

**IN THE TRADITIONAL RIGHTS COURT  
REPUBLIC OF THE MARSHALL ISLANDS**

NEIMAKO JAMOMO, BEKAUR JUDA,  
and ROSETINA TIES,

Plaintiffs,

vs.

LIJELKE JENRE,

Defendant.

CIVIL ACTION NO. 1997-069

**OPINION**

The Traditional Rights Court heard Civil Action No. 1997-069 on September 10 thru 12, at the Uliga Courthouse, Majuro, Marshall Islands. Members of the Panel were Beia Lalej, Chief Judge, Associate Judge Riley Albattar, and Associate Judge Berson Joseph.

This case was referred to the Traditional Rights Court to decide, pursuant to the custom, who the proper person is as between the parties herein to hold the "Alab title". This Court recognizes that the custom is invaluable here, and only the custom can resolve the dispute in this case.

**THE CUSTOM**

1. **MENMENBWIJ** - There are two types of bwij (lineage):
  - a) **Kone-Jubar** - **(Children of the females)** A Kone-Jubar will not lose his rights on

1 the lands until or unless the  
2 bwij has becomes extinct.

3 b) Liok Tit - (Children of the males) These  
4 children succeed to rights or inherit  
5 through their fathers.

6 Custom changes custom - if the bwij  
7 becomes extinct then the rights  
8 passes on to the children of the  
9 males. This is true also for  
10 "botoktok" lands.

11 2. METAK IN BURU - Likinjeion, Lajawit's wife was a very  
12 beautiful woman. Both parties are in  
13 agreement that Iroiylablab Dime took  
14 this woman (by his power) from  
15 Lajawit to be his wife. Both parties  
16 also agree that Iroiylablab Dime made  
17 a **KATLEB** of Bar Island to Lajawit to  
18 be his under the customary term,  
19 "**METAK IN BURU**".

20  
21 3. KOKAJIRIRI - A child taken and raised as one's  
22 very own, as a "**kanilujen**".

23 SUMMARY OF THIS CASE:

24 A. The question presented: Who is the most proper person to hold  
25 the Alab right on Bar Island?

26 a) Opinion in answer to the question: LIJELKE JENRE.

27 b) Statement of reasoning on which opinion is based:

- 1) At trial, the parties herein both introduced testimonies that Bar Island was a "**METAK IN BURU**" given to Lajawit by Iroiylablab Dime. This means that Bar Island was the exclusive property of Lajawit and ONLY his assignees.
- 2) Lajawit was unable to father any children, therefore, he adopted NEIKOJ and raised her as "**kani-lujen.**" According to the Defendant's genealogy chart, Exhibit A, it is clear that Bar Island is not bwij owned. Accordingly, the proper person to hold the alab right on Bar Island is Lijelke Jenre because she is now the next person in the recognized line of succession which started with Lajawit.
- 3) Leroij Chihaya Anmonta, the present iroiij for Bar Island today, recognizes not only that Lijelke Jenre is the iroiij edrik, but also that she is the holder of the alab and dri-jerbal rights on Bar Island.
- 4) Plaintiffs' Exhibit No. 1 itself shows that they are the bwij, and all the bwij rights inherited through LITALIMEJ are in their hands. Litalimej and Lajawit were brother and sister having the same parents. However, Bar Island did not belong to their bwij, but because Iroiylablab Dime had given it to Lajawit under the principle of **METAK IN BURU**, then exclusive rights went solely to Lajawit. True, if Bar Island was Litalimej's, the "bwij", then would inherit Bar Island today. There is no questioning that.

c) Names and addresses of Plaintiffs' witnesses:

1. Bailon Namdrik  
Rita, Majuro, Marshall Islands

2. Iroiij Lometo Laria  
Delap, Majuro, Marshall Islands
3. Jabjen Laninmij  
Delap, Majuro, Marshall Islands
4. Rosetina Ties  
Uliga, Majuro, Marshall Islands

d) Names and addresses of Defendant's witnesses:

1. Alej Leit  
Mili Atoll, Marshall Islands
2. Leroij Chihaya Anmonta  
Uliga, Majuro, Marshall Islands
3. Lijelke Jenre  
Rita, Majuro, Marshall Islands
4. Boklon Anmonta  
Utidrikan, Majuro, Marshall Islands

B. Defendant's Exhibit C:

Despite the fact that Civil Action No. 1997-069 concerned only the alab title, but the issue of the iroiij was dominant during a full day and half of testimonies. The Plaintiffs' witnesses testified and stated that following the reign of Dime up to the present there has been no iroiij for Bar Island.


In Defendant's Exhibit C, a judgment in Civil Action No. 78, Lanjen vs. Laninmij, entered May 12, 1959, the High Court adjudged that Leroij Lanjen was the iroiij for Bar Island. Presently, Leroij Chihaya Anmonta is the current successor of the iroiijlablab who held this title on Bar Island.


Therefore, the Traditional Rights Court supports the judgement in Civil Action No. 78 and thus recognizes Leroij Chihaya as the


1 iroij for Bar Island today.

2 Furthermore, based on all the foregoing, this Court likewise  
3 recognizes Lijelke Jenre as the alab for Bar Island today.

4 Dated this 1st day of October, 1997.

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9 BEIA LALEJ, Chief Judge  
10 Traditional Rights Court  
11 Republic of the Marshall Islands

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13 RILEY ALBATTAR, Associate Judge  
14 Traditional Rights Court  
15 Republic of the Marshall Islands

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17 BERSON JOSEPH, Associate Judge  
18 Traditional Rights Court  
19 Republic of the Marshall Islands

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28 ASST. CLERK OF COURTS  
REPUBLIC OF MARSHALL ISLANDS