

FILED

IN THE TRADITIONAL RIGHTS COURT  
REPUBLIC OF THE MARSHALL ISLANDS

JAN 04 2008  
*C. H. Hally*  
INSTITUTION OF COURTS  
REPUBLIC OF THE MARSHALL ISLANDS

Raymond Latdrik )  
)  
Plaintiff, )  
)  
Vs. )  
)  
Jane's Corporation Inc. )  
)  
Defendant. )  
\_\_\_\_\_ )

H/C Civil Action No. 2006-101

**OPINION IN ANSWER**

The Traditional Rights Court had the hearing in High Court Civil Action #2006-101 on October 8 to 11, 2007 at the Uliga Courthouse, Majuro, Republic of the Marshall Islands. The members of the Traditional Rights Court panel were Associate Judge Botlang A. Loeak, Associate Judge Kalemek Jinuna, and Berson Joseph, Chief Judge of the Traditional Rights Court.

This case was referred to this Court of custom to determine, pursuant to Marshallese custom, the dispute between the parties, of **who is the rightful and proper person to hold the two titles, Alab and Dri-Jerbal, both on Mwejelok Wato, Delap, Majuro Atoll.** This court of custom shows its recognition of the custom, that it plays an important and major role in resolving the dispute in this case.

THE CUSTOM:

1. Menmenbwij: Plaintiff's genealogy chart is very good and clear. It shows that Mwejelok

Wato is **Ninnin land** and not bwij land!!

2. Iroj Edrik: Today, there is no Iroj Edrik for Mwejelok Wato, after Irojlaplap Aisea David having taken the title of Iroj Edrik away from Lokejon.

3. Kokkajriri: According to the discussions/testimonies, in this case, of Mwejelok Wato, **nejin kokkajriri (the child of an adopted child)** cannot hold both the Alab and Dri-Jerbal titles.

THE DISPUTE IN THIS CASE:

1. As between Raymond Latrik and Jureland Zedkaia, who is the rightful holder of the Irojiedrik title to Mwejelok Wato? Under Marshallese custom, Jurelang is in-line to be an Irojilaplap upon the death of his mother, therefore, he shouldn't be an Irojiedrik. Of course, a commoner can't hold that title either.

2. As between Raymond Latrik and the descendant of Laik Kejjon, who is the proper person to hold the Alab title to Mwejelok Wato? EMEL KEJJON.

3. Brief statement of reasoning on which opinion in answer to the questions are based:

a) This Court of Custom recognizes that under custom, Emel Kejjon is the proper person to be Alap for Mwejelok Wato, as it is also clearly shown in Plaintiff's Genealogy chart. Please see Plaintiff's Exhibit C. The genealogy chart itself clearly shows that Mwejelok is Imon Ninnin (Ninnin Land) and not Imon Bwij (Bwij Land). It shows us that Lokejjon was the first Alap of this said wato that is in dispute. This genealogy chart also shows us that Lokejjon had two children, Anjo and Liboklan. During Anjo's lifetime, he held both the Alab and Dri-Jerbal titles on this wato. When he passed, his younger sister, Liboklan, succeeded him and became Alab, a good and correct way, pursuant to the custom of their genealogy chart. No dispute!! Today, according to Plaintiff's genealogy chart, Plaintiff's Exhibit C, based on our custom, only the children and grandchildren of Anjo hold the title of Alab. However, Toene, daughter of Liboklan, had held the titles on Mwejelok Wato. After Toene passed away, Laik Kejjon succeeded her and became the Alap for this wato. Today, **NOW**, who is the Alap?

b) Lokejjon had an adopted child named Laninbit. Testimonies in this case revealed that

Laninbit used to exercise his right, as Alab, on this wato. Good, no dispute arose! Today, Laninbit's child, Francis, claims to be the rightful and proper person to hold the Alab title on Mwejelok Wato. Children of an adopted child, according to custom, have less power or even none at all, compared to the children of Laik Kejjon.

c) Mwejelok Wato today has no Irojiedrik. Jurelang Zedekia is **in-line to the Irojilaplap title**. As for Irojiedrik, the title goes only to those who have Iroj blood (Royal Blood). Because of this reason alone, Plaintiff is not an Irojiedrik. (This is the custom).

4. NAMES OF PLAINTIFF'S WITNESSES AND ADDRESSES:

1. Raymond Latdrik - Delap, Majuro Atoll
2. Tobollan Takwon - Delap, Majuro Atoll
3. Royal Ceaser - Laura, Majuro Atoll

5. PLAINTIFF'S EXHIBIT(S):

1. Plaintiff Exhibit C - Menmenbwij (Genealogy Chart)

6. NAMES OF DEFENDANT'S WITNESSES AND ADDRESSES:

1. Willie Mwekto - Jenrok, Majuro Atoll
2. Jurelag Zedkaia - Delap, Majuro Atoll
3. Lina Kejjon - Delap, Majuro Atoll

7. DEFENDANT'S EXHIBIT(S):

1. Defendant's Exhibit D1 - Menmenbwij

OTHER FACTORS TAKEN INTO CONSIDERATION WHICH THE PANEL BELIEVE ARE WORTH MENTIONING:

Raymond Latdrik grew up on Mwejelok Wato with his mother, Toene. He was a **moman-maronron** for his mother, according to custom. Raymond Latrik is of this land,

Mwejelok Wato, and he has a right to “mona” (eat) and live off this wato. Therefore, it is the recommendation and urge of this Court of custom that the Irojij and the Alabs of this land look after and take care of Raymond Latdrik as long as he lives on this wato. This Court of custom understands that there were many meetings called by the Irojij, in which Raymond Latdrik did not answer to and attend. However, they should start a **new life of living together, caring and looking after each other.**

Now, therefore, once again, it is the opinion of this Court that EMEL KEJJON is the proper person to hold the Alab and Dri-Jerbal titles on Mwejelok Wato, Delap, Majuro Atoll.

Entered this 4<sup>th</sup> day of January, 2008.

/s/ Berson Joseph  
Presiding Judge, TRC  
Republic of the Marshall Islands

/s/ Botlang Loeak  
Associate Judge, TRC  
Republic of the Marshall Islands

/s/ Kalem Jinuna  
Associate Judge, TRC  
Republic of the Marshall Islands