievance Management (CGGM) project seeks to improve people's access to justice. The intervention hires "community officers" (COs) who act as mediatory figures in communities dealing with local-level conflicts and disputes. The CGGM project first launched in the most remote provinces of Renbel, Makira-Ulawa, Malaita, and Central, which are accessible only by boat or plane from the principal island of Guadalcanal.

Apart from the scattered geography and low-density settlement patterns, the country's extraordinary social and linguistic diversity makes it difficult to negotiate, deliver and maintain connections and agreements between communities, government, nongovernmental organizations and private industries. These differences were most violently realized in a four-year ethnic conflict from 1999 to 2003, colloquially known as the "Tensions." The period

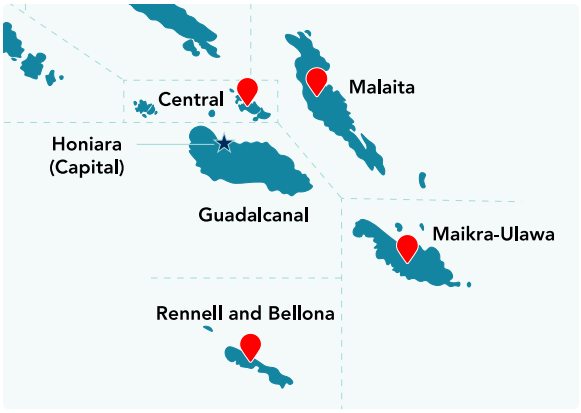
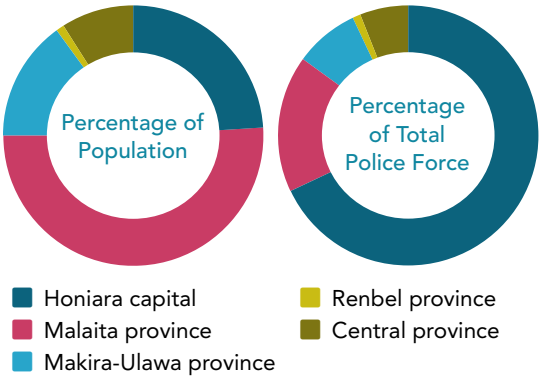


Figure 1. CGGM Project Locations

eroded trust in governmental institutions, which was further exacerbated by the country's justice services' centralization to the capital of Honiara in Guadalcanal. This retreat of government services, including access to court systems and police, gradually left the country's rural communities with fewer means to resolve community conflicts over the last decade. Most citizens who do engage in state justice services now do so at lower levels with the police, court circuits and, to a lesser extent, local courts.[1]

While there is generally an insufficient number of police officers, there is also an uneven distribution of police across the country, which reflects the country's overall issue of inconsistent access to government resources. Figure 2 presents the distribution of policing resources.



REGION	POPULATION	PERCENTAGE OF POPULATION	CGGM COMMUNITY OFFICER	PERCENTAGE OF TOTAL POLICE FORCE
Honiara capital	64k	12.5	266	24.7
Malaita province	137k	27	63	5.8
Makira-Ulawa province	40k	8	34	3
Renbel province	3k	0.59	4	0.37
Central province	26k	5	24	2.23

Figure 2. Population and Police Distribution Across Solomon Islands[1]

1 Matthew Allen, Sinclair Dinnen, Daniel Evans and Rebecca Monson, "Justice Delivered Locally: Systems, Challenges, and Innovations in Solomon Islands" (working paper no. 81299) (Washington, DC: World Bank, 2013).

These resource constraints represent a novel reach problem for the CGGM project: how does one facilitate conflict management and access to justice for communities with limited institutional support and complicated historical relationships with government institutions? In fact, these questions reflect the critical importance of institution building and partnership to achieve sustainable development for all, and are highlighted as a focus in the UN's Sustainable Development Goals (SDGs).

Sustainable Development Goals

Given that the CGGM project revolves around grievance management and fostering access to justice, its aims are strongly aligned with several of the 2030 UN's SDGs — most notably, SDG 16, which focuses on peace, justice and strong institutions.[2]

Rule of law and development are significantly interconnected and mutually reinforcing, making robust justice systems a critical component of sustainable development. The CO role aims to maintain the rule of law in communities by having a constant presence who is well informed about penal codes and the country's formal law. Our inquiry assesses whether, through the CO role, the CGGM program facilitates communities' improved access to justice.

The project also touches on SDG 5, which focuses on reducing gender inequalities, and SDG 17, which focuses on partnerships. The CGGM targets gender inequality and domestic violence by working with community partners to help women experiencing domestic violence access information about relevant laws and resources. Concerning SDG 17, the CGGM program is financed by the Government of Australia through the World Bank, demonstrating how collaborative partnerships between international organizations and governmental institutions can be mobilized to pursue development goals.[3]

Brief History of Justice Services

After the Tensions, interventions such as the Regional Assistance Mission to the Solomon Islands (RAMSI), led by Australia, attempted to rebuild the country's justice services and infrastructure. RAMSI deployed over 2,000 police officers, civilians and soldiers from Australia and regional neighbours like Fiji, Kiribati, New Zealand, Papua New Guinea, Samoa, Tonga, Cook Islands and Vanuatu.[4] Launched in 2003, RAMSI helped to restore law and order and to rebuild state institutions weakened during the Tensions. It also helped introduce Australia, New Zealand, Fiji and other Pacific countries as donors. From 2003 to 2014, the Australian government spent AUD 2.6 billion on RAMSI.[5]

2 United Nations Department of Economic and Social Affairs Sustainable Development.

3 United Nations, SDG 5 and 17

4 Regional Assistance Mission to Solomon Islands (n.d.) Arrival of RAMSI.

5 Jenny Hayward-Jones, "Australia's Costly Investment in Solomon Islands: The Lessons of RAMSI," Lowy Institute, May 8, 2014.

Despite this sizable contribution, Solomon Islands' state institutions remained relatively weak, and the government's reach was limited beyond the country's capital, Honiara, and some smaller population centres. In 2013, after its decade-long focus on reactive policing, RAMSI's military deployment left the Solomon Islands, and resources were instead diverted to rebuilding the Royal Solomon Islands Police Force.[6]

In tandem with the "formal" justice system, made up of police, courts and the government, Solomon Islands has an "informal" justice system consisting of both "kastom" and church leadership. Kastom is understood as "tradition" or "customary law" and refers to the cultures, social norms and practices that regulate community life and influence dispute management there.[7] The kastom system is the local rule system typically equated with the authority and legitimacy of local "chiefs," both individually and collectively. Kastom is not outlined explicitly or precisely in any Solomon Islands legislation. However, the constitution authorizes customary law's legal supremacy as long as it does not otherwise contradict the constitution or parliamentary legislation. Although the kastom system is most relevant and commonly used when dealing with disputes and grievances, it has become increasingly fragile and is sometimes insufficient for dealing with issues of social disharmony, such as substance abuse and land disputes. Land-related disputes, in particular, contribute to the kastom system's perceived decreasing effectiveness and legitimacy because chiefs and local leaders have acted in self-interest to capture economic benefits from logging and extractive resource industry operations.[8] While informal justice systems are the primary avenue through which disputes are mediated and/or escalated, there has historically been a lack of connection between this system and the formal justice system.

Given increased funding from various international donors — the Australian government, working through the World Bank, the United Nations Development Programme (UNDP), the Pacific Regional Rights Resource Team (RRRT) — there has recently been a burgeoning of justice-related projects and interventions in the Solomon Islands. Although these projects provide an opportunity for synergy in justice delivery, they are also often associated with different ministries, leading to occasionally duplicated services. Nevertheless,

Figure 3. Houses along the coastline in a village on the Solomon Islands (iStock.com/olli0815)

6 "Solomon Islands Profile — Timeline," BBC, November 30, 2017.

7 Allen et al., "Justice Delivered Locally."

8 Ibid.

there are several initiatives of note, including a UNDP project working through the Public Solicitor's Office to increase the number of trained paralegals in the country (which appears to be meeting with some success), and a RRRT project called the "Access to Justice Project" wherein local court justices are trained to fulfil their role under the Family Protection Act as authorised justices to make, vary and revoke protection orders for domestic violence survivors. Local court justices are appointed to the local courts under the Local Courts Act by virtue of their being traditional chiefs, highlighting the incorporation of participants from the informal sector into the formal one. Within this context, the CGGM project seeks to leverage the role of community leadership and affirm connections and resources from the state.

Community Governance and Grievance Management: An Overview

The Community Governance and Grievance Management (CGGM) project was launched in November 2014. The project launched in two provinces — Renbel and Makira-Ulawa — and in 2017 expanded into two other provinces — Malaita and Central. It uses community officers (COs) to act as mediators between the state and individuals in either addressing grievances or relaying them to state officials.[9] COs are selected after consultations with community members and trained and managed by the provincial government. They are thus ideally positioned to help improve these relations. Provincial and national representatives supervise their progress through community visits, and COs have frequent interactions with government staff, chiefs and other local leaders. They also engage in group and one-on-one training, along with on-the-job mentoring.[10]

The project aims to strengthen local governance and improve the link between communities and high-level governmental actors.[11] There are two primary subcomponents of this goal: to revitalize government-community linkages and strengthen the capabilities of COs and local authorities (i.e., ensure that COs and the other actors they interact with are adequately equipped with the skills, knowledge and tools to perform their roles effectively).[12] A variety of international and domestic stakeholders are involved with this project, from its largely international donors, to government and community operation management, to rural Solomon Islanders as the key beneficiaries.

How It All Works

Evaluations of the project thus far have revealed "little about the kinds of conflicts COs engage with, how they work, with what effect, and what explains these outcomes."[13] We knew about the notable community-driven CO selection process, and about the COs' special relationship with both local community and state actors. We were curious about how these features interacted to achieve grievance management and conflict resolution. How does the CO model deliver grievance management? What mechanisms allow COs to manage or resolve conflict in their communities?

We hypothesized first that (1) the democratic selection process of COs led to improved grievance management in communities because (a) there was established trust in the COs' leadership skills, and (b) communities could tailor local COs' roles to the needs of that community. We hypothesized that the nature of CO selection

9 "Solomon Islands Community Governance and Grievance Management Project," World Bank, 2017.

10 "Community Governance and Grievance Management Project Social Assessment," World Bank, 2014.

11 "Toward More Effective and Legitimate Institutions to Handle Problems of Justice in Solomon Islands," World Bank, 2015, 15.

12 "Solomon Islands Community Governance and Grievance Management Project."

13 Ibid.

allows for the community to be more confident in the available grievance-management mechanism which increases grievance reporting. The selection process allows for the community's meaningful input that speaks to their grievance-management needs: the most pressing and prevalent community issues are highlighted and a CO is selected based on their ability to mediate those issues. This assumption is reflected in our hypothesis linking established trust and tailoring the CO role. The risk to this hypothesized link is that there is a potential variance in ability for all members to participate in the selection process and so certain problems may not be prioritized and the selected CO may not be able to mediate such problems.

Next, we hypothesized that (2) the CO's institutional position as a nexus between state and nonstate justice systems created a perception of state legitimacy and effectiveness, in contrast to a history of state retraction and unreliability.

Our research moved through two stages. In the first, we sought to understand the contemporary justice systems (kastom, church, state) that rural Solomon Islanders have access to, the current gaps in justice institutions and the pressing conflicts that give rise to disputes and grievances (e.g., social order problems, predominantly arising from substance abuse; development and land-related disputes; problems arising from the nongovernmental organization, donor and government projects; and marital disputes and domestic violence).

We then conducted semi-structured interviews with researchers, Solomon Islands government staffers, World Bank staff and international organization researchers (i.e., UNDP). We identified key participants such as academics, and also used snowballing techniques to seek referrals. Although we originally expected to interview people in person in Solomon Islands, we were unable to travel because of the COVID-19 pandemic. We therefore conducted interviews over video-conferencing platforms Zoom and Webex.

Figure 4. The outside of the Parliament building in Honiara (iStock.com/viavado)

Project Details

NATIONAL-LEVEL ADMINISTRATION

At the national level, the Ministry of Provincial Government and Institutional Strengthening (MPGIS) manages the project in consultation with other ministries, such as the Ministry of Women, Youth and Children Affairs. MPGIS is specifically responsible for strategic planning; monitoring and evaluation; the procurement of goods and services; financial management; developing and coordinating training and supervision activities and intra-governmental policy dialogue.[14]

PROVINCIAL-LEVEL ADMINISTRATION

At the provincial level, governments are responsible for meeting the "recurrent staffing costs" of COs and for overseeing and otherwise supporting the COs within their province. Each province has its own coordinator who, in partnership with MPGIS, is responsible for "reviewing and consolidating reports received from individual Community Officers; drafting job descriptions for Community Officers in their province; organizing and undertaking periodic in situ supervision/training visits, organizing and facilitating provincial-level training activities, monitoring the performance of individual Community Officers, reporting on Community Officers performance to the Provincial Secretary

14 "Solomon Islands — Community Governance Project (English)," World Bank Group, 2014, 7.

and overseeing the project feedback and grievance redress mechanism."[15] Provincial Secretaries make decisions related to COs' engagement, discipline, dismissal and contract renewal.[16]

COMMUNITY LEVEL

Although their institutional location unites all COs, they perform their roles in various ways, depending on their characteristics, community's authority structure and province. They do not have judicial or police powers and are instead intended to work as counsellors or mediators in disputes. They are either appointed to these positions by the provincial government (with community involvement) or elected entirely by community members (with the possibility of a governmental veto). They are bound by a set of expectations laid out by the community, which describes the characteristics that community members expect them to embody and the role they see the COs adopting.[17] Since older men are traditionally viewed as the decision makers and such leadership does not fall within women's prescribed roles and responsibilities in Solomon Islands society, there are currently only one or two female COs. There are no other demographic data about COs available.

In the course of their duties, COs also interact with other community authority figures, namely: chiefs, religious leaders, teachers, health workers, representatives from civil society organizations and the police. Because of the clarity about the COs' role, their separation from policing and efforts to include community authority members in CO training sessions, these local authority figures are not intimidated by or distrustful of COs, and often are eager to work alongside them to solve community grievances.

SELECTING COMMUNITY OFFICERS

In recruiting and selecting COs for the CGGM project, participating provincial governments consult with the communities they serve. To date, 57 COs have been selected and work across the provinces of Makira-Ulawa and Renbel since 2015, Malaita since late 2018, and Central since early 2019. While there are different names for COs across participating provinces (provincial community officers in Central; village peace

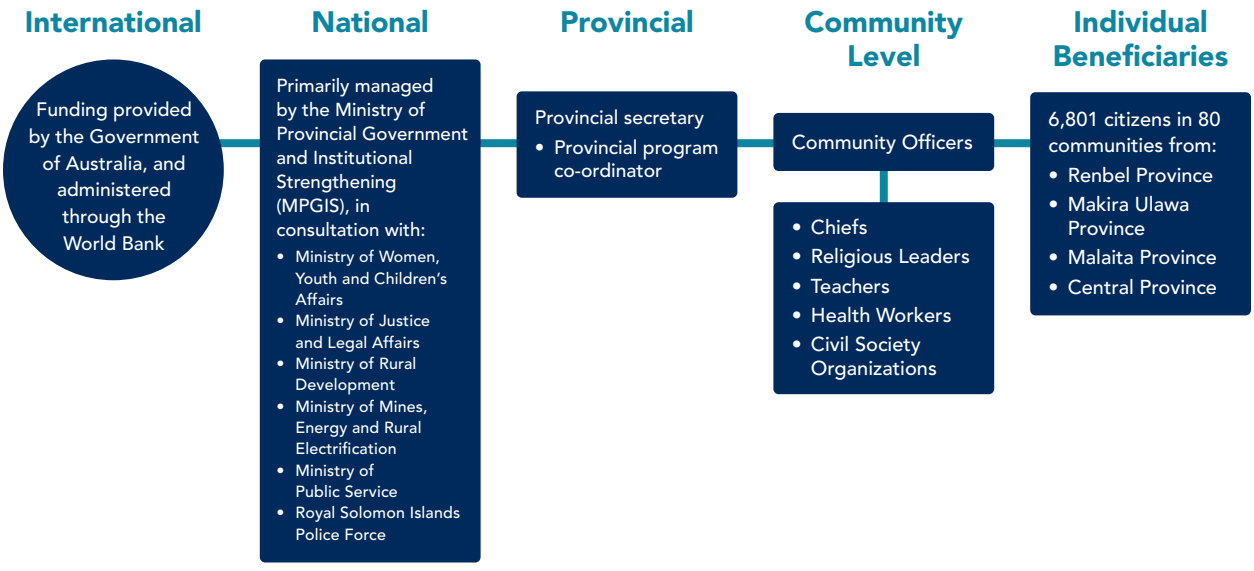


Figure 5. Overview of Key Project Stakeholders

15 Ibid.

16 Ibid.

17 "Proposed Project Restructuring of Solomon Islands Community Governance and Grievance Management Project," World Bank, 2014.

wardens in Makira-Ulawa; community officers in Renbel; and community liaison officers in Malaita), they functionally serve the same roles and responsibilities under the program.[18]

The government recruitment process typically entails consultations with the community before and during the process. Consultations determine the qualities and characteristics that the community seeks in a potential CO. Participating communities typically seek a candidate who demonstrates impartiality, integrity, and co-operative efforts with community leaders, and who has community members' respect. The person should, of course, have no prior criminal history. There are also several state-standardized requirements such as literacy skills. Government representatives conduct interviews and bring back a shortlist of candidates to the community who can veto candidates.

While Malaita and Central followed this government-led recruitment process, the Provincial Assembly in both Renbel and Makira-Ulawa approved a motion to bypass this standard procedure, enabling further community agency in the selection process. In Renbel and Makira-Ulawa, the community directly elects the CO. Communities hosted a series of meetings where potential COs would be nominated or could nominate themselves. There were successive rounds of voting until a final candidate was selected. This candidate was then sent to the provincial government where an interview formalized the selection and confirmed the community's choice.

Training

The CGGM project aims to strengthen the capabilities of COs and local authorities by ensuring that COs, and the various local actors they interact with, are adequately equipped with the knowledge, skills and tools to perform their designated roles. It combines group training activities and one-on-one, on-the-job mentoring by MPGIS in collaboration with provincial authorities, such as police, church and women's group representatives. In addition to providing direct conflict-mediation skills, COs are provided with progressive rounds of training and capacity building on specific topics, such as gender-based violence and the implementation of the Family Protection Act.

Conflict-resolution and management training include both "modern" and "traditional" approaches. Police provide training on the penal code and the nature of incidents that should be referred to them for intervention. Given the limited access to police services, awareness about when and how police ought to be involved helps to manage expectations and affirm connections to justice services. Depending on police availability, COs may accompany police on their rounds.

In group training activities, such as between COs and chiefs, participants discuss how modern and traditional justice systems can support each other rather than operating separately. This helps to ensure improved relationships between COs and local leaders. In the CGGM project's initial phase, chiefs felt displaced, but training activities, discussions and agreement on roles and responsibilities helped COs and chiefs to work well together. Chiefs are responsible to mediate issues pertaining to "values of the society" whereas other issues, such as substance abuse and disorderly conduct, are COs' responsibility. Traditional leaders, such as chiefs and members of the church, still hold moral authority in the community and COs hold a supportive role regarding this form of leadership.

Training is also provided on specific issues that are relevant to the community, such as logging. Because logging is a common source of conflict for rural communities, the Ministry of Forestry and Research, as well as the Public Solicitor's Office, explain laws and regulations that inform community members of their rights. COs can also

18 For simplicity, we refer to this position as "community officer" (CO) here.

request specific training and can be looped into changes in provincial strategies. For example, in the COVID-19 response strategy, the provincial health departments trained COs to work with local clinic workers and disseminate public health information to minimize misconceptions around the virus.

Tracking COs' Work

COs initially used logbooks to track incidents but they now use a phone-based app to record their conflict mediations and outcomes. Such tracking allows the overseeing Project Management Unit to understand what types of conflicts occur and remain outstanding. These logs allow for the provincial government to measure progress, identify recurring issues or issues that do not have adequate resources to be addressed and respond by providing additional resources, such as training or awareness campaigns.

Evaluations of the CGGM project have generally been favourable. A survey conducted in April 2017 in Renbel province found that 76 per cent of participants reported direct benefits from the project, 59 per cent indicated increased accessibility to community grievance mechanisms, and 77 per cent found improved effectiveness of these mechanisms.[19] However, in Renbel, there were also a few instances of dissatisfaction with CO performance. In Malaita, on the other hand, though most of the COs have been satisfactory, a select few lost the community's confidence and were subsequently replaced. World Bank officials explain that in small provinces, increased monitoring and surveillance between COs and community members lead to high visibility and interaction which lead to a higher turnover of COs. Communities sometimes request a CO replacement because of observed alcohol abuse or close ties or financial benefits from a logging company. Renbel, for example, has overall weaker community governance, a stronger logging presence and community tension to begin with, which make the CO's role more challenging. Larger provinces have more readily received COs and not experienced any CO turnover.

Figure 6. Portrait of a Melanesian family at the door of their house, Owaraha Island (iStock.com/Ruben Ramos)

19 See note 9.

COs are financially compensated for their work whereas church volunteers — who also participate in community governance and grievance management — are not, which can lead to resentment. When these issues arise, the project may bring COs and community members together to reiterate the role of the CO and negotiate the terms of their relationship. The CO role is constantly negotiated and discussed to ensure it aligns with community needs and expectations.

Democracy, Restorative Justice and Key Community Issues

The selection of both state-hired and community-selected COs involved a great degree of community participation. The COs' institutional position between state and community is key to their success.

Democratic Selection Process

A democratic, bottom-up, participatory and community-driven approach allows residents to act collectively and to direct community processes.[20] The process resembles the successful community-based conflict-resolution projects in Southeast Myanmar, where at the ward and village level, chairmen are elected to provide local justice, supported by the official state of law.[21] Community members prefer dispute resolution at this local level.[22] The local chairmen's personal skills, experiences and attitudes vary from area to area and so the local electoral process in selecting individuals for the role is crucial. The relative enforcing power and legitimacy of the village or ward chairmen affect the extent to which people bring cases to them and the extent to which they successfully resolve disputes.

Two possible mechanisms in the democratic selection process could be key to the COs' success. (1) People trust the COs' leadership skills and (2) communities have the opportunity to tailor the COs to the community's needs. Our interviewees noted that many of the COs who were both shortlisted and eventually selected were already formal or informal community leaders. Given the overall success of the CO project, and the near unanimity of previous experience as a selection factor, it is likely that the two are related. The few cases of CO turnover all involved a breach of trust — either because the CO was mishandling alcohol or was engaging in some form of corruption — in response to which the Ministry of Provincial Government and Institutional Strengthening (MPGIS) or other project officers would step in, receive community feedback and then institute a new officer. After this process, communities typically indicated a greater degree of satisfaction. Thus, community engagement and selection was important in ensuring that COs reflected the qualities and competencies valued and desired by communities. However, sufficient community participation occurred in both government-led and community-driven streams of recruitment to ensure community buy-in and satisfaction. Meaningful community participation in the selection process of the CO is an important factor in this grievance-management model.

Community Policing

Although the Community Governance and Grievance Management (CGGM) project is a first within the World Bank context, other projects have attempted to improve community cohesion

20 Abdul Wahid, Muhammad Shakil Ahmad, Noraini Bt. Abu Talib, Iqtidar Ali Shah, Muhammad Tahir, Farzand Ali Jan, and Muhammad Qaiser Saleem, "Barriers to Empowerment: Assessment of Community-led Local Development Organizations in Pakistan," *Renewable and Sustainable Energy Reviews* 74 (2017):1261–370.

21 Jonathan Kauffman and Katherine McDonnell, "Community-driven Operational Grievance Mechanisms," *Business and Human Rights Journal* 1, no. 1 (2016): 127–32.

22 Helene M. Kyed, "Community-based Dispute Resolution: Exploring Everyday Justice Provision in Southeast Myanmar," Danish Institute for International Studies and International Rescue Committee, 2018.

in the aftermath of ethnic conflict. The CGGM program aims to create opportunities for social cohesion by making access to justice more equitable across Solomon Islands' provinces. During an interview, Peter Mae, Permanent Secretary, Minister of Traditional Governance, Peace and Ecclesiastical Affairs, suggested that despite the economic vulnerability of the country and its people, the project helped with community cohesion in working toward "one country, one people, one future — [because they were] all peacebuilders." He described the CGGM program as creating strong linkages between formal or state-led institutions, particularly courts, police, government institutions that respond to disputes and the informal community level. His description partially echoes how Skolnick and Bayley describe community policing as involving four elements:

> The four elements of community policing are the organization of community-based crime prevention, the reorientation of patrol activities to emphasize non-emergency servicing, increased police accountability to local communities, and the decentralization of command. It thus involves major changes in the customary roles of the police. Thus, it raises concerns about the implications of thorough integration of the police into the community.[23]

Table 1. Community Policing Perspectives versus CGGM Project

Principle	Problem-oriented policing	Community policing	CGGM community officer
Primary emphasis	Substantive social problems with police mandate	Engaging the community in the policing process	Local community access to grievance management
When police and community collaborate	Determined on a problem-by-problem basis	Always or nearly always	Determined on severity of the case
Emphasis on problem analysis	Highest priority given to thorough analysis	Encouraged, but less important than community collaboration	Encouraged, determined by severity of the case and solving at local level
Preference for responses	Strong preference for alternatives to criminal law enforcement	Preferences for collaborative responses with community	Preference for community collaboration from chiefs, church and state nexus
Role for police in organizing and mobilizing community	Advocated only if warranted within the context of the specific problem being addressed	Emphasizes strong role for police	Emphasizes working in concert with police officials and related peacekeepers
Importance of geographic decentralization of police and continuity of officer assignment to community	Preferred, but not essential	Essential	Essential and critical due to remote islands and spatial divisions
Degree to which police share decision-making authority with community	Strongly encourages input from community while preserving ultimate decision-making authority to police	Emphasizes sharing decision-making authority with community	Emphasizes sharing decision-making authority within the local community
Emphasis on officers' skills	Emphasizes intellectual and analytical skills	Emphasizes interpersonal skills	Combined emphasis on intellectual, analytical, literacy and interpersonal skills
View of the role or mandate of police	Encourages broad but not unlimited role for police; stresses limited capacities of police and guards against creating unrealistic expectations	Encourages expansive role for police to achieve ambitious social objectives	Encourages expansive role for the police to reach the "hardest to reach" communities

Note: The far-right column is an author's edit.

23 Jerome H. Skolnick and David H. Bayley, *Community Policing: Issues and Practices Around the World* (Washington, DC: US Department of Justice, National Institute of Justice, Office of Communication and Research Utilization, 1988).

We adapted Kappeler and Gaines's more contemporary perspective on the difference between problem-oriented policing and community policing principles. Table 1 summarizes their insights and compares them with the CO role.

By comparing key characteristics of Kappler and Gaines's community policing definition, we see that the CO model is not entirely new.[24] The CGGM CO model can be viewed as a branch of the pre-existing community policing initiatives, which provides an alternate space for redress beyond the formal state system.

Restorative Justice

While community policing provides a framework for autonomous decision making, it will be successful only if it effectively meets community members' needs and works to create social cohesion. An intervention needs to include political and civic community, where categories of "winners versus losers, victims versus perpetrators" are no longer relevant, and those who were excluded from "political, economic, social or cultural power and participation" are involved and respected.[25] Success requires measures of equal political participation (i.e., voter turnout, political party representation), equal access to economic opportunities and other state and nonstate institutions of power.

Reconciliation can be obtained through various mechanisms, such as retributive justice (i.e., employing criminal prosecutions), restorative justice (i.e., remedying social harms through mediation between participants in the conflict), a political approach, which emphasizes democratic state building through the tolerance of pluralism, the adoption of peaceful dispute resolution and distributive justice, which emphasizes reparations and structural economic change.[26] In a restorative justice context, success would be based on the subjective testimonies of community members and the comfort they feel in interacting with those who may have caused them harm. In the context of this project, restorative justice is the most relevant concept. What matters is whether community members feel as though their issues have been addressed, and whether they can in fact live peaceably with those who may have caused them harm in the past.

Restorative Justice in Action

When considering grievance management and conflict resolution, it can be tempting to frame them within markers of formal justice systems, largely administered through courts and judges. For instance, successful grievance management might reflect a higher number of motions being served or charges being laid and resolved through settlement or trial. We initially wondered whether the CO's institutional position between state and nonstate justice systems supported grievance management by creating a community perception of the justice system's legitimacy and effectiveness to resolve issues. However, the CGGM project was not aligned with this model of grievance management. Instead, the critical strength of COs' position is their ability to communicate key legal information and resources (including legal rights) from state systems to communities.

While undoing the centralization of state resources and infrastructure would likely be the most effective, sustainable way of improving access to justice, links between formal and informal were nonetheless critically important. The large-scale justice system reforms required are not yet feasible. In the words of one participant, "you could invest a billion dollars into the justice system and still not fix it." Courts are incredibly backlogged, resulting in many delays,

24 Adapted from Victor E. Kappeler and Larry K. Gaines, *Community Policing: A Contemporary Perspective* (New York: Routledge, 2012), 8.

25 Rama Mani, *Rebuilding an Inclusive Political Community After War* (Oslo: Security Dialogue, 2005), 512.

26 David K. Androff, "Reconciliation in a Community-Based Restorative Justice Intervention," *The Journal of Sociology and Social Welfare* 39, no. 4 (2012): 79.

Figure 7. Walter Baiabe, the community-elected CO, talks with young men as they watch a boat coming to drop supplies to Bellona Island. (PC World Bank/Hamish Wyatt)

which makes them a less-than-ideal avenue for grievance management.

For example, although under the penal code drunkenness is a low-level offence, alcohol consumption and abuse is a significant and pervasive issue. If a disturbance related to alcoholism was reported to the police today, a report would be initiated but it would likely take longer than six months to be completed and filed, thereby surpassing the six-month statute-of-limitations requirement so the magistrate would throw it out. This sort of delay has understandably instilled deep frustration and created negative perceptions of the police and magistrates. The formal justice system faces significant difficulty in delivering justice at a rate fast enough to address community concerns. It makes sense that CO referrals to pursue a formal state case are incredibly rare, if they happen at all.

Instead, the COs ensure that traditional community leaders such as chiefs or church leaders are supported with the necessary knowledge and information from state officials, and likewise that the issues community leaders identify are relayed back to authorities. For example, if there are water and sanitation issues, a community leader or member can tell a CO, who can then contact the Ministry of Health through the CO's government networks. The government can then dispatch state workers to address concerns, for example, implementing a new health clinic.

While some issues may at first seem unrelated to the justice system, they are very much justice issues. For example, two people may be gardening the same plot of land and disputing over access to water for their crops — this can lead to wider disruptions within the community. Access to water resources can alleviate this grievance. In Solomon Islands, "what may seem like a funny problem is a very serious one to communities."

Overall, grievance management in the context of the CGGM project uses a hybrid governance structure, founded in laws and bylaws that support a community's function. Grievance management is about problem solving and making good decisions and occurs only where the rule of law is respected and bylaws are followed. When COs are called to situations, they bring with them an understanding of legal rights and systems which they can link to the issues they manage, and thus they have a formal system of laws to guide and base their conflict management.

Complemented by a contextualized community awareness and possession of community-valued skills, COs resolve disputes by talking to

conflicting parties, rather than bringing disputes up to higher levels of the courts. COs often mediate dialogue between the conflicting parties and may bring in other community stakeholders such as women's groups, church leaders or chiefs to support the conversation. This is generally the applicable approach, considering disputes are largely personal in nature, as opposed to large criminal offences.

The CO Impact

Because COs know the local dynamics well and have a good relationship with the people they serve, they can adapt how they engage in their role. When COs mediate conflict, they educate community members on their legal rights which builds solidarity between community members. Research participants imparted how there was a wealth of knowledge floating around communities, but it needed to be brought together. When everyone knows their rights, people are less inclined to participate in disruptive behaviours or carry negative attitudes that lead to community conflict. For example, when development projects come into a community, residents can protect their government's investments because people are aware of their rights and the appropriate way that these services ought to be delivered. This ultimately allows the state to more seamlessly blend in with the community, further advancing the effective and efficient delivery of services. Because over 80 per cent of land is community owned, compared to the less than 20 per cent owned by the state, the government needs a healthy relationship and cooperation with local communities to support sustainable development. Community stability also attracts greater investment from corporations to support economic development.

A locally engaged CO selection process is essential for the successful implementation of this project not because it facilitates a community member's "day in court" but because COs relay information. They help identify which issues have a legal basis should a community member wish to make a legal case, and more importantly, they inform people of their rights and empower them by relaying knowledge through their presence as a neutral, third-party mediator. This prevents disputes from escalating, and strengthens community linkages and stability. Where necessary, COs can communicate what is happening locally to provincial governments so that they are better able to allocate development resources. This role is evident in cases of both logging and domestic violence.

POLICY RECOMMENDATION

There are many initiatives in Solomon Islands working to improve access to justice and/or community reconciliation and/or grievance management. Although the issues relate to each other, many of these programs are stand-alone operations. While resource constraints may prevent collaboration across initiatives, there is value in working in partnership with complementary justice projects to strengthen CO competency and ensure there is no duplication of services. One such partnership is the Community Legal Advocates (CLA), a UNDP initiative that trains community members to have skills in basic law, legal rights, mediation and problem solving.

Key Community Issues

LOGGING AND LAND

Land issues continue to be one of the most prevalent conflicts in the Solomon Islands, both locally and nationally. Since people and their communities are strongly linked to their land, issues of land use, migration and resettlement remain potent determinants of stability and conflict. About 87 per cent of the land is under customary land tenure with rights and ownership

outside of governmental and legal systems.[27] Because customary land tenure is often not written down and therefore difficult to enforce, logging companies have taken advantage of community land. Chiefs or other prominent community members sometimes cut deals with logging companies, creating tensions in communities and reducing community respect for the individual.

Many of the disputes that COs mediate are related to extractive industries. Community members typically go to COs for assistance and mediation before approaching leaders or police. Because these industries are regulated by law, dispute resolutions often go through formal channels of police and courts and leave out community involvement. As a result, COs tend to deal with resulting tensions between the government and community members about industry practices. For example, one community reported many issues after a logging company began moving into the area. The local CO, after talking to community members, was able to facilitate the Ministry of Justice's involvement. The ministry sent a lawyer to explain forestry laws and assure community members of their rights and their legitimacy in bargaining with companies.

GENDER ISSUES AND DOMESTIC VIOLENCE

Countrywide studies reveal that 64 per cent of women between the ages of 15 and 49 had experienced physical and/or sexual violence in the past 12 months.[28] As recently as 2009, Amnesty International reported that Solomon Islands had one of the world's highest rates of violence against women by their partners.[29] The country also has the lowest percentage of women in parliament worldwide, alongside discrepancies in education results and leadership.[30] Women's roles are considered to be exclusively domestic,[31] a realm in which they ensure the continuity of clans through bearing children, preserving the status of their husbands and community leaders and maintaining continuity of land rights in their matrilineal society.[32] Despite their importance in the domestic realm, they are exposed to high degrees of violence and denied equitable representation in places of authority such as the workforce. Equitable practices are essential to recognize their value and contributions with a higher degree of respect, access to quality education and opportunities to serve beyond the domestic sphere.

Given community norms, both men and women often consider domestic violence a private matter. Government support is available for victims through a referral network of gender-based-violence support services, including a toll-free hotline that provides information on health and medical services, shelters, legal information and police services. These services assume that women know about the resource, that they can access reception to complete a call and that they will feel safe or confident enough to make a call. However, victims are not always aware of their rights when it comes to issues of domestic violence.

A family protection adviser from the Ministry of Women, Youth, Children and Family Affairs told us that women lack knowledge about where to find information on their legal rights, and how to get help in a domestic violence situation: "There

27 Paul Roughan and Sammy Wara, "Solomon Islands Country Report for the Five-Year Review of the Mauritius Strategy for Further Implementation of the Barbados Programme of Action for Sustainable Development of SIDS," January 30, 2010.

28 Michelle Dyer, "Transforming Communicative Spaces: The Rhythm of Gender in Meetings in Rural Solomon Islands," *Ecology and Society* 23, no. 1 (2018).

29 B.K. Greener, W.J. Fish, and K. Tekulu, "Peacebuilding, Gender and Policing in Solomon Islands," *Asia Pacific Viewpoint* 52, no.1 (2011): 17–28.

30 Michelle Dyer, "Growing Down Like a Banana: Solomon Islands Village Women Changing Gender Norms," *The Asia Pacific Journal of Anthropology* 18, no. 3 (2017): 193–210.

31 A.K. Hermkens, "'Raits Blong Mere'? Framing Human Rights and Gender Relations in Solomon Islands," *Interactions, Gender and Sexuality in Asia and the Pacific* 33, no. 1 (2013): par 43.

32 Ibid.

is increased awareness that doesn't necessarily translate into action, attitudes and knowledge — violence is still viewed as a normal path of marriage. It's not enough for changes in knowledge or barriers … Increased awareness started in 2016 [so] gender inequality [is now] entrenched but it takes a while to change and right now it is too early — there's no real awareness. It's about keeping at it for a number of years."

The CO's presence in the community makes it easy for information about domestic violence cases to be relayed. There is no need to find a special number and make a call. Instead, victims can track down and speak with the CO. Cultural norms make it difficult if not impossible for a woman to seek a formal charge against her abuser. However, if notified, a CO can make an entry in their logging system, noting that a domestic violence incident occurred. CO reports are then sent back to the provincial government monthly, where officials can note issue-specific patterns, for example, identifying a high rate of domestic violence issues in a specific community. This allows for more effective and efficient government recognition of relevant issues.

In communities where domestic violence cases have been recorded, governments will send social support workers or police officers to speak to community members about domestic violence, including women's rights and available resources. This can send a message to abusers that domestic violence is being taken seriously, but also validate the concerns and fears of women facing abuse.

Given that COs are overwhelmingly male, each CO has come up with their own arrangement to handle women's issues. For example, COs who work near a female CO will work collaboratively and seek to assist one another in responding to issues. Alternatively, COs will leverage other key female figures such as local nurses, female elders in the church or school teachers to support their responses. This further supports inclusion and develops a safe space for women to come forward with domestic violence concerns.

POLICY RECOMMENDATION

Increase the focus on domestic violence in Solomon Islands communities. Acknowledging that domestic violence is considered private, there are opportunities for COs and the provincial government to partner with local organizations, such as nongovernmental organizations or nonprofits and churches, that work with women on domestic violence prevention and justice. Women may be better situated to understand and empathize with the grievances other women experience with domestic violence compared to male COs. To respect all gendered identities and their experiences, COs may require additional training that garners insight from different gendered perspectives.

POLICY RECOMMENDATION

COs are primarily male. Women often decline the role when nominated because of safety concerns in addressing matters related to substance use and disorderly conduct or travel norms that discourage women from travelling alone. To ensure that women and diverse perspectives are represented and included in the implementation and practice of the CO role, the CGGM project could explore other avenues of inclusion and collaboration, such as the representation of women on oversight committees, community discussions and evaluations of the CO role, authorship of provincial documents and input on CO training.

Lessons Learned

Even after a period of sustained capacity building through Regional Assistance Mission to the Solomon Islands (RAMSI) efforts, the institutional frameworks of Solomon Islands fundamentally lacked efficiency and effectiveness. However, with the dedicated engagement of developmental institutions like the World Bank, coordinating with local and national public actors, the project appears to be on its way to better reaching rural communities there. Through their combined efforts, the program garnered government appreciation and community respect. Three features of community officers were critical to this progress.

CO SELECTION

The CO model manages grievances by educating communities about their legal rights and by catalyzing government resources and support to respond to local issues. This process is facilitated through a CO who is selected in a process led by the community itself or led by the government with community consultation. Where an independent, community-led selection process is unavailable, locally approved candidates can still be found with a duty to consult and accommodate. While the government may lead the selection process, it is crucial that transparent and respectful conversations occur continuously throughout selection to ensure community buy-in.

RESTORATIVE JUSTICE

The CO's institutional position as a nexus between state and nonstate justice systems does not necessarily facilitate access to the state justice system (i.e., an individual's formal right to litigate or defend). Instead, the Community Governance and Grievance Management (CGGM) project conceptualizes access to justice in a broader way. It fosters relations between communities and governments and helps community members to better understand what the law does and does not mean in the context of their everyday life. COs facilitate conversation between those who have been hurt and those who have inflicted harm. These restorative dialogues are critical to justice, since crime is understood as a violation of people, relationships and communities.

LOCALLY DRIVEN SOLUTIONS FOR COUNTRY-WIDE PROBLEMS

Multiple interviewees described how issues within the Solomon Islands justice system were systemic, multifaceted and complex. Moving forward from traumatic ethnic conflict and rebuilding state institutions will take time. However, the CGGM project demonstrates that practical change can be realized when governments focus on local and culturally respectful approaches to justice and law. While the CO project does not fix problems with the formal justice system, it effectively recognizes and manages potential legal situations with cultural respect, efficiency and compassion.

Research Team

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Sandy Tat has a Master of Public Policy degree from the Munk School of Global Affairs & Public Policy with a collaborative specialization in Public Health Policy from the Dalla Lana School of Public Health. She is a policy advisor for the Ontario Ministry of Long-Term Care where she works to design, implement and evaluate innovative programs in the community setting. She is formerly the director of the Equity, Diversity and Public Policy Initiative where she led and facilitated workshops and conferences on the application of an intersectional lens on policy development and analysis. Her interests involve building and rebuilding systems for equity, transformative justice and strategic foresight.

Roshni Thawani is a Masters of Information (User Experience Design concentration) candidate at the University of Toronto. Her undergraduate degree focused on Criminology and Sociolegal Studies, Sociology and Media. She studied at the University of Oxford and the University of Siena, pursuing transnational cross-comparative socio-legal frameworks. She has also worked as a Queen Elizabeth Scholar with the Darjeeling Social Development Centre in India. Her achievements recognize passion for community engagement, academic merit and innovation with the Gordon Cressy Leadership Award, RBC Graduate Fellowship and Canada Graduate Scholarship SSHRC award. Her thesis research focuses on SDG-4 in creating a digital model for inclusive international learning opportunities. She currently works as a design research intern with the Artificial Intelligence Applications team at IBM and facilitates STEM4Girls initiatives.

Sanjna Ullal is a recent graduate of the Faculty of Arts and Science at the University of Toronto, where she completed her honours Bachelor of Science in Global Health and Peace, Conflict and Justice. She is particularly interested in access to justice for marginalized populations, having conducted ethnographic

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Paola Salardi is an assistant professor in Economics and the director of the Trudeau Centre for Peace, Conflict and Justice at the Munk School of Global Affairs & Public Policy at the University of Toronto. As an applied economist she focuses on economics of conflict, economic development, inequality and political economy. Paola's research has examined the short- and long-term consequences of conflict on welfare, the changing role of women in post-conflict countries, the role of institutions in shaping the presence of violence and on inequality and women's empowerment. Her broad geographic focus includes work on inequality and discrimination in Brazil, violence and school performance in Mexico, violence, education and women's empowerment in Timor Leste, and humanitarian responses to crises in Kenya, Nepal and the Philippines. Alongside her academic work, Paola also previously worked at the Inter-American Development Bank and as a consultant with UN Women.

Reach Alliance

The Reach Alliance began in 2015 at the University of Toronto as the Reach Project, a student-led, faculty-mentored, multidisciplinary research initiative. Reach's unique approach uncovers how and why certain programs are successful in getting to some of the world's hardest-to-reach populations. Research teams, comprised of top students and faculty from across disciplines, spend twelve months investigating each case study. Once the data collection process is complete, teams write case reports that are published and disseminated across the Reach Alliance's diverse network of policymakers, practitioners, academics and business leaders.

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