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The Anthropologist
as
Tribal Advocate

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THE ANTHROPOLOGIST AS TRIBAL ADVOCATE

Kotahi anoo te koohao	There is only one eye of
o te ngira	the needle
E kuhu ai	Through which pass
- te miro whero	- the red thread
- te miro maa	- the white thread
- te miro pango	- the black thread

(Taawhiao, 1858)

Introduction

My colleague has outlined some of the major issues facing New Zealand and its indigenous Polynesians - the Maaori - who not so long ago were ranked among the most documented in the world and the country as THE laboratory of race relations.

The present disadvantaged and dependent status of Maaori people show how illusory that notion is and, for New Zealand anthropologists, the challenge it presents in helping Maaori to attain socio-economic sovereignty within the 'partnership' promised by the Treaty of Waitangi.

In the late 60s and since, a few 'radical' mostly 'native' anthropologists can be said to have risen to the challenge that Gough (1968) and others, laid down, but it cannot be said, even now, that the profession as a whole in New Zealand, has been responsive.

Perhaps it is still committed to the myth of scientific objectivity, or, after regarding themselves as champions of a powerless and marginal people, has not recovered from the accusation of impotency during the social ferment of the 70s and

since. To be fair, there were a few individuals who were allied with the protest movement but whose contributions were not acknowledged. They rode out the storm however and have continued to contribute significantly to the Maaori cause.

At that time, New Zealand witnessed its own version of the global phenomenon - the rise and politicisation of 'ethnic consciousness' new concepts of tribalism and the 'revolt against inequality'.¹

It was a time when, the dominant non-Maaori monolithic, monocultural system, stood accused. As one 'native' anthropologist put it -

the paternalistic, ethnocentric, assimilative ethos of the dominant Paakeha society is more inimical to social harmony in New Zealand than the desire of the Maaori people to perpetuate his own cultural and social institutions.²

It was a time too when the Maaori people stepped out from under the lens of 'observation' and to test the findings against the social disparity between Maaori and non-Maaori.

They continue to be critical of the social science fraternity and the small body of 'native' anthropologists who are part of the profession.³ The challenge is not just moral or intellectual, it is a demand for 'action' and involvement in - Tuu Tangata - or 'Stance of the People' - the concept of Maaori self-determination.

1. Hopa, N.K 1977:13

2. Walker 1972:26

3. Proceedings of the NZASA: Waahi Marae, 1986.

The criticisms however, are not always well-founded, because we, together with the few non-Maori of the profession who have allied themselves, have been devoting our energies 'to achieving praxis' in both the minority and majority culture. And, in our role as advocates for 'praxis' in the minority community are in the process of making history.⁴

Thus, as we have opened the channels for dialogue between dominant and minority, we have also become orchestrators for the team of talent necessary to tackle the complexities of modern tribal development.

The Vision Quest

Whereas anthropologists have frequently returned from their vision quests to write about 'their people' and to somewhat romanticise the value and nobility of tribal life, some 'native' anthropologists like myself, raised in tribal contexts, have returned from a different vision quest, to 'our people' in response to their call and the clarion call of radical anthropologists for the need to decolonise the discipline.

Our vision quest, involving the study of diverse ways of life in small-scaled societies, retribalisation and emerging self-determination, has seen new beginnings of tribal solutions to socio economic problems.

It has also, sensitised us to the need and value of a dialectic between 'inside' and 'outside' views.^{5 6 7}

4. Freire P. 1972:41

5. Gough 1968;

6. Lewis 1974;

Furthermore, it has given the lie to the widespread assumption that social science can be objective and neutral - that it can be free of ideological and political commitment and can seek truth without involvement.

With high unemployment as the major social problem for Maaoridom, high crime rate, educational under-achievement and the social dislocation which has occurred in Maaori society, it is difficult not to be involved!

Thus **not** taking a political position, **not** making a moral commitment, is **not** neutral: it is making a commitment - to the support and continuation of the system of which one is a part and within which one is working anthropologically. Not to notice oppression or injustice or exploitation because one is only a scientist and science does not concern itself with political issues, is being myopic and self-deluding about objectivity. Ultimately, amorality is immorality.

To this criticism of the myth of scientific objectivity must be added the new awareness of the ideological bias implicit in 'establishment' social science theory. As several scholars have suggested, the above insights point up the need to broaden the intellectual base of anthropology and other social sciences and to redefine the relationship between anthropology and the Third World, both at the level of theory and at the level of practice.⁸ This does not mean nor should it lead to marginality or polarisation within the profession, but contribute to the evolution of the species and therefore to survival.

7. Caulfield 1973

8. Keesing, 1976:537

The New Zealand Context

What is happening in New Zealand is not simply a matter of 'culture change' or 'acculturation', but a response paralleled elsewhere among Third World tribal communities, to subjugation and oppression for the purposes of a worldwide capitalist system of exploitation - managed from Whitehall and further afield.

The transformation of Maaori tribal society caught up in this system has not simply been a matter of Maaori acquiring new hardware, new ideas and participation in a world economy.

British domination, old and new, has hammered it and other Third World peoples into a common mould as sources of cheap labour, of lands and other resources.

The ideology that has informed policies under which these practises have occurred, the abdication of responsibilities and obligations guaranteed under Treaties of various kinds is now being challenged as never before under the 'new wave' of 'tribalism'. It is as Deloria has commented "the strongest force at work in the world today".⁹

The Protesting 70s

As a people comprising 20 major tribes, the Maaori people represent 13% of the country's population of 3.4 million. They are the tangata whenua - original inhabitants - who have, and still maintain a unique attachment to the land. Despite the ravages of imperialism, a distinct identity has persisted, drawn from a tribal base wherein kinship and descent are the structural principles for the organisation of Maaori life.

9. Deloria, 1970:236

Maaori activism of the 70s, generated largely in urban settings, aimed to raise the national conscience to the unequal status of Maaori people resulting from breaches of the Treaty and policies of 'amalgamation-assimilation' which had eroded their self conception.

Activists claimed that Treaty breaches had also served to denigrate their language and culture and to exclude them from the machinery of state.

Apart from demanding acceptance on an equal footing with the Paakeha, activists also demanded that Maaori culture be given proper expression in the social life of New Zealand; and that the lifestyle derived from their culture be given equal validity and status in New Zealand's political, economic, social and educational institutions.

These demands were not new. They have their genesis in the colonisation of the country, and rising and falling, sometimes to a whisper, they peaked in the 70s when the indices of Maaori under-development had become painfully clear. Similar patterns and movements among indigenous peoples globally served to fuel the protest and, to even structure it.

Consequences

The results have seen a "Maaori cultural renaissance" the politicisation of which has led some Government departments to introduce tokenistic Maaori perspectives into their operations, and for the education system to follow suit in making provision for 'taha Maaori' - language and aspects of Maaori culture - in school curriculums.¹⁰

10. The Curriculum Review, Report of the Committee to Review the Curriculum for Schools, Department of Education, Wellington, 1987

In this decade too, 'tribal development' encompassing cultural revival and economic determination, has become for Maaori people the only alternative for improving their status in the nation. This development has now become intricately linked with the settlement of grievances attributed to breaches of the Treaty.

Before this, the movement attempted to use the system as it is to meet tribal objectives. Many tribes for instance cut their teeth on Government funded work and job training schemes and have used these creatively to not only provide skills, but also to re-indoctrinate their people to the value of 'communality and co-operativeness' in contrast to the ethos of individualism. These schemes have not always run smoothly. There have been problems of management and accountability in the use of public monies and, difficulties in intra-group and inter-group communication. These difficulties have resulted in 'scapegoating' practises and confirmation of the old stereotypes of the Maaori. Rarely has attention been paid to the positive aspects of the schemes which have resulted in some practical successes.

The Treaty has become a document of widespread influence for both Maaori and Paakeha. For Maaori it has become the basis upon which their claims for the recognition of their aboriginal rights and their future development are based.

Their claims have of course wider implications and the potential to bring about unprecedented changes in New Zealand society derived from - the debate over the sale of Crown land and assets, the ownership and guardianship of fisheries, waterways, the sharing and management of physical and financial resources of the country, devolution of government responsibilities to the people and its implication for re-defining education, social welfare and employment policies and so on.

Perhaps the most significant outcome of the Waitangi Tribunal recommendations will be a reversal of past practises - Maaori opinion will now be sought and valued in the processes of change.

Certainly Maaori opinion and regard for the Treaty has forced the issue of ensuring its legal status in various statutes, especially the State Owned Enterprises, Conservation and Environment Acts and the Treaty of Waitangi Act which established the Waitangi Tribunal. Currently it is being considered for inclusion in other statutes, and may become enshrined constitutionally, if the recommendations contained in the recently published Royal Commission on Social Policy report are implemented.¹¹

In any event, these measures do indicate a readiness on the part of Paakeha (non-Maaori) and Maaori to accept the Treaty as a charter for resolving issues arising from breaches on the part of past and successive governments.

Beyond Applied Anthropology

Applied anthropology has been questioned over the past few years by a number of anthropologists of varying persuasions. Glynn Cochrane¹² for example, has called for a more broadly conceived 'development anthropology' arguing that the anthropologically sophisticated administrator, with more practical approaches and more decisive commitment to development goals, can often do better as an agent of change than the professional anthropologist.

Other criticisms have come from such scholars as Sol Tax, calling for a more bold, decisive and politically conscious 'action anthropology' that would seek to challenge the wider system that

11. Report of the Royal Commission on Social Policy, 4 vols, Government Printer, April 1988.

12. Cochrane, 1971

is oppressing local communities and to tackle urgent human problems directly rather than, as has usually been the case, as a by-product of fieldwork directed to other goals.¹³

Although unabashedly paternalistic, the Vicos project of some twenty years ago, demonstrated what could and can be accomplished through directed programmes of change.¹⁴

Since the mid-70s we have seen a number of social scientists criticise the 'imposed development' schemes and programmes of Governments and bureaucracies, and argue for the recognition of development that is 'internally generated'.¹⁵ The Oshkosh group have provided some useful insights for looking at 'Development from Below' programmes and the hazards that confront anthropologists involved in 'development situations'.¹⁶

Action Research

Anthropologists who have taken a critical stance toward their own history, their own society, and their own discipline now argue forcefully that anthropology must be, as much as anything else, a study of imperialism and its impact. And they argue that if anthropology is to free itself from colonialism, it must become genuinely a study BY and FOR Third World people, not simply a study OF them.¹⁷

13. Tax Sol, 1975:507-540

14. Holmberg;1965

15. Pitt David C. ed 1976:4

16. (Ibid)

To this, one would add the preposition WITH to acknowledge the influence of Freire upon the thinking and activities of the Centre for Maaori Studies and Research (CMSR) to which I am attached.

The Centre for Maaori Studies and Research

This Centre, which is the only unit of its kind in the country, was set up in 1972, has a full time staff of three anthropologists and one ethno-psychologist. Additional staff are contracted as required for special projects of long or short term duration.

Sometimes this number is increased by post doctoral fellows or visiting international scholars on Fullbrights or other grants. As a consequence we have established an international network and international reputation of no mean stature.

The Centre was conceived as an action research unit working at the interface between Waikato University in Hamilton and the surrounding Maaori community, tribes and nationally. Since its inception the aim to address contemporary Maaori issues has consolidated along with the data base related to them.

Our unit has been identified with a research style known as 'action research' - now the foundation of the emerging approach to community development which focusses on development by finding out what the community wants and then helping it to get the skills and resources needed to achieve these desires.

This approach has informed our work and our theoretical stance wherein, the guiding role of theory in social science is replaced by the central place of planning. A plan is after all a theory.

It can be subjected to the classic processes of test and re-test, management by objectives, trial and error, hypothetical-deductive reasoning and similar methodological modes. Thus our product flows from making plans, WITH and for others which they can evaluate by the outcome, and which we can evaluate through research.¹⁸

Our action research orientation is thus directed toward systemic change through planning, scrutiny of outcomes, monitoring, evaluation research, and the preparation of better plans. It is about being bold enough to make interventions. Our clients are groups who lack resources to plan and therefore are not able to take control of their lives. In our case the groups we serve are also inheritors of a history of colonial oppression, cultural submersion and consistent disqualification.

On the one hand our work draws upon the theory, the conceptual apparatus, the rhetoric of social reconstruction in the Third World, of radical social science, of critical theory.

On the other hand our interests arise from Maaori cultural perspectives of how change occurs, of what goals are desirable and the ultimate values of change.

As our research style has evolved, our attention has increasingly come to focus on the role of economic empowerment. Our experience has been, that while political channels can be forced open to admit Maaori people and/or their identity revitalised, if they do not control their own resources, they are destined to remain disadvantaged and unable to shake the shackles of dependency.

To be more explicit we have now come to believe that it is only by creating a sound economic base that Maaori people will realise their cultural and social sovereignty.

18. Ritchie 1986: CMSR Newsletter Nov:1

The experiments and models of tribal communities elsewhere have reinforced and confirmed our philosophy and work as advocates for tribal development in New Zealand.

Economic empowerment has thus become uppermost in our thinking and planning and involved us in policy making, at the community, tribal, regional and national level.

The following list of past and ongoing activities serve to demonstrate this commitment.¹⁹

"Participation in the research on various Ministerial reviews, in particular the review of the Department of Maaori Affairs; Providing a Maaori perspective to the operations and policies of the Ministries for the Environment and Conservation, New Zealand Planning Council and the Justice Department's Review of Resource Management Statutes; submissions on and amendments to legislation that would be detrimental to Maaori interests".

We have and will continue to assist tribal groups plan their research briefs and methods for collecting the data upon which to base and present their claims to the Waitangi Tribunal.

We have also encouraged and supported the pro-active stance of tribal groups in utilising Government Access training and job creation schemes as part of their strategy to address rising unemployment. We are now actively testing the Government's new policy of 'devolution' whereby social services and funding may be transferred to tribal authorities.

Other activities of the Centre include:

"policy and planning of a health centre on local marae (ceremonial centre); the work plan for a young person entering a community training centre; the budget and cashflow

19. Centre for Maaori Studies and Research - Annual Reports

projections for a family horticultural project; an aquaculture and controlled temperature farming enterprise for a tribal group; a national plan for Maaori housing needs; submissions and amendments to legislation that impact on Maaori communities".

All these have various common elements. But above all, they challenge the politics behind the policies and ask of those who make, express or are captured by the politics of process, a personal commitment to development.

Within the philosophy of action research, our staff are engaged in research projects such as:

"Maaori unemployment; Affirmative action; the Social Impact of Energy Projects (hydro-electricity, coal and natural gas) on Maaori communities; Pollution of harbours and natural waterways the ownership of which were guaranteed Maaori under the Treaty of Waitangi; the Impact of industrial and marina development on Maaori spiritual values; Management Training courses for Tribal authorities; Small business and joint venture enterprises; Investment options for Maaori corporations; Maaori initiatives in Education; Training, education and management of tribal fishing interests; Diversification of land - use on remaining tribal lands and those potentially to be restored; Assisting tribes develop and plan for the devolution of Government services".

This tabulation of activities is not exhaustive, it does not include the number of public/university lectures, seminars and consultations that have exhausted our energies. Nor does it record our role as advisors to students who wish to plan courses at University or to take up some Maaori issue as a topic for a M.A or Ph.D. degree. Nor does it include the numerous times we have individually gone to bat for others who feel they have been discriminated against or been the victims of unscrupulous practise.

The list nonetheless reflects the range, diversity and comprehensive nature of the issues involving Maaori people as a whole, and tribal organisations in particular. Our research activities have highlighted what we have always known to exist, that on the ground there are some matters peculiar to specific iwi (tribe) or hapuu (sub-grouping) and even whaanau (extended family group). Since the University of Waikato is located in the heart of the largest confederation of Maaori tribes who are subsumed under the name Tainui, a considerable amount of the research effort of CMSR has been directed to their needs and aspirations.

Two of our staff are members by descent, the other staff have become so strongly identified with the Tainui cause, that they are virtually members by adoption or fictive descent.

The reality of tribal groupings and the specificity of tribal concerns is one that the Paakeha are now being forced to acknowledge. The frustration and confusion runs high compounded by the claims of many tribes to seek justice, fairness and equity in their own land. They, with our help, have had to combat the 'backlash' by using every method and avenue to educate the ignorant to the facts, nature, and history of the settlement of the country. We have proposed for instance, that Government mount a public campaign for this purpose, but to date it seems to have fallen on deaf ears.

Some gains have been made, but much work remains to be done before social attitudes and practises are transformed.

The Social Context of CMSR Action Research

The Tribal Reality

Until recently, New Zealand history has only ever been understood from a paakeha standpoint, consequently many paakeha are ignorant of how historically (and to this day) tribal organisations have been utilised for one purpose or another, though always to the advantage of the majority.

Moreover New Zealand history is replete with examples of the old colonial trick of 'divide and rule' and manipulation of tribal interests to secure advantage.

During the World Wars, Maaori were recruited on the basis of tribal affiliation with battalions formed and named accordingly. 20 There are a number of other instances where the tribal principle has been recognised, but only when it has been expedient to do so. This is another way of saying that paakeha will recognise 'difference' when it is to their advantage and ignore difference when it is detrimental to their interests.

The Maaori Social and Economic Advancement Act (1945) implicitly sought to set Maaori development on a community/tribal basis. But by 1960 when the Hunn report appeared on the state of Maaori Affairs, the great movement of the Maaori people from country to town was under way.²¹ Subsequently Government moved to provide a voice for the urban proletariat which this migration produced. It thereby opened a channel that competed with and undermined the established tribal structure.²²

20. Ritchie, 1987:2

21. Hunn.J, 1960.

New and imposed structures in the form of Maaori Trust Boards have further confused matters. The major Maaori Trust Boards were established to deal with grievances over land, but the concept of tribal trust has been muddled by the term 'trust' and in the wake, a great variety of Maaori Trusts have appeared.

The major Trust Boards have recently come to be regarded as Tribal Authorities on the 'tribal development' scene, but to look at them in this way is essentially to adopt a definition which lies within a governmental framework, one that reflects paakeha needs rather than Maaori perspectives.²³

The concept of tribal or iwi authority remains for Maaori to define. Some are presently doing this through the process of consultation with their own; the better to reflect the internal dynamic and the Maaori genius for organisation and adaptation.

For the most part Paakeha have preferred to continue in the fiction created under the Treaty of Waitangi, of Maaori as a nation, than face the reality of tribal and sub-tribal entities which have never been immutable.

Although some Maaori have been captured by the myth of nation, the view of most is that the Treaty did not create such an entity. What it did was to recognise rangatiratanga (chiefliness) and that, to Maaori meant and means, recognition of tribal chieftains.

It is the notion of tino rangatiratanga guaranteed by Article 2 of the Treaty that is the most difficult for the Crown and the wider paakeha society to accept.

Legislation and policy have compounded the tribal universe by treating it under the convenient label of 'nation', and together with urbanisation of Maaori has served to detach them from their roots.

22. Ritchie, *ibid*:2

Moreover, the recent media coverage of Treaty issues and the coup in Fiji have revealed a pervasive and deepseated antagonism to tribal authority and distrust of tribal process becoming an ideology.

Yet the ideology and processes of tribalism in New Zealand is a reality that Paakeha New Zealanders are being forced to face not only as a result of Treaty matters, but also as a result of the 1984 Maaori Economic Development Summit or Hui Taumata and the Kawenata (Covenant) it produced.²⁴

Hui Taumata - the Maaori Economic Development Summit

The Kawenata expressed the need for measures to safeguard by constitutional means, the inherent rights of the Maaori including the provisions of the Treaty of Waitangi. It also introduced the important notion of empowerment of/by the Maaori people through the proper use of their resources, and the adaptation of their tribal and regional structures to these ends. Conference viewed the high unemployment among Maaori youth to be the most pressing of social problems and argued that Job Creation Programmes be designed to cater for longer term needs and to meet Maaori objectives on Maaori terms. It proposed the need for innovations in education and training in order that Maaori people may obtain a quantum leap in economic performance and further, that funding for the development of Maaori land, labour and culture would need to come from retargetted resources. Conference perceived the present use of Government funds to result only in 'negative outcomes' for Maaori people. Among other things Maaori under-representation and under-achievement in education, over-representation in penal institutions were seen as examples of negative outcomes and 'negative funding'. In its recommendation

23. Ritchie, *ibid*:3

for the retargetting of funds, Conference was laying the seeds for what has now become new Government policy - the policy of 'devolution' which basically means the transfer of government funding, and social service delivery to local agencies. As we will see, the contentious issue of WHO will CONTROL the funding has not yet been resolved.

The Kawenata included the endorsement of an accord between Government, Employers and Trade Unions, as a means of firstly establishing conditions to increase employment opportunities and as a means of providing long-term economic development policies. The hui recommended the setting up of an Economic Development Commission to liaise with Government, the private sector and other authorities to implement the aspirations of Conference and to initiate economic development strategies. It was envisaged that the Commission would also examine and recommend to Government the reallocation of funds from negative to positive areas to accelerate Maaori economic development.

The Maaori Economic Development Commission

The Commission²⁵ was set up in 1985 and, among other things, explored further the concept of 'negative funding'. It argued that Government funding in, for example, education had not resulted in positive outcomes for Maaori people and quoted their limited numbers and poor performance as prime evidence. The major thrust of the argument was that this deficit had provided a hidden subsidy to other sections of society, and that the Maaori people had missed out on post secondary/tertiary education to the tune of \$NZ24.4 million per annum - a fact effectively confirmed.²⁶

24. Report of the Maaori Economic Development Conference, 5 Vols, 1984.

25. Maaori Under-Development, 1985.

It proposed that since the Maaori people constitute 13 percent of the population, the Government should take that percentage out of Vote Education and channel it to tribal authorities who could then use it to create and sustain ongoing programmes best suited to the cultural and development needs of their people.

The Commission advocated strongly, the re-direction of resources from programmes that compounded Maaori dependency and consequent negative outcomes, to programmes that would have more positive results.

Its proposals were however only part of a wider range of programmes necessary to the vision of 'a decade of Maaori development' which would require that tribal authorities run their own job-training, small business enterprises, and administrative educational courses to support them, rather than persist with those run by Government.

A major theme of the Conference was the need for education and training in order for tribes to realise their objectives and thus the Conference stated that -

Innovative, realistic policies will be necessary to reduce the Maaori under achievement gap. A development plan to achieve specific goals within a clear time frame, must be prepared.²⁷

26. Centre for Maaori Studies and Research, 1986.

27. *ibid*:22.

Responses

The Commission's proposals were made in a general climate of debate over the effectiveness of Government policy and practise in the delivery of statutory social services. Maaori people have been the most consistent and articulate critics of the adequacy of social service funding, programme design and delivery.

While the issues of public administration are complex and not yet resolved, the notion that it was possible to get better value from social service expenditure has taken hold. The desire for more control over the factors which affect individuals' well being had been articulated in demands for more citizen power through means ranging from consumer-based funding and greater participatory democracy to political autonomy. For political adversaries on both the left and the right, it seemed necessary to redefine the relationship between State - acting through its agents - and citizens. This situation is not unique to New Zealand because many other developed nations are also facing similar pressures to better meet client needs. This search for better value-for-money from social services is also being spurred as many governments recognise that they are reaching, or have reached, the limits of their ability to support social programme expenditure.

Research on innovative ways of allocating and managing resources is now an international priority, for example, OECD work on administrative responsiveness and on local initiatives for employment creation.²⁸

In any event, the Maaori Economic Development Commission's report and recommendations appeared at the beginning of this debate over 'Sharing Control' and indeed could be seen to have fuelled it.

28. Report to the Steering Group of Permanent Heads from the Task Group on Devolution, Sharing Control; A policy Study of Responsiveness and Devolution in the Statutory Social Services, Wellington: State Services Commission 1988.

The Commission anticipated opposition, especially to the notion that Maaori might design and deliver their own social service programmes according to what was appropriate to their cultural and development needs while controlling Government funding for them.

This issue, of local or tribal control, has not yet been resolved, despite the spate of so-called 'devolutionary' programmes that have been put in place since 1984 and exemplified in the following Government response to the recommendations of the Maaori Economic Development Commission.

Mana/Maccess

Government established a special fund under the control of the Board of Maaori Affairs to address some Maaori development needs. The programme for funding small businesses was called Mana Enterprises, its training arm, called Maccess. To acquire this funding, tribal authorities had to submit business and training proposals which would accord with the guidelines set out by the Board.

The results have been mixed. Some tribal authorities were already well ahead in terms of their expertise gained from using Government programmes in job training and creation, others were not. The outcomes in small business development have had a similar fate. Those that have fallen over have provided grist for the Opposition and a field day for the media. The public outrage over the wastage of public monies has led to the confirmation of middle New Zealand stereotypes of an incapable and irresponsible Maaori community. The same process seems to be happening in Australia with their Aboriginal communities.

While it is true that some tribal business enterprises for instance have not been accountable and that their business expertise leaves much to be desired, there has not been the same degree of outrage as Government(s) have written off millions of dollars of corporate debts!

In any event, it has become clear that for Maaori economic development to be sustained, there is a need for education in business management. Universities have become involved in these programmes by providing the expertise of Management Studies personnel. It has to be stated however, that their involvement has come about through the initiatives of tribal authorities themselves, and research units such as the Centre for Maaori Studies and Research.

Devolution

When and how the general topic of changing the balance of power between state agencies and citizens got placed on the political agenda is difficult to answer. But the 1986 report Puao-te-Ata-tu (Day Break) that followed the Ministerial review of the Department of Social Welfare marked a turning point through the challenge it made to administrative and political attitudes concerning the design and delivery of social services.²⁹

The Review team found unequivocal evidence of what had long been claimed, ie. that the Department of Social Welfare and other government services were not meeting Maaori needs. The report stands as the clearest public articulation made of the nature of the failure of public social service agencies to meet the needs of a major client group (the Maaori) and the steps considered necessary to remedy this failure.

29. Te Puao-te-Ata-tu, Report of the Ministerial Advisory Committee on a Maaori Perspective for the DEpartment of Social Welfare, Wellington, June 1986.

The same observations had been made two years before in the Review of the Department of Maaori Affairs, but it was never published! Both reviews stressed the need for policies that were more 'client centred' allowing for substantive input from community groups in the decision-making and in the control of resources.

After a year of wrangling on the part of permanent heads of departments over the implementation of the Puao-te-Ata-tu recommendations, a Task Group was convened to assess the 'devolutionary' programmes that had been put in place.

It discovered that not only was the concept of 'devolution' variously defined by public service managers and people outside the public service, but also, that programmes put in place under this rubric, were firmly under centralised control.

It concluded that:

"Peoples' expectations have been raised concerning possible outcomes of 'devolution' without there being clear focus on the contentious issue of control".³⁰

And furthermore that:

"In an era where citizens were more educated and more demanding that their individual needs be better met, it is difficult to see how a social provision which is supplied professionally, monoculturally, centrally and uniformly can be adequately responsive to individuals' social needs".³¹

30. Sharing Control: 1988:17

31. *ibid*:19

These conclusions including the contentious issue of control over resources, echoed the sentiments long held by Maaori Tribal authorities. Before the 'Sharing Power' report appeared they had already conceived the possibility of using their tribal systems for the delivery of social services.

Te Roopu Whakahoki Mana (Committee for the Return of Control)

In order to see how tribal systems might accomplish the delivery of social services, the Government set up a Maaori Implementation Committee on Devolution in June 1987. The Director of the CMSR was appointed Chair of this committee and the staff part of his research team. The following describes briefly the outcome of the exercise.³²

The committee was established under the objective:

to achieve partnership between Government and the Iwi (Tribe) by progressive transfer of responsibilities for the management of Government programmes to Iwi employing means which respect the institutions and accountability needs of the Government and Iwi.³³

Under its terms of reference the Committee was to consider ways whereby this objective could be accomplished. With the review on the operations of the Department of Maaori Affairs before it, this Committee began by examining how and what functions of the department could be devolved to Iwi Authorities and which Iwi could be regarded as ready to accept the responsibilities.

32. Devolution - unpublished report CMSR 1987.

33. *ibid*:55

The Committee never envisaged that devolution would happen all at once. Rather, that it would be gradual. The problems of the people were so diverse that they could not be serviced simply by re-constituting the Department of Maaori Affairs and reallocating its resources. From the outset the Committee was in conflict with officials over this matter.

The review of its operations had indicated, the Department had in the past been a little bureaucracy within a bureaucracy and incapable of dealing efficiently with Maaori problems.

Therefore, if the Department of Maaori Affairs was the only government agency to be devolved, and the more heavily resourced departments left untouched, the people would be no better off.

The brief to the Devolution Committee seemed to recognise this when it spoke of the 'devolution of Government programmes' which was closer to the thinking and wishes of the Maaori people.

Moreover, it also became clear to the Committee that the programmes that might be devolved to the iwi would still carry the stamp of the mono-culture, and be inadequately funded.

What the Committee sought to do in the climate that had emerged following the Maaori Summits, was the development of a system that would progressively develop the tribal capacity to devise and put into operation services based on tribal structure and authority, that would eventually reach across the whole range of community needs.

It began then to look at the devolution of the resources held by other departments including the largest and most powerful in the land. The Committee looked to the resources of these departments, not their programmes.

The Maccess training schemes which followed upon the recommendations of the 1984-85 Maaori Summits, were devised by Government and once accepted, tribes were forced to work to the criteria and through systems external to the tribal structure. Had these schemes been designed by tribes themselves, they might not have differed very much at the workplace, but would have been controlled and managed very differently.

The list of functions to be devolved covered a wide range, from the Departments of Health, Education, Labour, Housing, Social Welfare and Justice.

It was not contemplated that a single Maaori Authority would take over all the functions immediately or at all. The Committee considered that each tribe would decide what functions it could handle and how. It seemed apparent that each tribe would want to start constructing a secure economic base for economic development, training and employment (some were already on the way) and some way of dealing with land issues. Almost all would be concerned with education, especially the pre-school Te Kohanga Reo (language nest) which had swept the country. But it was for each tribe to decide.

For the Government to accept the proposals made by the Committee would have meant a vast investment of funds over which, if the plan was to be pursued all the way, would result in Government losing control. After only three months of investigation, the Maaori Implementation Committee was informed that:

...monitoring the efforts being made to give effect to the Government's policy to devolve responsibilities and RESOURCES to Maaori tribal and regional organisations...it is desirable for (Government) to take a more direct part...in developing the groundwork that needs to be completed so that (Government) can take preliminary proposals to tribes and the urban regional groupings for consultation and discussion.³⁴

34. *ibid*:77

The Ad Hoc Committee on Maaori Development would resume a more direct responsibility for the purpose and therefore no longer required the services of the Implementation Committee! In effect, the Committee was sacked!

Was history repeating itself? Were Maaori once again being constrained, their thrust toward self-determination and the power it would provide, being contained? Was the proposed 'partnership' simply a blind for the continuation of the old master/servant relationship?

The Government's response appeared in April of this year in the form of a document entitled Partnership Perspectives: A Discussion Paper (1988). One of the base documents for this paper was the report which followed the Review of the Department of Maaori Affairs. The Report was never published but its recommendations were clearly expressed in the Green paper. Members of the CMSR were part of the review team, so it was with much interest that we listened to the Minister of Maaori Affairs discuss the "new deal".

The Green Paper proposed the replacement of the Department of Maaori Affairs, with a new Ministry - a Ministry of Maaori Policy, which would have a control function similar to Treasury, the State Services Commission and the Ministry of the Environment. The Policy would enhance the role of tribal authorities or other appropriate organisations.³⁵

35. He Tirohanga Rangapu: Partnership Perspectives, Report of the Department of Maaori Affairs, April 1988.

Reactions

The reactions of both Maaori and non- Maaori were varied. Some Maaori tribes would have no truck with any movement to dismantle THEIR department, others felt that they were not ready to take over some of the functions conducted by the Department. One or two others, saw the opportunity that a new Ministry would offer in monitoring the activities of other Government departments and ensuring that they would deliver services and funding to Maaori people.

It offered moreover the potential to influence Government to share the corridors of power and the machinery of state from which the Maaori people since the first days of colonisation, have been excluded.

TAINUI

**He piko he taniwha, he piko he taniwha
At every bend a Chief, at every bend a Chief**

Among the few tribes who endorsed the Green Paper proposals was the confederation of tribes called Tainui. Following the Land Wars of the mid-nineteenth century, they had 1.2 million acres of their fertile real estate confiscated under the premeditated and infamous 1863 New Zealand Settlements Act and Suppression of Rebellion Act. These tribes form the largest confederation in the country and constitute nearly one third of the total Maaori population.

They claim descent from the voyagers who came aboard the Tainui canoe - one of several believed to have colonised the country some 900 years ago.

They live within the boundaries delineated by the saying:

Mookau ki runga, Taamaki ki raro, ko Pare Hauraki, ko Pare Waikato ko Mangatoatoa ki waenganui, ki te kaokaoroa o Poatetere

an area that takes in Mookau on the southwest coast of the North Island, traverses this to Taumarunui, north following the Kaimai ranges and the Coromandel Peninsula and west to Auckland. These boundaries, the descent principle and confiscation serve to unify while allowing for diversity to exist within the confederation.

The Tainui people have gone further than most to make explicit these principles, expressed in the central Tainui charter statement of their Waikato hapuu (kin sub-group)

**Waikato taniwha rau
He piko he taniwha
He piko he taniwha
At every bend of the river
there is a new centre of mana
whose autonomy must be acknowledged**

Kiingitanga

Overlaying these principles is another - the allegiance and support by Tainui of the 'King Movement' and its present head, Te Arikinui Dame Te Atairangikaahu.

The King movement grew out of attempts during the 1840s (if not earlier) on the part of some tribes to centralise and organise against British Imperialism. It became full blown in the late 1850s with the increase in land alienation and the perception that Maaori authority and control was not being upheld under Treaty guarantees. In 1859 some 23 tribes represented at Puukawa agreed to set up a Maaori monarch and to the position they appointed Pootatau Te Wherowhero, renowned leader of the Waikato tribe and its divisions.³⁶

Despite the vagaries of history, and the almost complete loss of its land base, the King Movement has persisted. Historically, and to this day it is both symbolically and politically the rallying point for Tainui's efforts toward cultural and social sovereignty and economic self sufficiency.

36. Jones, Pei Te Hurinui 1968:134

Tainui Development

Since its inception, the CMSR has been closely associated with the Tainui confederation of tribes and has provided most of the research for its development initiatives and claims based upon the historical event of raupatu or confiscation.

Our research has covered therefore a wide spectrum of documentation and involved us in the collection of 'oral' records pertaining to all Tainui's resources. We have been advisors and consultants to their Trust Board and assisted it in making innumerable submissions on legislation, regional and local policy. What follows has been gleaned from our association with the Board and its newly created research arm, Tainui Consultants Ltd.

Common descent, the King movement, confiscation or raupatu, the Tainui Maaori Trust Board and development, are integral to Tainui's interpretation of itself and to its comprehensive overview of its situation. Its basic approach has been to interrelate problems and to tie these to the basic integrity of the perpetuation and ideology of its confederation.

Of all Maaori tribal groupings, Tainui is the least endowed in terms of physical assets, but it is PEOPLE rich!

Perhaps for this reason, it has, since the late 70s and early 80s, been the most forward looking and most development oriented of tribal groupings.

In 1983, through its Trust Board, Tainui commissioned the Centre for Maaori Studies and Research to conduct a needs resource survey, the first of its kind to be conducted for any tribe.³⁷

37. Mahuta et al, 1983.

Called the Tainui Report, it identified under-development as the fundamental problem and proposed that with better organisation and greater emphasis on human resource development, the problem could be addressed. The Report heralded a turning point in Tainui history and signalled the re-emergence of them as a sovereign people. Taking the Kawenata as corner stones, the report set the ground rules for Tainui's future development including the creation of new tribal management structures based on traditional iwi (tribe), hapuu (sub-tribe) and whaanau (extended family) groupings and the community or marae centres of each.

In order for tribal development to occur sensibly and within time frames, a strategic plan was commissioned based on the Report. The Tainui Strategic Plan, completed in 1984, set out mission statements and policy objectives for Tainui and the steps it had to take in order to achieve the objectives. ³⁸

Taking inspiration from the Hui Taumata catch phrase 'A Decade of Development' and the Kawenata it produced, the plan provides for enabling the people to conceptualise and plan the rate of their own development.

The directions of general policy and concepts were then communicated to Management committees for implementation, including the encouragement of its people to embark upon a rapid learning curve. This has meant targeting of young people for training in the use of high technology in Maaori Community Training Centres, and ensuring representation on Management Training Courses for Tribal Authorities. The CMSR together with the Management Development Centre has been responsible for arranging these courses which have been funded by the Board of Maaori Affairs.

38. Tainui Strategic Plan, 1984.

But the learning curve has also meant taking risks, making commitments, planning and perhaps most difficult of all, overcoming the barrier of self-doubt because of the lack of trained personnel and skills.

Beside its new management committees, it has used its internal structure and annual round of Poukai (feast days), Ngaa Marae Toopu organisation (supra-association of marae representatives) and Matariki (Pleiades) newsletter, to re-indoctrinate its people to their culture and contact history. This means of networking and communication provides also for community input to development plans. Tainui also commissions its own video tapes to describe various aspects of its developments.

Through its Trust Board, Tainui has used every opportunity to put pressure on Government and its agencies to reform policy and practise and to encourage tribal members to positions on Government, national and local bodies where decision making occurs.

When agencies have not yielded or the channels have clogged up, Tainui has transferred its energies to other fields, so that the pressure against Government and its agencies have remained a constant factor.

When a problem has been defined as a lack of education, Tainui has balanced it off by utilising Mana and Maccess funding to further its objective of human resource development.

The Endowed College Proposal

Among its educational initiatives, is the establishment of two autonomous Endowed University Colleges,³⁹ one on the campus at Waikato, the other in Auckland. The concept has been adapted from the Cambridge and Oxford College system, with its collegial environment and tutorial method of instruction. The aim is to create a collegial, living environment based upon Maaori cultural values and adapted to the social educational and affective needs of Maaori students. Spelt out this means creating an environment which more closely approximates the Maaori cultural context, wherein the dominant values of

whanaungatanga (relatedness)

rangatiratanga (status and respect)

manaakitanga (sharing and caring)

are expressed.

While the College will cater mainly for Maaori students it will be open to others who are willing to live and learn in a bi-cultural environment and setting.

The creation of an Endowed College at Waikato is a critical link in Tainui's emerging Maaori education strategy. It will be oriented toward human and natural resource development. It will emphasize management and business skills, the resource development skills of planning, scientific reporting, monitoring and guidance, use of technology and information systems, production rather than service, cultural development rather than welfare. It is not envisaged that the College will offer degrees, rather these will be conferred by the University itself in much the same way that degrees are conferred at Oxford or Cambridge.

39. An Endowed College for the University of Waikato, 1987:4-13.

This proposal is seen as possibly the most effective way to overcome the problem of Maaori under-achievement and under-representation in Universities, particularly in Tainui where, as Douglas and others have demonstrated, the Maaori population is densest and the human resource largely untapped.⁴⁰

While Universities have made provision for the language to be taught in the setting up of departments of instruction, these departments are accommodated within the regular structure and have tended to become "ghettoised" as a consequence.

The concept of the Endowed College arose out of research which revealed that the University of Auckland (from which rose the University of Waikato) for example, and the University of New Zealand before them, have been beneficiaries of vast tracts of land confiscated in Tainui, Taranaki and Whakatane.

In Tainui, these lands included 10,000 acres in the Parish of Taupiri and 10,000 acres in the Parish of Karamu.⁴¹ Tainui have argued since that they have therefore educated the majority to the detriment of their own tribal members. It is clear that the New Zealand University system has been a principal beneficiary of the confiscation policies of the last century.

In addition to this, many Maaori leaders including some from Tainui, endowed land to the churches for the specific purposes of establishing schools and churches to benefit their immediate whaanau and/or hapuu and Iwi at large. As these old trust endowments have come to light, it has been evident that the spirit of these endowments has not been acknowledged. Instead the real beneficiary has been the general New Zealand community.⁴²

40. Douglas, EMK, 1982.

41. Sinclair 1983

While the idea has been endorsed by the University, the question of funding rests upon the Government's willingness to address the question of compensation for lands wrongfully confiscated.⁴³ And among the categories whereby the Board believes this question may be resolved is the method of returning 'land for land' or the equivalent in terms of hard cash.

In the interim, the Trust Board continues to encourage through Mana funding small business development and through Maccess training in a wide range of life and work skills programmes. In general, both schemes have proved successful. Some 21 Mana enterprises have been funded and to date some 320 trainees absorbed into training programmes.⁴⁴

Other projects, like the development of small land holdings, planning for tourism, for control temperature farming and aquaculture enterprises proceed, so that whenever a breakthrough occurs, the Board and its management committees are ready to explore whatever progress can be made.

Presently, it is preparing a devolution package in anticipation of the devolution of Government social services. Some Government departments are now considering that these services may be devolved on a contract basis, but the notion is still in its incipient stage, and the question of control yet to be resolved.

42. An Endowed College for The University of Waikato; 1987: 5.

43. University of Waikato Review, 1987.

44. Te Maru, J; Devolution Contracts Package - Report to the Tainui Maaori Trust Board, 1988.

The Historical Context

Tainui's development thrust is not without historical precedence. Up until the land wars of the 1860s, Tainui people were demonstrating their entrepreneurial skills by taking advantage of the opportunities which fledgling colonial towns such as Auckland provided.^{45 46}

They were thus contributing significantly to the..."almost dazzling pace of Maaori economic development" which recent scholars described for the 1840-60 period.⁴⁷

They owned and controlled the 'heartland' with its fertile soils, expansive forests, inland waterways and marine resources which they had begun to exploit in response to the demands of the settler community.

History

As indicated above, when their resources and control over them were threatened by the expansionist policies of a settler government, Tainui sought to mobilise its numbers and to centralise by adapting the European concept of 'monarchy' to maintain their sovereignty.^{48 49 50}

45. Sinclair, Keith 1980 :86.

46. G.T Alley & D.O.W. Hall, The Farmer in New Zealand, 1941:19.

47. Asher G. & D. Naulls 1987:22.

48. Ward, A 1973;

49. Gorst J., 1959:45.

This MANA MOTUHAKE (absolute power) they believed had never been surrendered because they had not signed the Treaty at Waitangi. But because later, some chiefs had appended their signatures to the English version known as the 'Manukau Treaty' they had thereafter been treated as if they had supported the nation which the Treaty was designed to create.

So much for the colonialist attitude to treat tribal people as a 'nation' and to use the concept for interpreting a social reality that did not exist! It is a familiar pattern, as is the interpretation of rival powers as 'rebels' against the 'establishment'.

Some years after the Treaty, concerned at the mounting tension between settlers and Maaori, Te Wherowhero sent a letter to Queen Victoria. Its contents are revealing, since they demonstrate what the Tainui people have long upheld, and history has denied, the desire on the part of the Kingites for peace rather than conflict.⁵¹

O Madam the Queen
hearken to our words, the words
of all the chiefs of Waikato.

May God grant that you
may hold fast our word
and we your word forever.

Madam, listen; News is going
about here that your ministers

E Whae e te Kuini
whakarongo mai ki a maatou
koorero
kingaa koorero a ngaa
rangatira
oo Waikato. Maa te Atua e mea
kia
uu taau pupuru i taa maatou
kupu, me
maatou hoki taau kupu moo ake
tonu
atu. E Whae, whakarongo,
teenei ngaa
koorero kei te haere i konei
teeraa oo

50. Sorrenson M.P.K., 1963.

are talking of taking away the
land of the Native without cause,
which makes our heart dark.

But we do not believe this news,
because we heard from the first
Governor that the disposal of the
land was with ourselves.

And from the second Governor
we heard the same words,
as from this Governor.

They have all said the same.

Therefore we write to you.

that you may be kind to us, to

your friends who love you.
Write your thoughts to us

that peace may prevail among
the Natives of these islands.

Minita kei te koorero ka
tangohia noa
tia atu te whenua oo te
Maaori moo te
kore take, ko eenei koorero
hei whaka
pouri i oo maatou ngaakau.
Engari
kaaore maatou e whakapono ana
ki eenei
koorero no te me a i rongu
maatou ki te
Kaawana tuatahi ko te tuku i
aa maatou
whenua kei a maatou anoo te
ritenga. Ma
te Kaawana tuarua peeraa
anoo ngaa
koorero i rongu ai maatou, a
me ta teenei Kaawana hoki.
Raatou katoa rite tonu te
koorero
No reira maatou a tuhi atu ki
a koe
kia aroha koe ki a maatou ki
ouu hoa
e aroha atu nei i aa koe.
Tuhia mai ouu whakaaro ki aa
maatou
kia mau ai te rongu ki
Ngaa Maaori oo teenei Motu.
(Te Hurinui 1960:160)

Te Wherowhero died in 1859 to be succeeded by his son Taawhiao.

By the 1860's the King movement was consolidating, and trying to steer a path through the dangerous political situation that had developed between it and settlers, covetous of the rich lands under its control. The situation was compounded by the decision of some hapu within the movement, to assist related hapu in the Taranaki to 'defend house and property' against land hungry settlers.

Taawhiao, attempted to stay the involvement of his kinsmen who by this time had been branded as 'rebels' against the Crown, and to negotiate with it a proposal to set up a joint administration. As the Kingites saw it;

The King on his piece; the Queen (Victoria) on her piece; God over both and love binding them to each other.⁵²

Such a 'partnership' could not however be entertained by a Colonial administration bent on establishing its hegemony in the country. It would have established a rival power, sewn up the most fertile territory in the island and contained the extension of British sovereignty over the country.

The extremist and 'rebel' element of the movement provided the ostensible excuse. And so through Colonial military might, premeditated and subsequent legislation, the Kingites were divested of their tribal patrimony and reduced to the status of paupers in their own land.⁵³ All subsequent research agrees that:

"...the Tainui people of the Waikato River never rebelled but were attacked by British troops in direct violation of Article II of the Treaty of Waitangi".

(Dalton, 1967; Ward, 1973; Orange, 1987.)

52. Ward, 1973:100.

Some 314,000 acres of confiscated lands were later returned, but much of it was steep hill country or swamplands and allocated to a motled group composed of kuupapa tribes (loyalists) who fought with the Crown, and `rebels' who fought against it. The truly afflicted tangata whenua received a pittance.

This created not only disharmony and intra-tribal strife over land-ownership, but also demonstrated the well worn tactic of `divide and rule' to destroy the tribal unity within Tainui.

The Effects of Raupatu

Reflecting the views of a number of scholars, King says that:

Confiscation crippled the Waikato...First, a group of tribes that had formerly been able to support themselves comfortably and to offer hospitality liberally were now unable even to subsist on land of their own. Secondly, the loss of sites that were traditionally significant-burial grounds, places of prayer, sites of centuries of habitation, access to the river itself- created an intense feeling of deprivation. Waikato people had lost all the places that had given them a sense of history, continuity and identity.⁵⁴

Apart from being disinherited, their lands divided among the militia and other settlers, there were other effects vividly portrayed by Sir Apirana Ngata in his report on Maaori land developments in 1932. He stated that -

....in the aftermath of the Waikato wars and resulting confiscation of Waikato lands successive government have found a real barrier to that goodwill and friendly

53. Sinclair K., 1961.

cooperation without which no progress can be made, whether it be in education or hygiene or the cultivation of lands or other adjustment to the economic and social system of today.

No earnest student of native affairs in any part of the Dominion can overlook this historical factor and implications both material and psychological that flow from it. There is still bitterness and resentment; there is suspicion and distrust; there is an attitude of contemptuous scepticism toward law and government, which though not broken in the letter are avoided as things that formerly were associated with force and oppression.⁵⁵

The 1983 Tainui Report showed that these attitudes had not changed significantly:

For the Tainui the major loss was the confiscation of their lands following the Land Wars. This loss of land, which is now some of the most economically productive in New Zealand, has led to an almost landless proletariat which still broods over the manner of their dispossession. The elders in particular give essence to this brooding when they argue that the Treaty of Waitangi, drawn prior to the Land Wars should be interpreted according to their rights and should be honoured with a restoration of their lands.⁵⁶

Attempts to Seek Redress

From its enactment to this day, Tainui have maintained that the confiscation of their lands were unjust, immoral and in breach of the Treaty.⁵⁷

54. King:26-27.

55. AJHR 1932 G10;10

The later nineteenth century and early twentieth saw several deputations carrying petitions to the Crown in England to confirm the undertakings of the Treaty and to address the confiscation issue.

The first deputation in 1884 was led by the second Maaori King Taawhiao. It is recorded that on his return he was asked what he had achieved. He responded-

I haere Maaori atu, i hoki Maaori mai

(I went as a Maaori and returned as a Maaori) meaning that he had achieved nothing.⁵⁸

To this deputation and another led by King Te Rata in 1913, the Crown's reponse was the same -

Ko te rongoa mo o koutou mate kei a koutou anoo. Hoki atu ki too Koutou Kawanatanga kei a ratou te mana whakahaere o Aotearoa. Kei a raatou kee, te rongoa.

(The answer to your problems lies with yourselves. Return to your Government, they are the power in New Zealand. They have the answer.)⁵⁹

Later petitions to the Crown, to successive New Zealand governments and the Privy Council of England did not succeed in securing settlement of Tainui's grievances. Nor did the findings of the 1928 Sim Commission - that confiscation had been immoral, unjust and excessive - advance their case much further. Not until the early 30s did Government stir, and for some of the afflicted, in a manner that could only be construed as adding insult to injury.

56. Mahuta & Egan, 1983:12

57. Te Hurinui 1960:160.

The Tainui Maaori Trust Board

Between 1937 and 1938 Tainui leaders began negotiations with the Government over their raupatu claim, but World War 2 intervened before anything could be accomplished. Yet the pain of injustice remained and for Kooroki, the fifth Maaori King, particularly so. In his 1941 Proclamation, he said the following:

To the tribes throughout the land
it seems from the manner of
the Privy council of Englands'
verdict that the Treaty of Waitangi
has no status.

It was not until this issue
had reached the attention of the
ultimate authorities of our Empire
that we realise the cession
agreed to by our ancestors was illicit
though this land was placed under
the protection of Queen Victoria, her
administrators have ground the pact.

The Treaty has been in existence
for over a hundred years, it was
a treasured and prized possession
from the ancestors to us
their descendants.

Engaa iwi o te motu anoo
nei ki te aahua o te
whakatau
a te Piriwi Kaunihera o
Ingarangi
kua kore mana te Tiriti o
Waitangi.

Kaati anoo kia tae teenei
take ki
te mutunga mai o ngaa mana
nui o too taatou Emepaea i
mohiotia
ai kei te wairangi noa iho
te tuku rangatira aa oo
taatou tuupuna i teenei
i teenei motu ki raro i te
mana o Kuini Wikitoria,
kuaetakahia nei e oona
kaiwhakahaere.

Ko te Tiriti o Waitangi ka
kotahi rau tau te
whakatakotoranga aa he
taaonga whakamanamana naa
oo taatou tuupuna
tae mai hoki ki aa taatou
ki ngaa uri.

To the tribes I extend my concern
and sympathy through this song.

In the evenings I often lie awake
a gossiping spirit alights
and confirms my deepest fears

It was that distant Treaty
that divided us, laced as it was
with disappointment.
I had forgotten it was suspended

there, a hollow canoe
infested with rats.
Vaguely seen on the currents of

Waitangi. During these times
tears were profuse
I often think of the canoe lashings
coming undone. Rather just leave
the Treaty hanging there
on the lips of men.

(Te Paki o Matariki, 1941)

E te iwi ka nui te aroha
me te tangi o te ngaakau
nooreira me waiata eke

Muri ahiahi takoto ki te
moenga
kaati te wairua te haramai
tuutara
kei hua e roto e he
tikanga he pono

I tawhiti te Tiriti naana
rawa
i makatiti i werohia pea
ki te koorehutonga.
He wareware anoo te iri
atu au
he tiherunga hoe
naau e te kiioire.
Tee aata kitea atu te ripa
ki
Waitangi. I te waa o te
kamo
e mapu noa nei
He whakaarongo iho ka
motumotu anoo
ngaa kaha o te waka te tau
ai ki raro
I whakairia te Tiriti
ki te ngutu mau ai ii.

It was not until 1946 that negotiations resumed, and a settlement of 5000 pounds in perpetuity offered and accepted (though not without dissent). The Government would establish a Trust Board to administer the funds, and thus under Section 5 of the Waikato-Maniapoto Land Claims Settlement Act 1946, the Tainui Maori Trust Board was born.

With the introduction of decimal currency in 1966, the 'compensation' fund was increased to \$10,000 and raised again in 1975 to \$15,000 following pressure placed on Government to take into account the effects of inflation, devaluation and the floating dollar. This amount is still regarded as minimal payment for the 1.2 million acres ORIGINALLY confiscated. According to some analysts, Tainui have been compensated at a rate of .012 cents per acre. The figure for the 887,808 acres FINALLY confiscated the value per acre becomes .07 cents. Today the land is valued at \$12,000 per acre!⁶⁰ (Litchfield M.R. 1984 LLB Thesis Confiscation of Maori Land, Victoria University, Wellington)

Little wonder that Tainui now demand a further adjustment to the compensation payment as part of the 'relief sought' package the Trust Board (through its research arm with the CMSR staff, is presently composing. They see this adjustment, as necessary to their growing operations and to the Trust Board's new role as a 'tribal development agency'.⁶¹

In any event, the compensation payment has never been viewed by Tainui as constituting full and final settlement. Rather it was seen as payment for that time only.

60. Litchfield, 1984

61. Te Maru. J., 1988:4.

As some elders have expressed it-

Ko te moni hei utu mo te hara

(The money is payment for the Crown's sins)

They hold firmly to the principle that-

I riro whenua atu me hoki whenua mai

(As land was taken so must it be returned)

This principle was upheld at the 1985 Manukau Hearing of the Waitangi Tribunal which in its report stated that the issue of confiscation had no longer to be proved nor the consequences denied. It recommended strongly that the matter be urgently addressed.⁶²

The State Owned Enterprises Act

While the Centre for Maaori Studies and Research had for some time been preparing the data base for Tainui's raupatu case, the Trust Board saw the need to set up its own research arm to speed up the process. This initiative gained impetus after the State Owned Enterprises Act was passed, the details of which my colleague has provided.

The danger for tribal groups who already had claims before the Tribunal and others who would submit in the future, was clear. For the Tainui people whose claims were yet to be heard, the Act had the potential to further thwart their efforts of 147 years. The Act was perceived to be in violation of the Treaty of Waitangi and submissions were forwarded to this effect by other tribal groups and the Waitangi Tribunal itself.

62. Manukau Report:6

With the aid of legal counsels, researchers from the Centre for Maaori Studies and Research, the Tainui Maaori Trust Board filed an injunction to prohibit the transfer of Crown lands to State Owned Enterprises without certain procedures being observed. Chief among these was that the Trust Board be consulted before any assets within their boundaries were transferred.⁶³

The claim was eventually withdrawn upon assurances from the Solicitor General that nothing would be done to transfer any assets within Tainui to State Owned Enterprises until the Tainui people had sufficient notice of the proposed transfers to enable them to file proceedings in the High Court and have these proceedings brought on for a hearing. To date, nothing has been done to honour this understanding and in effect the Crown has proceeded as if Tainui or the undertaking did not exist. Over the past year, various actions by Government appear to entail breaches of their undertaking. These include:

1. The proposed diversion of the Waikato River
2. The disposal of Coalcorp houses at Huntly
3. Proposals relating to the sale of Coalcorp and its impact on coal mines in Tainui territory
4. The sale of Crown properties within Waikato by Landcorp

In the view of the Tainui Maaori Trust Board, the Crown has been in breach not only of the Treaty, but also of its written undertaking. Was or is history repeating itself?

While Tainui's claims focus on lands presently owned by the Crown, it also includes rights to inland waterways, especially

63. TTB Submissions to Parliamentary Select Committee 1988:CMSR

the Waikato river, harbours, fishery and mineral resources, the control of which is in the hands of various agencies of the Crown.^{64 65}

Least it be construed that Tainui's claims are purely material, it must be emphasized that a tribal esoteric is entwined. Tainui like so many other tribal groupings have argued that the exploitation and destruction of the land has destroyed many of their sacred places and violated their 'spiritual values'. The same argument has been presented with respect to natural waterways, lakes and rivers - especially the Waikato River - and harbours that have become polluted by industry and city waste.

Thus Tainui's claim is a composite of the material and spiritual which are really inseparable, a discussion of which requires another volume.

The Hard Questions Confronting Government

To the questions confronting the New Zealand Government, Tainui has made the following responses:

1. Resource Ownership

Tainui's attitude is that this is what Article II is about - **tino rangatiratanga**. If Tainui did not own its lands, why did the settler government go to such great pains to mount an illegal war? The manifestation of tino rangatiratanga was the establishment of Kiingitanga under the catchcry of **mana Maaori Motohake** (absolute authority).

64. Harris, P., 1983

2. How should resources best be utilised in the national interest?

Tainui's assumption has long been that the "**national interest**" includes Maaori as well as Paakeha and any resource utilisation decisions should ensure **equal benefits** to both parties for the **national good**.

3. What proportions should be allocated to Maaori and/or Paakeha?

Article II guaranteed a 100 percent protection of Maaori **taaonga** (treasures). If we are talking about a partnership, then the minimum Maaori allocation must be 50 percent.

4. How far out to sea do Maaori fishing rights extend?

Whilst Tainui does not wish to be restricted by any arbitrary boundaries we understand that Government negotiators are reluctant to concede any rights within the 25-200 mile zone. Our kaumaatua response to this question is that Tainui off-shore fishing boundaries extend to 200 miles and beyond. Our ancestors were capable of traversing enormous distances in ocean-going canoes and with the advent of sailing ships were able to very quickly establish trading relationships along the coast and across to Australia.

5. Are there greater or lesser tribal rights and how are these to be determined?

Depending on the particular resource, different criteria will apply. In respect to fisheries, there were clearly defined usage and ownership boundaries. Every competing group sought to establish and maintain the boundaries by occupation, utilisation, conservation and preservation of these rights.

6. Where any amount is ultimately negotiated, should this be disbursed to all Maaori on a pan-Maaori basis or tribal basis?

One very basic assumption upheld by Tainui is that Tainui has more than contributed its fair share to the development of this country. **Raupatu** lands embrace some of the richest dairying producing land in the world and thus the wealth derived is no mean contribution to the wealth of this nation. The university system was founded on **raupatu**, Maaori boarding schools were founded on our ancestors' land endowments to major churches who subsequently forgot about the reasons why the lands were gifted in the first place.

The bulk of the country's energy requirements are generated from Tainui resources. What more does the country want from our people?

7. How is any amount to be delivered at all through a Maaori delivery system?

At the present time a significant amount of government funds are being delivered through the tribal authority system. Despite attempts to discredit and subvert this system, it has proven to be a resounding success because it has involved people, the tribal community, in making decisions for themselves. Managed efficiently, the tribal delivery system can prove to be much more effective than any other existing mechanism.

8. What about those tribes who have no coastline?

Maaori fishing rights are not restricted just to coastlines, but also include inland waterways and lakes.

As far as our people are concerned, their fisheries claim includes **wai-Maaori** and **wai-tai**. There are several precedents where the Crown has acknowledged this.

9. How is the resource to be allocated and managed?

Tainui acknowledges that management is essential and sees a partnership with the Crown in the management of their fisheries **once their rights have been recognised.**

Current Negotiations

The report currently being prepared for presentation to Government, documents all these claims and the moves Tainui has made to gain recognition of their rights as tangata whenua. Added to these claims in relation to Article II, is the question of adequate compensation for land unlawfully confiscated under the Suppression of Rebellions Act and the 1863 New Zealand Settlements Act.

The Tainui Maaori Trust Board is firmly committed to constructing a working partnership with the Crown in developing land and water resources.

The Trust Board makes it clear that the Crown is legally required to restore the guarantees given to Maaori people in 1840. These assured Maaori people that they would have full rights to the fisheries of New Zealand.

However, the industry has developed without discussion with Maaori authorities and without direct benefit to them. The State has exploited the wealth while Maaori authorities remain enfeebled by lack of access to resources guaranteed to them by the Treaty.

The Board presented to Government, Tainui proposals for partnership in the industry and in the incomes and livelihood deriving from it. It presented these proposals in a spirit of reasonableness, goodwill and good intent. In essence the proposals simply ask that a policy be developed, in consultation with Tainui to ensure their participation in the industry.

The Trust Board has formulated the broad principles upon which such participation might be based but is not prepared to do the work for Government. The days of unilateral policy-making are over because such an approach leads to confrontation and wasted energy.

The package must include training, joint venture arrangements, access to capital in order to enter the industry and either reservation of part of the resource for future use by Maaori operators or provision for entry in the future.

The Board has made it clear that it does not wish to impede or obstruct Government efforts to use this industry for immediate benefit to the total economy or its long term contribution to continuing economic wealth. By the same token, the Board believes that Government has responsibilities through its representatives to take full cognisance of Maaori views.

While these matters are of national significance so too is the desperate state of Maaori economic depression. So long as this is separated off from general consideration in every aspect of economic planning the economic gap will widen and with it the welfare and well-being gap as well.

Maaori people were guaranteed a fair deal in resource development and management. The Board hopes that the current discussions will go a long way towards achieving this goal.⁶⁶

66. Mahuta, 1988:9

Relief Sought

The Government response to the raupatu negotiations has been tardy. A recent Treasury paper to the Minister of Finance raises some suggestions as to general policy in the settlement of Maaori land claims. What is interesting is that Treasury concedes that many of the longstanding grievances are legitimate and that rather than avoiding the issue Government needs to establish guidelines as to how compensation might be found.

Three general approaches are canvassed -

1. land for land; especially where they are still in public ownership, with no restriction on use;
2. quantification of loss; in monetary terms, taking into account damages for injuries and compensation for missed development opportunities and updated by some inflation or interest rate factor;
3. establishment of tribal economic base; this approach was favoured by the Tribunal which stated that "Any policy assuring the tribe's continued presence on the land".

Tainui is presently working on a 'relief sought' package taking each of the above categories into account. The package is not yet complete, but the key element at the moment involves the proposition based upon the perception of the elders, i.e.

I riro whenua atu me hoki whenua mai

As land was taken so land should be returned.

In claiming back land, the Tainui people are not wedded to a scheme of total or punitive repossession. They seek only those lands still held by the Crown. These have been used for a variety of purposes, like farms, reserves and conservation areas. What

the Board seeks in these cases is the return of title and should this eventuate, the Board will then seek input from the public on how these lands may be best used in the spirit of the partnership established by the Treaty.

Other Crown lands upon which public institutions of service like hospitals, schools or universities have been built, Tainui seeks through its claim to augment those services rather than, as some segments of the public have perceived, a take-over.

With respect to the two specific rural blocks which have benefitted the University system, the hope is that the University, which is after all funded by the Government, might take on the proposal to set up an Endowed College, first at Waikato and then at Auckland. The Board has also explored the possibility that the Crown might purchase facilities which would serve as university halls of residence to accommodate Maaori students, and present these to the Board on behalf of the Tainui people as part of the compensation package.

Tainui see a variety of different kinds of compensation as part of the final solution but is also realistic in assuming that this cannot be achieved all at once.

As it has stated with respect to the fishing issue, it is opposed to massive cash settlements, for not only are its people ill-prepared but they have also learned from the experience of other indigenous people whose grievances have been resolved in this manner, that it has frequently induced more disharmony, dislocation and tragedy.⁶⁷

It is Tainui's firm belief that the resolution of their grievances will enable them to establish a sound economic base from which must come cultural and social sovereignty. They argue furthermore that a mixed compensation package will also in the long run, save the Government money.

67. Berger:1985

It remains for Tainui to convince the Crown of the reasonableness of this proposition and the potential it has for addressing the issues Tainui has long sought justice, fairness and equity.

Reflections

Whether Tainui enters into direct negotiations with the Crown, or its claim is heard by the Waitangi Tribunal, its case, together with those of other tribes and the legality accorded the Treaty in various statutes, have the POTENTIAL to reshape the social and cultural face of New Zealand.

Re-sculpting New Zealand society will however not be wrought without further struggle or vigilance. For apart from the 'backlash' to Maaori aspirations, there are already signs of the pattern observed among emerging self-determination movements elsewhere, i.e. of co-opting activists who have 'kicked the system' and tribal/community leaders into government services, or of offering them patronage in various guises.⁶⁸

The effect of this strategy to date, has been twofold:

to alienate the potential Maaori leadership by enveloping them in a bureaucracy.⁶⁹

and to create:

a powerful, conservative, Maaori bourgeoisie⁷⁰

68. Workman 1984:3

69. Spoonley 1981:281

along with traditional tribal structures which could be used as a force, to serve capital.

Indeed, in his insightful analysis of Tuu Tangata - Stance of the People - philosophy adopted by one government department, the Department of Maaori Affairs, Kim Workman has concluded that:

- a. the state has used racism to maintain the social and political, as well as the dominant economic order
- b. the department acts as an instrument of the state to suppress Maaori resistance, rather than to close Maaori 'social, cultural and economic gaps'
- c. that the department has, under the guise of promoting Maaori traditional values, created a Maaori ruling class or bourgeoisie whose role it is to suppress the Maaori underclass
- d. that the reproduction of a Maaori bourgeoisie has been created to serve capital

Workman's analysis is provocative, as it also draws attention to the need for vigilance and critical assessment of present and proposed government policies. As he suggests, the aspiration of many Maaori tribal groups to grow economically through the development of their lands and to achieve this independently of state, could result in new legislation that will make these prospects unprofitable.⁷¹

And, as Maaori become part of the decision making process and machinery of state, it could result in overt racism and contribute further to the sense of superiority, the Paakeha have always maintained.

70. *ibid*:2

Despite the most recent Government response to Maaori initiatives contained in the Urupare Rangapu report,⁷⁵ if history is anything to go by, then Government promises will continue to remain empty and its hegemony could be assured.

The prospects need not be so gloomy however. It is accepted that education and training do provide the key to improving the economic and social wellbeing of Maaori people. We have seen that there is sufficient actual and potential resources available to Maaoridom to help them to help themselves. The future place of New Zealand in the world economy requires that Maaori people become international drivers rather than domestic passengers. None of this can happen if there is not the reservoir of goodwill, understanding and support within the wider community. The constraints and impediments I have referred to, need to be removed if progress is to be made.

As experience has shown, people denied access to legal means for redress of grievances may, when they find those grievances intolerable, resort to illegal means of (influencing the actions of the aggrieving institutions) dealing with institutional tyranny.

73. Mullard; 1982:50

74. Butterworth, 1986

75. Te Urupare Rangapu, 1988)

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Appendix ONE



⁶⁴
Maori Economic Development
Summit Conference 1984

HE 'KAWENATA

31 OCTOBER 1984

MAORI ECONOMIC DEVELOPMENT SUMMIT CONFERENCEHUI TAUMATA

In calling the Maori Economic Development Summit Conference the Minister of Maori Affairs set the following objectives:

- to examine the economic situation of New Zealand as it affects Maori people;
- to assess the economic strengths and weaknesses of Maori people in New Zealand;
- to obtain a commitment from those attending the Conference;
- to support policy changes necessary to obtain socio-economic parity between Maori and non-Maori.

The Conference endorses these objectives and pledges support to achieve them.

The Conference recognises that pursuit of these and the other objectives identified at the Conference need clear priorities, bold actions and appropriate resources to achieve them.

The Current Situation:

Maori Economic Development is inter-twined with the economic development of New Zealand. If there is no growth in the New Zealand economy, Maori standards of living in comparison with the non-Maori will slip even further behind. Consequently there is a fundamental and urgent requirement to devise policies which will ensure growth by the use of all possible resources. The consequence of delay and inaction will inevitably lead to racial violence.

The Conference endorses clauses 17 and 18 of the Economic Summit Conference. Clause 17 provides for mechanisms to protect low income groups through a combination of wages, taxes and Government expenditure. Clause 18 identified the gap between Maori and Pakeha and states that to deal with Maori unemployment and self help, bold initiatives will be necessary.

Conference recognises that Maori land must be fully utilised to maximise its productive capacity. Central to all economic development strategies is the need to equip the Maori people to direct and manage the development initiatives. The task at hand is to enhance the development of Maori

resources, so that there is an improved quality of life for Maori families, which will be reflective in improved standards of living for all.

The Under Achievement Gap:

The gap between Maori and non-Maori people in educational and income attainment, has not been closing. Maori infant mortality, crime, morbidity and unemployment are at unacceptably high levels. They point to one conclusion: Maori people are in a state of severe stress. Policies to date have resulted in the Maori people becoming a deprived citizen in their own land.

Innovative, realistic policies will be necessary to reduce the Maori under-achievement gap. A development plan to achieve specific goals, within a clear time frame must be prepared. Conference endorses the Minister's call of a Maori Renaissance and a development decade for our people.

Conference supports the establishment of a Maori Economic Development Commission responsible to the Minister of Maori Affairs. The Commission's task would be to liaise with Government, private sector and other authorities to implement the aspirations of Conference and to initiate economic development strategies. The Commission would also examine and recommend to Government the reallocation of funds from negative to positive areas to accelerate Maori economic development.

Development Agencies:

Conference endorses the establishment of the accord, between Government, Employers and Trade Unions, as a means of firstly establishing conditions to increase employment opportunities and as a means of providing long-term economic development policies.

The establishment of this accord represents a positive step towards coping with the many problems faced by workers and ensures that the collective voice of workers will be acknowledged.

Agencies such as the Development Finance Corporation Limited, the Small Business Agency and the Rural Bank of New Zealand, will need to support this thrust and accommodate in their programmes finance for Maori Land Development as well as new and existing Maori development initiatives.

Other Departments such as Trade and Industry, Internal Affairs, and the Housing Corporation, need to be aware of Maori economic and community aspirations and attitudes to commerce. They must be flexible enough to include and act on Maori initiatives.

Conference therefore considers the establishment of a formal link between Departments of State and the Maori Economic Development Commission to be a necessity which would act as an interface between key Government funding and Maori development.

Labour

Maori labour is largely semi or unskilled. Conference recognises the importance of the Trade Union movement in establishing minimum terms and conditions of employment. Without Trade Union protection and without increased Maori worker participation, Maori labour would be both fragile and fragmented and subject to even more stress.

Conference is aware of concerns expressed about the effectiveness of Labour Department Job Creation Programmes. However, for those without permanent employment those schemes have provided a short-term employment option. Unemployed trends suggest that job creation and satisfaction must be viewed as an urgent and fundamental right. The wastage of Maori labour and productive resources is a criminal waste which cannot be tolerated.

Meanwhile, Job Creation Programmes must be designed to cater for longer term needs and to meet Maori objectives on Maori terms. Tribal and regional groups are seen as one of the primary creative forces in initiating and managing work schemes which meet Maori needs. Maori youth unemployment is the most critical socio-economic problem facing the country.

Maori Development Finance:

Maori land and people suffer from under development. The provision of programmes within State funding agencies to deal with this concern is important. Existing State agencies have not provided sufficient resources to enable a quantum leap in Maori economic development. Conference therefore recommends as a matter of urgency, a professional study of the needs, role and means of creating a Maori Development Bank. Government agencies

Including the Bank of New Zealand, the Reserve Bank, Treasury and the Development Finance Corporation should be available to assist.

Training and Job Opportunities:

Unemployment disproportionately affects young people and women. Without training and without change in employer attitudes the prospects of them obtaining permanent work is remote. The relative youthfulness of the Maori population (50% of the Maori population is aged 19 or less compared to 34% of the non-Maori population) places Maori youth in a vulnerable position. Maori women are particularly vulnerable because of racist and sexist attitudes.

The Maori make up 35% of the unemployed nationally. In some areas the percentage is far higher. This provides a prescription for disaster.

The establishment of new enterprises requires development capital and training. Most enterprises including new businesses, Trusts, Corporations, Cooperatives, etc., that are capable of development on a sound basis should be a priority economic strategy. Capital and training for those existing enterprises must therefore be available so the starting base is sound.

There has been a major growth in the number of Maori organisations including Maori Incorporations, Trust Boards, Trusts, Cooperatives, etc. They will have a central role in the future economic development of Maori resources. Conference therefore considers that a Maori Authorities Industry Training Board should be immediately established.

These changes must occur in a climate where economic policies are consistent and employment is the major priority. Training programmes must be designed and resourced to ensure their objectives are met.

Maori Land Development:

Under-developed Maori land requires finance management skills and technical expertise. Without this Maori land will not be able to reach its full productive capacity.

A continuing problem to the utilisation of large areas of Maori land is the Maori Reserve Lands Act. This imposes unrealistic rentals and lease periods

which on the one hand frustrates Maori land development options, and on the other accentuates Maori land alienation. The imposition of the Town and Country Planning Act and other statutes also frustrates the intentions of Maori people who desire to live or utilise their own land for the benefit of the people. Changes to statutes to accommodate realistic Maori aspirations is necessary.

Conference therefore recommends an immediate enquiry into how the Maori Reserve Lands Act and the Town and Country Planning Act and other restrictive statutes can be amended to reflect Maori economic and cultural aspirations.

Maori land and labour development in tandem is an aspiration for many Maori people involved in Tribal development. The lack of information on development options which meet the labour, soil, financial, climate and transport requirements of Maori people is a source of continuing frustration.

Conference therefore recommends that existing information which is presently fragmented among Government Agencies, be centralised and disseminated to Regional and Tribal groups, and regional development task forces involving appropriate Government and Private expertise be established.

Maori Authorities:

Maori Incorporations and Maori Trusts are vehicles for Maori land development. They are both economic and social organisations, and with their resource base have a role to play in assisting with the establishment of new Maori enterprises, Incorporations, Trusts and Cooperatives. They also have a role in advising the Government on appropriate legislation under which they operate.

Conference therefore supports the establishment of New Zealand wide Associations for Maori Incorporations and Trusts whose objectives would include advising on the appropriate legislation and creating a united voice for these authorities.

Rationalisation:

Previously strong Maori Tribal based groups have been weakened in recent years by committee systems which have not utilised the strengths within the tribal system.

Conference therefore supports the establishment of Maori Tribal/Regional Groups which would act as umbrella groups to spearhead economic initiatives at the local level.

Representations on Government Agencies:

Government funded agencies without links to Maori people have difficulty in viewing Maori land, labour, development and other aspirations from a Maori perspective. Maori participation and representation on Government Boards and Quango's to date has smacked of tokenism. Conference therefore supports the appointment of Maori people with appropriate qualifications to Boards of Government funded agencies. Maori participation in all levels of decision making is essential if equality is to be attained.

Women:

The status of Maori women is of deep concern. Present policies have failed to address the cultural, social and economic status and the physical, spiritual and mental needs of Maori women. The picture which emerges from a study of the health, education, housing, employment and justice of Maori women is one of tragedy.

'Without women and land we cannot exist as a people'

A call for a Secretariat of Maori women to be established within the Ministry of Womens Affairs is supported.

This will take one step towards achieving the economic, cultural and political parity of Maori women within Maoridom, and within Aotearoa. They should work in consultation with, and with the support of, the Department of Maori Affairs.

There is a need to urgently address the status, existence and needs of Maori women.

Youth:

Conference accepts the demand of youth to be heard and to make a contribution to Maori development. They must be involved in decisions affecting them.

Conference was impressed by their commitment to overcome the difficulties we face. Their enthusiasm and their willingness to accept the responsibilities of building their future impressed all delegates.

The proposals put forward by them for the International Year for Youth are supported. We believe they have the qualities to fulfil their ambitions.

Health:

It is acknowledged that Maori ill health is among the worst in the world. The causes of ill health stems from a number of factors including, low economic status, educational underachievement, low self-esteem and lack of access to positive health care systems.

This problem will not be overcome by programmes aimed at physical health alone. Conference recognises that physical health will be improved by strengthening spiritual and creative health through a programme which combines high levels of local innovation, participation and activity.

The Maori Women's Welfare League Health Report has illustrated the diversity of our people in terms of cultural activity and whanau base. Their Report demonstrates the groups at risk of whanau and iwi alienation.

Waiora needs to be a basic principle in this objective. Conference supports Waiora month next year to develop these themes. Firstly, te whanau me te ao-turoa (this scheme seeks to revive and reinforce the connections between the family and the universe). Secondly, puawaitanga o te tahahinengaro (this relates to the flowering and creation of new life). Thirdly, te taha tinana (this theme shows our physical being is an embodiment of Mother Earth).

Conference fosters the concept of total well-being which corresponds with the priorities of the Maori community.

Constitution:

Measures to safeguard by constitutional means the inherent rights of the Maori including the provisions of the Treaty of Waitangi, are long overdue. This should be the subject of close study by Government in conjunction with the Maori people.

The Task Ahead:

Submissions to Conference have expressed a wide range of views, aspirations and development options. The creative energy and thought given in submissions must be a continuing source of information for policy actions. Specific representation on subjects such as Broadcasting, Cooperative Development, Education, Family and other issues must be brought before Government decision makers.

Speakers have been fully recorded by Hansard and copies will be distributed to all participants and others interested. Conference papers will also be available. Follow-up action on Conference matters will be initiated by the Minister of Maori Affairs. It is recommended a committee from Conference on Maori Broadcasting to consider urgent issues be established immediately. The primary task ahead is to increase the quality of life of Maori families. When this is achieved, Maori health, crime, education, unemployment and other social problems will lessen. Without a relative increase in the standard of living of Maori families, the under achievement gap between Maori and non-Maori will widen even further. To close the gap we must accept the view of the Minister of Maori Affairs that the Maori must "progress two steps to other peoples one".

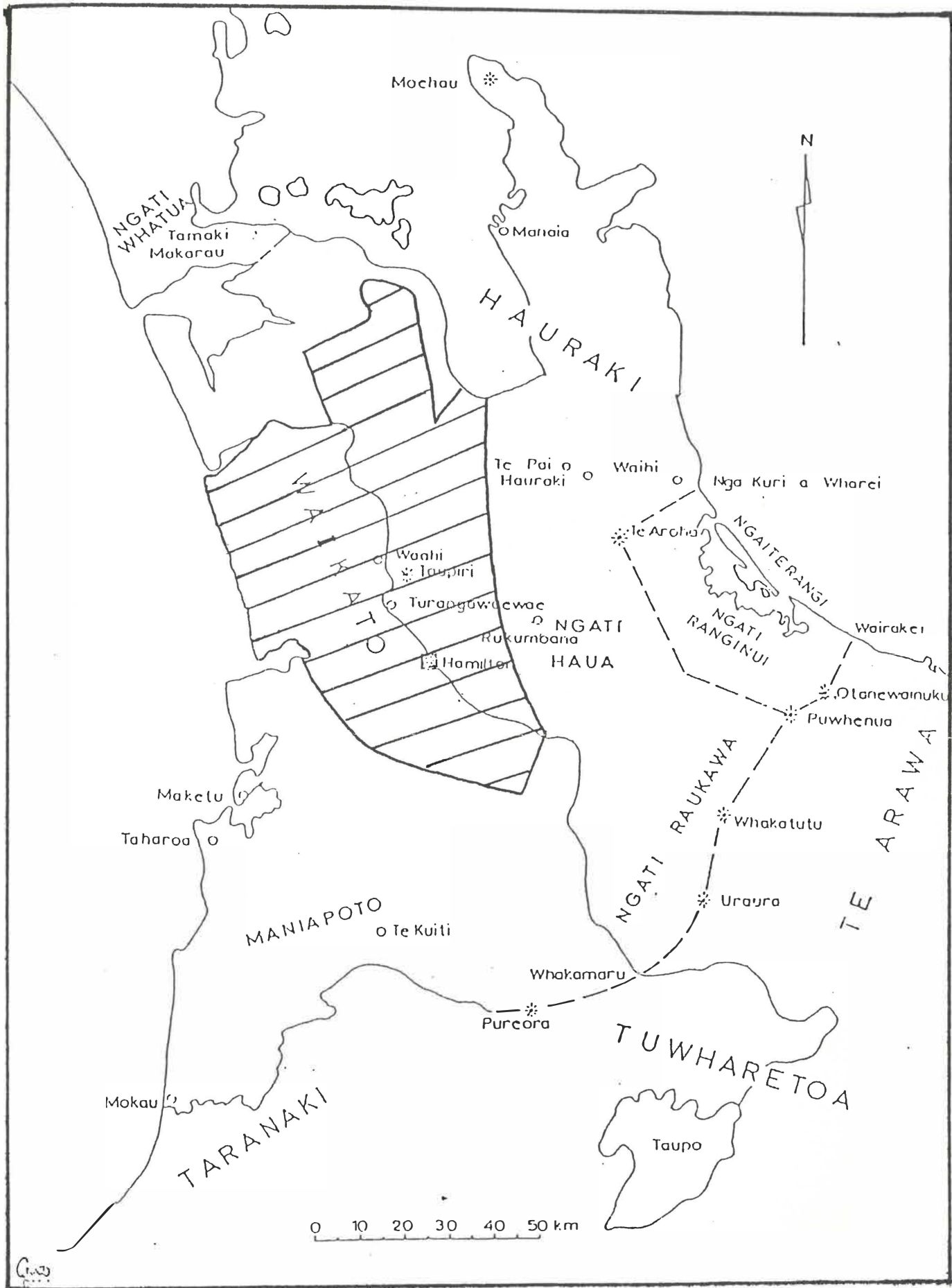
The resource cost to enable Maori people to obtain a quantum leap in economic performance in the development decade ahead, will not be high. The funding for Maori land, labour and culture development must come from retargeting resources which are presently directed towards negative outcomes. One study estimates the cost of perpetuating negative Maori outcomes at \$500,000,000 per year.

The implications of resource transfer away from existing Government programmes towards innovative proposals that meet Maori Tribal/Regional objectives on their terms will mean institutional changes.

Since the turn of the century, the Maori has not been an agent or leader of change in New Zealand economic development. Maori resources, land, people and culture now stand at the threshold of a great leap forward. Maori initiatives, policies, management and work should be channelled to meet this challenge which is vital to the future of the Maori and New Zealand.

Conference accepts the Minister's challenge to participate in a new Maori Renaissance and a new Development Decade for our people.

Appendix TWO



TAINUI TRIBAL AREA

Appendix THREE

Tainui Resources

Natural Resources

Human Resources

Land: Ngaa Whenua

People: Te Iwi

Water: Ngaa hua o te Wai

Organisation: Ngaa Mana
Whakahaere

Minerals: Ngaa taaonga a
Papatuanuku

Take Tuupuna

"these are tribal resources which have to be
managed for the benefit of the people"

Resource Management Tainui Objectives

1. Restore - Whakahoki mana
2. Protect - Tiaki
3. Develop - Te whakatupu
4. Maintain - Manaaki

"these are the steps Tainui must take in order to create an economic base"

Tribal Resources for an Economic Base

PAST

Lands - 1.25m acres
 Waters - River, harbours, fisheries
 Minerals - Natural deposits

NOW

Some land - 40,000 acres Maaori ownership
 Commitment - People

FUTURE

Raupatu claim) - restore
) - protect
 Fisheries claim) - develop
) - maintain
 Devolution)

Purpose : "address the discrepancies"

\$15,000 vs \$600 million

40,000 acres vs 1.25m acres

Tainui Economic Base

1. What is it?

Tainui Resources - Lands, waters, mineral rights and people

2. How is it established?

- By securing the natural resources

Lands - Raupatu claim

Waters - Fisheries claim

Minerals - Raupatu and Goldfield claims

- By designing systems to protect our resources

3. What will it do?

* restore Tino Rangatiratanga, Mana, Authority and Control

* provide a tribal economy

* generate development funds

* develop our people

* create jobs

Appendix FOUR

Raupatu - Relief Sought

General Principles

1. "I riro whenua atu me hoki whenua mai"
2. "Ko te moni hei utu mo te hara"

1. "As land was taken so land should be returned"

- return of Crown Land Holdings
 - 47,500 hectares
 - capital value of \$585 million

- title and control of the Waikato river

- title and control of the West Coast Harbours
 - fisheries in those harbours

- mineral rights

- reparation/restoration by the Crown
 - pollution
 - depletion

2. "The payments are acknowledgement of Crown sins"

COMPENSATION PACKAGE will be based on the following:

- wrongful withholdings of our lands
- social dislocation/disruption
- for lands which cannot be returned
- abusing Waikato - Tainui mana
- Crown use of Waikato - Tainui resources
- missed development opportunities

The COMPENSATION Package will consist of:

a) Re-valuing the annual compensation grant.

- between \$15,000 per annum and \$600 million p.a

b) Education Package

- based on Pirongia/Taupiri endowments (20,000 acres) to establish University of New Zealand which later became the University of Auckland
- The setting up of Endowed Colleges at :
 - Auckland University
 - Waikato University

c) Health and Welfare Packages

d) Establishing an Economic Base

Appendix FIVE

The Social Position Of Maori People Today

No discussion of the principles of the Treaty of Waitangi could be complete without reference to the current social standing of Maori people. The statistics paint an alarming picture, suggesting inequity and injustice. They are summarised in this extract from the Maori Tourism Task Force Report (1987):

1. Labour Force

Maori comprise a disproportionately large percentage of the unemployed. Whereas in 1986 Maori were some 7 percent of the total New Zealand labour force, they made up 20 percent of all unemployed people.

In the March 1986 Household Labour Force Survey around 30 percent of Maoris aged 15-19 in the labour force were unemployed and seeking work, more than double the proportion for non-Maori.

Maori are more likely than non-Maori to be unemployed as a result of the temporary or seasonal nature of their work. In March 1986, 34 percent of unemployed Maori gave "temporary or seasonal job" as the main reason for leaving their last job, 26 percent of unemployed non-Maori cited this reason.

In the March 1986 Survey 33 percent of Maori of working age were not seeking work because they believed that they lacked the necessary skills or that no suitable work was available; non-Maori was 21 percent.

Compared with non-Maori, fewer Maori are self-employed. In 1986 some 4 percent of Maori men in the labour force were self-employed as against 21 percent of non-Maori men. Analysis of the 1981 Census suggests that a high proportion of the self-employed are in the agriculture, forestry and fishing sector.

2. Education

Of all Maori students leaving secondary school in 1984 about 65 percent of males and 60 percent of females had no formal qualifications; non-Maori percentages were male 32 percent and female 25 percent.

This represents a significant improvement on the 1971 figures when 76 percent of males and 75 percent of females left without formal qualifications; non-Maori figures for 1971 were 36 percent for males, 33 percent for females.

In 1961 only 2.2 percent of Maori male school leavers and 4.3 of female school leavers intended to pursue a full time education; non-Maori figures were 11.9 percent (males) and 11.8 percent (females). The 1983 figures were 8.7 percent for Maori males and 12.3 percent for Maori females; non-Maori were 21.4 percent and 29.1 percent.

There has been a significant improvement in education but it is still painstakingly slow.

3. Incomes

The income of both Maori men and women are lower on average than those of their non-Maori counterparts. When Maori incomes are expressed as a percentage of non-Maori the following picture emerges.

	<i>Male Maori Income as Percentage of Non-Maori</i>	<i>Female Maori Income as Percentage of Non-Maori</i>
1961	89.8	90.8
1971	79.5	112.2
1981	83.3	80.1

That there was a wider gap between Maori and non-Maori in 1981 than there was in 1961 indicates how Maori people have become trapped in the declining sectors of the economy. With the high levels of unemployment in 1986 some further deterioration in the Maori position is likely.

4. Welfare Dependency

At the 1981 Census of Population and Dwellings, 11 percent of Maori men and 47 percent of Maori women were totally dependent on Social Security Benefits for their incomes. The corresponding proportions for non-Maori were 6 percent (males) and 25 percent (females).

The probability of receiving income from Social Security Benefits is higher for Maori than non-Maori. In the case of Maori males between 15 and 59 years the probability is two to three times as high.

It is only in the 60 years and over category that rates begin to approximate.

5. Home Ownership

Outright ownership of dwellings is less common among Maori households in 1981 than it was in 1961. Just one in eight households owned their home outright in 1981, compared to one in four in 1961.

Maori owning their home on mortgage increased from 26.1 percent in 1961 to 32.4 percent in 1981 but even this meant in 1981 only 45.3 percent of Maori owned their home compared to 72.9 percent of non-Maori.

[Part of the explanation lies in the move from rural areas to rental housing in large urban areas.]

6. Maori Population Projections

The overall growth of the Maori population is likely to be less than previous forecasts which were based on the high population growth of the 1960s. A Maori population of between 425,000 and 480,000 and a descent population ranging from 650,000 to 700,000 in 2011 is possible. The upper limit is 750,000 of Maori descent representing 19 percent of total New Zealand population.

Coupled with this will be massive shifts in Maori age composition as the Maori birth rate approximates to non-Maori levels and the population starts to age. This will mean that the population structure will change from the wide based pyramid of the 1960s when in the 1966 Census 20 percent of the population was under 5 years, to one with a narrow stem, wide middle section and narrow top.

Health statistics show similar wide disparities between Maori and non-Maori. These were highlighted in the New Zealand Planning Council document, "Care and Control" (1987) which reported that "*Maori people are over-represented in almost every type of institution studied*"; a situation which they attributed to "*their generally disadvantaged social and economic position — a position which is associated with low rates of immunisation, poor infant health, greater risk of physical injury, diminished access to primary and preventive health services, high rates of alcohol intake, high rates of cigarette smoking and a greater chance of apprehension for criminal behaviour*". "*Of special concern are the alarming hospital admission rates of Maori children in comparison with non-Maori children.*"

Concern about inequalities between Maori and non-Maori is widespread, particularly as the disparities appear to be increasing (health, unemployment, housing). While the contributing factors are likely to be multiple and complex, an increasing Maori focus has been on the limitations of western-style bureaucracies to develop policies appropriate for Maori people or to deliver social services in a constructive way. The term "*monocultural*" has been applied to many of New Zealand's social and political structures to contrast them with a "*bicultural*" option in which Maori values, structures and styles would be given greater recognition.

Bicultural development has been proffered as an important element of any programme which has as its objective the advancement of the social and economic status of Maori people. It is an option which derives from the principles of the Treaty of Waitangi.

The Principles Of The Treaty Of Waitangi

Debate about the exact meaning of the words in the Treaty, in either English or Maori, has given way to some extent to an examination of the spirit of the Treaty and more recently to its principles. Again, there are varying view points.

The New Zealand Maori Council has identified 10 implicit principles:

- (i) the duty actively to protect to the fullest extent practicable
- (ii) the jurisdiction of the Waitangi Tribunal to investigate omissions
- (iii) a relationship analogous to fiduciary duty
- (iv) the duty to consult
- (v) the honour of the Crown
- (vi) the duty to make good past breaches
- (vii) the duty to return land for land
- (viii) that the Maori way of life would be protected
- (ix) that the parties would be of equal status
- (x) where the Maori interest in their taonga is adversely affected, that priority would be given to Maori values.