Perceptions, Conceptions and Realities: a study of the tribe in Maori society in the twentieth century

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Abstract

This thesis aims to provide an understanding of the nature of tribes and tribalisation in Maori society that is not readily available from secondary sources. It is an attempt to move out of the fog created by the intense politicisation that surrounds definitions and perceptions of the tribe, which in turn have created a bewildering maze of issues and demands. For example social change and development among Maori—and by implication the tribe—has been characterised variously as renaissance (Durie 1998), neo tribalism (Rata 2000), the reification of culture (Hansen 1989, van Meijl 1996), and political struggle (Walker 1990). These conceptualisations have not taken into account the fact that the tribe as the fundamental social organisation of Maori society and the tribe as the fundamental essence of Maori identity diverged as the twentieth century progressed. This thesis offers an alternative view of social change based on a study of the changing perceptions of the tribe throughout the twentieth century. The underlying premise is that perceptions of the tribe evolved according to a range of endogenous and exogenous social and political influences. This position is juxtaposed against the proposition that the tribe is, and can be understood simply from observation of communities, past and present.

Throughout the twentieth century the tribe’s status as the primary organising force changed. In the early stages of the century the tribe was the primary, as well as the fundamental, form of Maori social organisation and identity. As the century progressed and Maori became progressively integrated into the wider New Zealand society, alternative forms of association became available to Maori. The tribe remained the fundamental source of identity: it was, however, no longer the primary social grouping for many Maori. That is, the majority of Maori claimed affiliation to a tribe but did not live and work in a tribal context. It is argued in this thesis that existing perceptions of the tribe have taken into account only the former, that the tribe was the fundamental expression of Maori kinship and identity and have ignored the reality that the tribe was no longer the most common and influential organizing force of Maori social organisation.

It is also argued that these perceptions have been formed through three sets of interacting agency: Maori, government and scholarship. Maori understandings of the tribe were primarily sourced in life circumstances, in understandings of a society with a range of kinship inter and
intra relationships that are encapsulated in traditional forms of association, namely iwi, whanau and hapu. However, what was not widely understood is that the influence of government through its Maori policies and its fostering of academic scholarship through research publications and advocacy, have had formative, descriptive and prescriptive influences on the tribe. This ongoing process has resulted in an interplay of categorical definitions and adjustments and strategic developments.

Understanding conceptions and perceptions of the tribe are very pertinent, not only to Maori, but also to New Zealand as a whole. The tribe dominates notions of Maori identity as well as Maori political and social organisation. Since Maori constitute 15% of the total population of New Zealand, any research that assists in understanding the tribe assists in understanding New Zealand society. The tribe is also an integral part of Treaty-centred politics, and, therefore, a key plank of nation-building within New Zealand. The tribe as an autonomous polity had became a contested site in the late twentieth century, to the extent that definitional disputes disrupted and threatened to derail attempts by government and tribal leaders to arrive at Treaty settlements. Understandings and misunderstandings of the tribe therefore have ramifications for race relations, and the Maori quest for self-determination, as well as for republicanism, constitutionalism and democracy as understood and practiced in New Zealand.

This thesis argues:

1. That perceptions and conceptions of the tribe were formed through the interlocking agencies of Maori, scholarship and government.
2. That the key to understanding the tribe and tribalisation in Maori society in the twentieth century is the acceptance that the tribe as the basis of identity and the tribe as the basis community organisation diverged as the century progressed.
3. That tribal affiliation remained central to understandings of Maori identity in spite of major societal changes that they experienced during the twentieth century.
4. That in the latter part of the twentieth century that movement to revitalise the tribe developed into an ideology of retribalisation that successfully introduced a prescribed form of tribe, a development that changed the fundamental nature of tribes and tribalisation among Maori.
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Chapter One

Introduction

Preamble – the genesis of a thesis

My understandings of my own tribal affiliations have always been an integral part of my personal identity. My interest in tribes as social phenomena, however, emerged from my experiences of iwi development in the period 1984-90. During that time of turmoil, Maori struggled to meet the demands placed on them by the fourth Labour government’s iwi development policies. At that time, I was in the forefront of establishing a formal Ngati Kahungunu presence in Christchurch. This was a common experience, as most other iwi who originated from the North Island were doing the same thing. These activities took place against a community background in which my other iwi, Ngai Tahu, were attempting to reassert their cultural sovereignty over all things Maori in Christchurch and the South Island. In 1994, I wrote an article about the experience of establishing a Ngati Kahungunu presence in Christchurch (Maaka, 1994). I argued that, while kinship links and obligations are part and parcel of everyday Maori life, the task of formalising them for the purpose of delivering social services and mutual support was extremely difficult, if not impossible, and that it was a dream that could not be realised. Throughout the period of time addressed in the article, I constantly referred to the traditional and, therefore, by inference, the real tribe. I became concerned that the tribe, and by implication my identity, was being misrepresented and manipulated for political purposes. Because of these dominating agendas, I felt drawn to a more reflective and concentrated study of the tribe. This imperative was the genesis of my thesis, a quest to identify and explore perceptions of the tribe.
The thesis

This thesis aims to provide an understanding of the nature of tribes and tribalisation in Maori society that is not readily available through secondary sources. It is an attempt to move out of the fog created by the intense politicisation that surrounds definitions and perceptions of the tribe, which in turn have created a bewildering maze of issues and demands. For example, social change and development among Maori – and by implication the tribe – has been characterised variously as renaissance (Durie, 1998), neo tribalism (Rata, 2000), the reification of culture (Hansen, 1989, van Meijl, 1996), and political struggle (Walker, 1990). These conceptualisations have not taken into account the fact that the tribe as the fundamental social organisation of Maori society and the tribe as the fundamental essence of Maori identity diverged as the twentieth century progressed. This thesis offers an alternative view of social change based on a study of the changing perceptions of the tribe throughout the twentieth century. The underlying premise is that perceptions of the tribe evolved according to a range of endogenous and exogenous social and political influences. This position is juxtaposed against the proposition that the tribe is, and can be, understood simply from observation of communities, past and present.

Initially, the quest to study the changing perceptions of the tribe among Maori was founded on the premise that the tribe existed as a social formation, but that the perceptions of it had changed with changing social circumstances (colonisation, modernisation, globalisation, and so on). This premise is now considered too simplistic for it did not take into account that, as the twentieth century progressed, the tribe or tribal communities became incrementally more conceptual communities and less physical communities. Nor did this premise take into account that the tribe that came into being in the latter stages of the century was an introduced form of tribe, rather than one that had developed over time and in response to changing social circumstances.

Throughout the twentieth century, the tribe’s status as the primary organising factor changed. In the early stages of the century, the tribe was the primary, as well as the fundamental, form of Maori social organisation and identity. As the century
progressed and Maori became progressively integrated into the wider New Zealand society, alternative forms of association became available to Maori. The tribe remained the fundamental source of identity. It was, however, no longer the primary social grouping for many Maori. That is, the majority of Maori claimed affiliation to a tribe but did not live and work in a tribal context. It is argued in this thesis that existing perceptions of the tribe have taken into account only the former, that the tribe was the fundamental expression of Maori kinship and identity and have ignored the reality that the tribe was no longer the most common and influential organizing force of Maori social organisation.

It is also argued that these perceptions have been formed through three sets of interacting agency: Maori, government, and scholarship. Maori understandings of the tribe were primarily sourced in life circumstances, that is, understandings of a society with a range of kinship inter and intra relationships that were encapsulated in traditional forms of association, namely, iwi, whanau and hapu. However, what was not widely understood was that the influence of government through its Maori policies and the influence of scholarship through research, publications and advocacy, have had formative, descriptive, and prescriptive influences on the tribe. This ongoing process has resulted in an interplay of categorical definitions and adjustments and strategic developments.

Understanding conceptions and perceptions of the tribe are very pertinent, not only to Maori, but also to New Zealand as a whole. The tribe dominates notions of Maori identity, as well as Maori political and social organisation. Since Maori constitute 15% of the total population of New Zealand, any research that assists in understanding the tribe assists in understanding New Zealand society. The tribe is also an integral part of Treaty-centred politics, and, therefore, a key plank of nation-building within New Zealand. The tribe as an autonomous polity had become a contested site in the late twentieth century to the extent that definitional disputes disrupted and threatened to derail attempts by government and tribal leaders to arrive at Treaty settlements. Understandings and misunderstandings of the tribe, therefore, have ramifications for race relations and the Maori quest for self-
determination, as well as for republicanism, constitutionalism, and democracy as understood and practiced in New Zealand.

**This thesis argues:**

1. That perceptions and conceptions of the tribe were formed through the interlocking agencies of Maori, scholarship and government.
2. That the key to understanding the tribe and tribalisation in Maori society in the twentieth century is the acceptance that the tribe as the basis of identity and the tribe as the basis community organisation diverged as the century progressed.
3. That tribal affiliation remained central to understandings of Maori identity in spite of major societal changes that they experienced during the twentieth century.
4. That in the latter part of the twentieth century that movement to revitalise the tribe developed into an ideology of retribalisation that successfully introduced a prescribed form of tribe, a development that changed the fundamental nature of tribes and tribalisation among Maori.

**Chapter organisation**

The thesis consists of ten chapters: the first chapter introduces and describes the thesis, contains a discussion on terms and terminology, and a description of the tribe in Maori society as background from which to begin the consideration of the tribe in the twentieth century. The second chapter contains a selected literature review and looks at the state of scholarship on the tribe, how the tribe had been conceptualised, and the debates among scholars on the nature of tribal formations.

Chapter three is the first of the decade case studies focusing on the 1900s. The relationships between Maori and government agencies that were established during this time remained fundamentally unchanged for around eighty years and were still in existence, albeit in a modified form, at the end of the century. The fourth chapter considers various events in the 1920s, when Maori society was in a state of transition. The tribe was still the dominant organising factor in Maori society, although there was a wide range of differences throughout the country.
Chapter five, on the 1940s, focuses on the formation of the 28th Maori Battalion and the Maori War Effort Organisation (MWEO). Both were publicly promoted as being organised along tribal lines but the title tribal had taken on an expanded meaning and really referred to multi-tribal regional groupings. The tribal network established through the MWEO was not expanded. Instead it was bureaucratised into the Department of Native Affairs.

The sixth chapter examines events in the 1960s, and contains both an examination of the Hunn report and the reaction to it. Reports from various Maori Youth Leadership conferences are also considered. It notes that tribally-centred social organisation was almost completely subsumed by the rapid out-migration from rural communities to eventually relocation in the cities. In chapter seven the emergence of a retrabilisation movement during the 1980s is observed. The aspirations of Maori leadership to reinstate the tribe as the vehicle of Maori development coincided with the fourth Labour government’s agenda of less government, resulting in the introduction of formal tribalisation.

Chapter eight examines events in the 1990s. An examination of the Treaty of Waitangi Fisheries case, the Waipareira Treaty claims and a series of interviews and ethnographic studies, the consolidation of the tribe as the dominant and officially recognised form of social organisation for Maori is observed.

Chapter nine presents a narrative of the tribe throughout the twentieth century. To achieve a continuous, century-long narrative, material from the decade-specific studies, along with secondary sources, are used. The history of the social change that effected perceptions of the tribe are examined and commented upon. Drawing on the observations made and conclusions arrived at in the decade-specific case studies and the tribal narrative, the prevailing perceptions (overt and implied) are theorized in chapter ten. A view of tribes and tribalisation in the future is also presented in this final chapter.
The use of Maori language

Where a Maori word, term, or phrase is first used, a translation is provided for these and for all quotations in Maori. In cases where understandings and meanings are of significance a full discussion is included either in this chapter or where they appear in the text. In this thesis the convention of not adding an s to signify the plural of a Maori word has been followed. The marking of long vowels did not become a common convention in the writing of Maori until the 1970s, and because much of the printed material used in this thesis pre-dates this convention, as well as difficulties in producing a macron, long vowels have not been marked in this thesis except in direct quotations where the writer has indicated the long vowel by doubling it.

Method

The principle method employed was to undertake a series of case studies of every second decade throughout the century. The purpose of these case studies was not to provide a historical review Maori tribes and tribalisation, but to understand how perceptions and conceptions of the tribe evolved and changed throughout the twentieth century, and to ascertain any discernible difference in perceptions and conceptions via decade case studies at twenty-year intervals, with an additional examination of the last decade of the century. It is the “critical historical period” method, a term coined by Katznelson (1981) and given to the selection of designated periods of time to analyse key events, in which lay the pathway for the future or exemplified prevailing attitudes. This method required an examination of the tribe in designated eras to ascertain what factors were impacted or influenced perceptions of the tribe, rather than argue that specific factors, such as economic determinants or government policies, alone caused changes in the nature of tribes and tribalisation. The decades of the 1900s, 1920s, 1940s, 1960s, 1980s, 1990s were surveyed, and then key social trends and events were identified and included in the study.

To satisfactorily determine patterns of change a narrative of the tribe throughout the twentieth century is included. The decade-specific case studies did not constitute a single narrative, but provide insight into the tribe at a particular points in time. To achieve a continuous, century-long narrative, there was a requirement to interpolate
and cover the periods between the decade studies. To do this, material not used in these chapters, as well as a range of secondary sources, was utilised.

While it was possible to inject opinion into the historical narrative to theorise on social change and the tribe as well, to do this would have resulted in an unacceptably long chapter. Therefore, two separate chapters were included. As well as consideration of chapter length, having two separate chapters allowed for separation of narrative and a theoretical exposition of tribes and tribalisation. The narrative provided an opportunity for the historical contextualisation of social change, whereas the other chapter allowed for theorizing on the perceptions of the tribe without being caught up in historical detail.

Archival work
For each case study in the decades of the 1900s through to the 1980s, government correspondence, policy, and legislation were examined, as were tribal records and published Maori opinion. While the focus was on primary sources, secondary sources were also consulted to complement the primary research. With the study of the 1920s there was a greater reliance on secondary sources than in other case studies. This was necessary because of a scarcity of archival material in the public arena. In the case study of the 1990s, a series of interviews with Maori leaders and community members, along with several ethnographic studies, were incorporated in order to extend upon the conclusions drawn from the historical studies.

Fieldwork
The fieldwork took the form of interviews and studies of tribal hui (gatherings). A series of sixteen interviews and two focus groups were conducted. A focus group is a group interview that utilises the interaction between the interviewees as well as the actual information obtained to determine attitudes and perceptions. It is a recognised qualitative method of research that originated in the field of sociology and has since been further developed by the marketing industry. It is considered a useful method for gaining insights that are external to the received wisdom of the field (Morgan, 11-21).
In addition to the interviews, eight different tribal gatherings were observed in a variety of locations. The commonality of all these gatherings was their purpose in discussing, debating, and parading tribal folklore, histories, and affiliations with other groups. The survey of clippings provided an indicator to critical current events that help illustrate the position of the tribe through contemporary Maori opinion. Apart from one meeting, which was held in a runanga hall, the rest were held on marae. The tribal groups were consciously presenting their tribe’s traditional history, their experience of colonisation, and their present situation.

Apart from the archival and fieldwork, a study of scholarship was undertaken, focusing on those writers who had theorized on the tribe. It was not an exhaustive list, as writing on the tribe prior to the 1980s accepted the conceptualisation and models of the tribe propounded by early ethnographers. It was not until the latter part of the century that these founding perceptions of tribal organisation were queried. It is mainly these writers that were considered for this study. The method used was to review in detail the two major publications on the tribe, as well as a cross section of articles, and then consider the implications for conceptualisation and perceptions of the tribe.

**The interviews and focus groups**
The interview method chosen was to employ a set of questions - a method that suits a researcher who knows what type of questions to ask and how to ask them because they are familiar with the subject and the cultural background of the interviewees (Kane, 63). Each interview followed a set pattern - the interviewees were able to expand on their answers as they wished and there was only a minimal amount of guidance to ensure that the question was indeed answered. All of the people interviewed were public figures who did not have to be coached into speaking freely. Only one interview was in any way rushed. The rest were conducted in a very informal manner and at a leisurely pace, and, in many cases, lasted for more than an hour. In addition to the questions, the following biographical information was also analysed: gender, age group, tribal affiliation/s, and status or occupation.
a) Choice of Interviewees

For the individual interviews, I chose people who were opinion makers and trendsetters from various levels of society and national prominence. Within this selection I categorised the interviewees into tribal and non-tribal people. The tribal category consisted of people who have a publicly acknowledged position in the tribe, such as: kaumatua, negotiator or trust board/runanga member. Non-tribal people were those who hold positions of non-tribal public prominence such as: urban leaders, church leaders, academics, government employees, or MPs. Almost all those interviewed could claim a position in either category and the decision was made on the basis of the public persona of the individual as to the category in which they were placed. However, there were those who clearly belonged equally in both categories, and so a third classification was formed to accommodate these people.

b) The questions

The questions were designed to obtain an understanding of the interviewee’s personal opinion on the notion of tribe. How informed were they about their tribe? Had they thought of the tribe outside their personal experience? Had they grown up being consciously a member of a tribe, or was it something that that they had come to realise when they became an adult? What was the reality for them of having membership in a tribe? The specific questions were:

1. What is the relationship between your tribal affiliation and your life situation?

   • In what ways does it affect such things as your: occupation, social status, and family situation?
   • How would describe yourself tribally?
   • How do you relate/decide on primary to secondary tribal affiliation?
   • How does your tribal identity relate with being Maori?
   • Is your tribal identity important to you? Why?

This question was primarily one of identity: where did this person posit their tribal identity within their life? Because this was an involved question and the trendsetter for the whole interview, it required an expanded explanation, hence the supplementary questions. The interviewees took some time to understand this question and took some time to respond. The answers were lengthy and often
meandered from point to point. Very often, later questions were answered in the context of answering this question. All of these effects were deliberate and provided the desired insights. A simplified version of the question would not have achieved the same effect.

2. **What do you think has been the most crucial event for your tribe over the last ten years?**

This question was a practical one, describing something tangible as opposed to making a philosophical statement. By having to describe an event, the interviewee revealed their perception of the tribe. While it was less complex than the first question, all the interviewees pondered the question for some time before responding.

3. **Have/will the Treaty Settlements change your tribe?**
   a) if yes, how?  
   b) if no, why?

The underlying premise of this question was that the Treaty settlement process is considered a critical political event in tribal development. It was posed to ascertain the vision that the interviewee held about the tribe’s future and their awareness of national events pertaining to the tribe.

4. **What is the role of non-tribal groupings in relation to the tribe?**

This question was included to determine the interviewee’s ability to see outside their own tribal situation.

A fifth question (How is your tribe organised?) was dropped after the three pilot interviews. It was found that this question did not follow naturally from the other questions, and it presupposed the responses to questions 3 and 4.

**Focus Groups**

Two focus groups were conducted mainly to solicit the opinions of younger people and complement the individual interviews. The same questions used in the individual interviews were put to the focus groups. Both groups took some time to feel
confident enough to respond to the questions, but, once the ice was broken, they joined the conversation with gusto.

Focus Group One

The first focus group consisted of eleven young adults from a provincial town. With the exception of one person, they were all under the age of forty with the average being around thirty years of age. They were all affiliated to a kohanga reo (a total immersion Maori language kindergarten) and all could be described as active members of the local Maori community. Six of the group claimed tangata whenua (local tribe – see next section on terms) status, and the rest had tribal affiliations from other places.

Focus group two

The second group consisted of four university students, none of whom could be categorized as local Maori. They were of the same age range as those in group one.

Terms and explanations

Terminology is of special significance to this thesis as it focuses on contested and nebulous socio-political formations. First, the accuracy, validity, and rationale for using the word ‘tribe’ are considered. Then consideration is given to the linguistic and conceptual confusion and debate surrounding understandings of the tribe in Maori society. This exercise is required not only to avoid ambiguity, but also because definitions and their use have implications for the conceptual framework of this thesis. The need to explain the key terms used and why one term is used in preference to others demands explanation because as the English political commentator Siedentop (2000) notes: "like so many received truths or clichés it can get in the way of clear thinking. That is not so much because of what it perhaps exaggerates, as to what it conceals" (151). In this arena, language and terminology are often employed to confuse and avoid, rather than to clarify and specify.

Tribe

Definitions and explanations in this field of study are not only plagued with problems in the translation of Maori kinship terms and the intermingling of English
and Maori, but also with the word tribe. The term ‘tribe’ is one of the terms such as ‘race’ and ‘urban’, that is used in anthropology to categorise human societies and that suffer from over-generalisation and impreciseness. Morton H. Fried (1967) writes:

If I had to select one word in the vocabulary of anthropology as the single most egregious case of meaninglessness, I would have to pass over ‘tribe’ in favour of ‘race’. I am sure, however, that ‘tribe’ figures prominently on the list of putative technical terms ranked in order of degree of ambiguity (154).

Ambiguous or not, there is a need to work towards a definition, a phenomenon described by the anthropologist Southall (1973) when addressing the need to define the word urban:

Many eschew further debate on the definition as barren, assuming that it is easy enough to know by common sense whether what we are studying is urban, even though we cannot agree on a definition. It is doubtful whether such an amateur view is adequate when anthropologists attempt, as they must, to work towards valid generalizations over wide ranges of time and space (5).

Southall’s statement encapsulates the situation in the use and definition of the word ‘tribe’.

Tribe, however, not only suffers from imprecision and over-generalisation. There is also a very strong argument that the tribe does not exist at all, as argued by Morton Fried (1975):

There are many words whose meanings are taken for granted, but cannot withstand close scrutiny without fragmenting into contradictory packets of significance, or dissolving in vagueness. The word ‘tribe’ is certainly among these, subject particularly to the latter consequence.

In part, the confusion surrounding the word is that understandings stem from two different streams of thought. There is the understanding that has been derived from the study of the political organisation of early Greek and Roman societies, as well as those of the peoples of the Old Testament. Tribes were independent groups who lived a pastoral or nomadic lifestyle. It was a social organisation that was contrasted to city-states (Snodgrass, 1980). Southall (1996) notes that these considerations of
the tribe saw them as units within the state, which is quite different to the
understandings of the tribe that are a product of the colonisation of the New World
by the West (1329). In this latter category, the tribe was considered a stage on an
evolutionary scale of political sophistication. The categorisations were centred on a
perceived level of structure and centralisation - the more structured, the more
sophisticated the group. The Band being considered the most informally organised
group, which, in time, would progress to the becoming a Tribe. The Tribe would
eventually develop into a Chiefdom, which in time would either develop into or be
absorbed in, a State. Also implicit in this notion was the perception that the groups
grew in size through both natural increase and enduring alliances with other groups
achieved by either conquest or negotiation. (Southall, 1996, Sahlins, 1968).

The conception of tribes as sections of nations subsequently changed with the
colonization of the New World by the West. Subsequently the social formations of
various indigenous groups within the colonies were classified as tribes. Throughout
the colonial period, scholars categorised tribes as kinship-centred polities, and
considerable scholarly endeavour was spent in identifying and classifying the tribe in
indigenous populations.

By the latter part of the twentieth century, two opposing positions on the tribe have
evolved among scholars. There were those who accepted that the tribe was a pre-
European social organisation and were committed to the ongoing scholarly quest to
identify and describe it\(^1\). They observe the changes brought about by contact with
the outside world and do not accept that the tribe is a construct of that contact. This
point of view focuses on the function and structure of the tribe and is very interested
in the tribe before contact with the outside world. The other position considers the
tribe as a product of colonisation (Ballara, 1998, Webster, 1997).

Tribe has been used to denote a simple societal organisation in a hierarchy based on
the perceived level of sophistication and it is not difficult to see how this gave rise to
the connotations of the tribe denoting the primitive, the warlike and uncivilised

\(^1\) Keesing (1975) and Sahlins (1968) are examples of this particular quest.
(Southall, 1996, 1330, Fried, 1975, 2-5, Oxford English dictionary 502-3). The negative connotations such as primitive and anti-democratic implicit in the word tribe (Oxford English Dictionary, Southall, 1996, Young, 1993) are not of critical importance to this thesis except where they are manifested as anti-tribal sentiments and are noted as such. Historically, it was an understanding that helped smooth the way for the justification that colonisation inevitably followed discovery. Not only was it part of the legitimization of colonization, it was also a tool of this process in that the power to name and categorise the other was integral to the colonial process. In the revisionist thinking of the post-colonial era, the tribe as a concept has come under further scrutiny. Morton H. Fried (1975) challenged the received wisdom that tribes were prevalent in pre-contact periods, arguing that the tribe was a colonial construct that did not match the reality of any ethnic group. Building on Fried’s argument, Aidan Southall (1996), in his entry on Tribes in the Encyclopaedia of Cultural Anthropology, demolished the whole concept of the tribe. Given such apparently convincing arguments against the notion of tribe, what, then, is the justification of using the notion of tribe for this thesis? The answer is to point at substantive evidence for the continued usage of both the word and concept of tribe is embedded in the general consciousness. Maori have internalised both the concept and the word, and the characteristics attributed to the tribe hold explanatory powers in understanding Maori social organisation. To abandon the tribe would be to abandon many of the ways in which Maori refer to themselves.

The case of common usage

Fried (1975) made the point that “…the word tribe is rooted in the general lexicon as well as deeply entrenched in the technical vocabulary of anthropology and other social sciences” (1). In the same passage he goes on to observe, “Nothing is more quixotic than to attempt to change the meaning of a word firmly rooted in the lexicon” (ibid.). While not arguing the same case as Fried, there is a quixotic air about this study and for many of the same reasons he gave. The assumption that the tribe exists and functions as a society is deeply embedded in public thought. Not only

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2 A recent newspaper article confirms the currency of these negative connotations in discussing the current Israeli-Palestinian unrest, noting “But ‘tribal’ is a word, which resonates in the West. ‘Tribal’ has connotations of ‘primitive’ and ‘black’” (The Press October 27 2000).
does the tribe exist because it has always existed, it is also somehow changing and yet unchanged by the passage of time.

Southall (1996) identified and accepted the concept of tribe even as he argued against its existence:

Entrenched notions of tribe and tribalism have become crystallized and essentialized in ... the former British colonial empire ... These usages must be granted validity in their context (1332).

In New Zealand, the indigenous social political entities were termed tribes by Europeans from the time of first arrival. There was justification for this as the society consisted of identifiable autonomous, kin-based communities and tribe would have seemed an apt term to use. So, from that time on, tribe has been the way that social units of Maori society have been known. It was used in the English versions of two early and seminal documents of the nation, the 1835 Declaration of Independence and the Treaty of Waitangi of 1840. There has been, therefore, a long and uncontested understanding of Maori social organisation as being tribal. This thesis, therefore, does not question the existence of the tribe but studies the perceptions of it and looks at the various forces that framed these assumptions.

Maori attitudes to the use of the word tribe
There was little evidence that Maori themselves contested the use of the word tribe. Of the published and archival material surveyed in this thesis, the interviews or ethnographic studies, there was only one comment from an individual\(^1\) stating that the tribe was a Pakeha concept and thus implying that the concept was external to Maori. On the contrary, Maori sources used the word tribe constantly and freely when referring to their social groupings. That the tribe could be considered a colonial construct was of little significance to Maori, a fact that may appear somewhat surprising in such a highly politicised field that often displays strong anti-colonialist sentiments. Maori acceptance of the designation of tribe was probably because they read nothing into the term. It was seen simply as a neutral description of their collective identities, neither pejorative nor an imposition. Not only was the tribe

\(^1\) See the evidence of Winitana in the fisheries case cited in chapter eight.
accepted, it was advocated by many as the vehicle for self-determination. What was contested among Maori was not the appropriateness of the term *tribe*, but its form, status, and exclusivity. This suggests that the anti-tribe sentiment was very much an academic and an outsider’s point of view. This current situation does not preclude the eventuality that tribe may become rejected as a positive term. There were some signs that this might be happening with an increasing preference for using Maori language terms with the tribe becoming regarded as a colonial imposition. In the 1990s case study, there were hints of this eventuality. It is possible to foresee the situation where *iwi, hapu versus tribe* develops into the same type of discourse as *rangatiratanga versus sovereignty.*

**Tribe vis-à-vis iwi and hapu as the primary term for this thesis**

The argument for using the Maori words *iwi* and *hapu* instead of *tribe* is not valid as they are specific forms of tribe that play a prime role, but are only part of any understanding of the *tribe* in Maori society. In the evidence presented to the High Court in the fisheries case (refer to the chapter eight), there was considerable emphasis on the translations of hapu and iwi. This line of enquiry did not produce any definitive answers as the evidence demonstrated that both iwi and hapu could be translated as tribe. This is a conclusion that is supported by historical evidence. In the two most public documents of the early part of the nineteenth century, both terms were used to designate tribe. The English version of the 1835 Declaration of Independence translates both iwi and hapu as tribe: *ngā Rangatira o ēngā iwi – the chiefs of the tribes* and *te Wakaminenga o ēngā hapu - the united tribes.* The Treaty of Waitangi of 1840 only uses the word hapu as the equivalent of tribe. The first edition (1844) of the authoritative Williams dictionary translates both hapu and iwi as tribe. By the third edition (1871), hapu is glossed as *a section of a large tribe, a secondary tribe,* and iwi is still translated as tribe. By the fifth edition (1917), the entry for iwi has changed. It is glossed as *nation, people.* The changes to these entries in the dictionary are significant in that they indicate the changes in thinking that were

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4 The latter development is testimony to the influence of the dominant ideological discourse on colonisation.

5 The relationship between the terms rangatiratanga and sovereignty is discussed elsewhere in this chapter.
taking place among scholars. Therefore, hapu and iwi are not the same, and yet can both be translated as tribe because they denote different forms of tribe.

The notion of tribe has explanatory powers when considering Maori society, not only because it has been internalised but also because it described the actual society. Prior to the arrival of Europeans, Maori society did not exist as any conscious form of collective identity. There were only independent kin-groups that operated separately from, but in relation to, each other. Southall (1996) lists the following standard anthropological characteristics for a tribe: a) a common language and culture; b) uniform rules of social organization; c) a common name; d) a contiguous territory; and e) a tradition of a common descent (1334-5). All of these features were readily identifiable in the indigenous population of New Zealand at the time of the first contact with Europeans. One of the themes of this thesis is to consider in what ways these characteristics were applicable throughout the twentieth century.

The tribe, then, is the most appropriate term to describe the major component of Maori social organisation. The acceptance of its validity by both Maori and non-Maori underscore the tribe as both a conceptual and a social reality. Accepting that the tribe exists facilitates consideration of generic patterns of collectivity such as tribalisation. If the discourse was restricted solely to the use of the Maori terms of iwi, hapu and whanau, this would be very difficult, if not impossible. For example, it would not only be incongruous to use such terms as iwi-isation or hapu-ism, it would also be inaccurate as the phenomenon under scrutiny is not encapsulated by either term, but includes the inter-relationship between each. The acceptance of its existence by both Maori and non-Maori makes the tribe both a conceptual and a social reality. Even the need to justify the use of the term tribe is indicative of competing perceptions as this thesis considers the dynamic of matching the social cleavages in Maori society to the appellation tribe.

In an expanded context, Ayn Rand, as cited in Sciabarra (1995), argued against the metaphysical properties of organic collectivism, accepts that they may be regarded as entities for the purpose of examination (268-9). As Maori had, and have a
customary kin-group social system, which has been designated as tribal since the arrival of Europeans, there is therefore a strong pragmatic argument for the use of the term tribe. Major considerations concerning the use of the word tribe have been identified and briefly responded to so that the thesis does not become sidelined into tangential arguments. The point is not whether the term tribe is valid, accurate, or because it is embedded in common usage, but because it is a factor which has influenced political and cultural perceptions in Maori society.

The case of translation

Any study of Maori society in the twentieth century requires some commentary on the use of Maori language, te reo Maori. This was because reaction to the decline in the usage of Maori developed into a politicised movement of language revitalisation and the focus on the meanings and use of Maori words permeates all aspects of social development. In this study, not only the way Maori has been used by the author,⁶ but also the implications of translation from Maori to English - and the reverse - are relevant for the conceptualisations and perceptions of the tribe. In this section, it is the latter concern that is discussed.

Of direct concern to this study is the translation of tribe as either iwi or hapu, or, more contentiously, translating hapu as sub-tribe (see chapter 10 for further discussion on this). Moving from Maori to English and back again is often a device that mystifies or muddies the waters - whether intentionally or not - rather than assists understanding. The tribe has become synonymous with iwi. Neither term is specific and when contradictions surface, they are rationalised or dismissed as problems of translation. As well as preciseness of translation, there is also an assertion that the Maori word holds some special understanding. Of specific note to this study are the terms whanau, hapu and iwi (described fully later in this section). For example, there is emphasis on whanau meaning birth/to be born, as well as the domestic unit of social organisation and similarly with hapu also meaning pregnant, and iwi being derived from koiwi, bones of an ancestor and signifying descendants. While there may well be connections between these meanings and their use as terms

⁶ Further discussion on the term Maori follows.
⁷ An explanation of the use of Maori in this thesis is included in the section on method.
for the various social formations that comprise the tribe, such discussion does little to explain in English or Maori the conceptualisation of this formation.

Contradictions are often explained as problems of language or politics and ignore the limitations of one-dimensional definitions. While there is some difficulty in obtaining a precise transfer of concepts from one cultural framework to another, especially in the early contact period, by the late twentieth century this line of argument was more of an ideological rather than a substantive one. To make sense of hapu and iwi, they need to be understood in varying social and historical contexts. Throughout this study, it will be demonstrated that no meaningful answers flow simply from the exercise of translation. The case of translation being inaccurate or losing the essence of the Maori meaning is often used as a screen when individuals find it difficult to define precisely the customary associations and entwined relationships that they understand intuitively.

There is a further issue of language and that is the intermingling of (as opposed to translation to and from) Maori and English. Maori words and terms have found their way into government policy and popular speech without translation. This practice has led to words and phrases taking on expanded meanings and usages beyond their literal translations, common meanings, and usages in Maori. The following are two examples that appear in this thesis.

**Tino rangatiratanga**: the word rangatiratanga was coined by early missionaries to translate the biblical notion of kingdom. It was derived from the word rangatira, chief. The phrase tino rangatiratanga was used in the second article of the Treaty of Waitangi to translate *full and undisturbed possession*. The addition of the intensifier *tino* gave added emphasis on the implication of authority. In a widely accepted contemporary translation from English to Maori (Kawharu 1989) tino rangatiratanga is translated as *the unqualified exercise of chieftainship*. Thus, in the late twentieth century tino rangatiratanga became analogous to, if not synonymous with,

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8 See the Resource Management Act 1991 for an example of government policy and the Ngai Tahu Settlement Act 1996 for examples of the official use of Maori concepts without explanation.
sovereignty (for further consideration of Maori opinions of tino rangatiratanga and sovereignty, see Kawharu, 1989 and Melbourne, 1995).

Taura here: literally this means the rope that binds. It was a term made public by the Matua Whangai programme of the 1980s, which was an attempt to avoid the institutionalisation of young offenders by placing them with members of their immediate kin-group (taura here). With iwi development, it took on an expanded meaning to describe associations of tribal members who lived outside their tribal territories.

Maori
As this thesis considers the tribe in Maori society, the generic ethnic label Maori requires an explanation. With the arrival of Europeans, Maori became aware that, in spite of seeing themselves in terms of their tribal identities and entities, they were of a different physical type compared to the newcomers and were bound by a common language and shared traditions. The word and the concept of being a distinct unitary people, therefore evolved from their engagement and experience with the outside world. The self-identifying label Maori was derived from the adjective maori, meaning ordinary. The first recorded use of the word was noted by missionaries in 1801, and by 1850 it was in common usage (Wilson, 1963). Europeans, for their part, initially used the term New Zealanders to refer to Maori, and officially the term Aboriginal was used, and later the term Native. So, while the appellation Maori came into use in reaction to the presence of Europeans, it was not a colonial imposition. Being Maori and belonging to a tribe were not in any way regarded as contradictory in the nineteenth and early twentieth centuries.

Tribes prior to the twentieth century
Maori are a branch of Eastern Polynesian peoples who migrated by canoe to New Zealand around 800AD from the islands that are now known as French Polynesia.

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9 *The Oxford Dictionary of New Zealand English* (469-70) gives a history of the use of the word Maori.
10 The Protectorate of Aboriginals was set up by Bussy in 1839 (Butterfield and Young, 1990).
11 It was not until 1947 that the Department of Native Affairs became the Department of Maori Affairs.
12 With the rise of tribalism in the late twentieth century, the notion of Maori as an all encompassing ethnic label has been challenged by some Maori. See discussion in chapter nine.
The origins of Maori continue to be the subject of scholarly enquiry and there are many aspects where much of the detail is speculative and contested.\textsuperscript{13} Whatever the historical reality of their arrival, the result was that these East Polynesian, independent kin-groups, populated all of the islands that now constitute New Zealand. Over time and separated by physical distance, these groups developed unique characteristics. There remained, however, enough commonality to identify key features of their social organisation, such as the centrality of their genealogical linkages, whakapapa, which was retained as the basis of social organisation.\textsuperscript{14}

Active membership\textsuperscript{15} of a tribe was contingent on being able to claim descent from the founding ancestor, whakapapa. The founding ancestor was often celebrated in the tribal name (for example Ngati Raukawa) the descendants of Raukawa. In this example, the ancestor's name is preceded by the prefix \textit{Ngati, the descendants of}, which is the most commonly used term.

\begin{center}
\textbf{Euphonic and dialectal variations of the prefix \textit{Ngati}}
\end{center}

\begin{itemize}
\item Ati as in Te Atiawa
\item Ngai as in Ngai te Rangi
\item Nga as in Nga Puhi
\item Kai as in Kai Tahu
\item Kati as in Kati Irakehu
\end{itemize}

\begin{center}
\textbf{Other analogous terms}
\end{center}

\begin{itemize}
\item Whanau, the family of, as in Te Whanau-a-Apanui
\item Aitanga, the progeny of, as in Te Aitanga-a-Hauiiti
\end{itemize}

In some instances, the tribal name is the ancestral name without any prefix (for example, Rongowhakaata). Some tribal names are not those of an ancestor, but commemorate a crucial event in the history of the particular kin-group. The Te

\begin{flushright}
\textsuperscript{13} A comprehensive coverage of contemporary scholarly work in this area is contained in \textit{The Origins of the First New Zealanders}, edited by Douglas Sutton (1994).
\textsuperscript{14} See J.P. Johansen (1954) \textit{The Maori and his religion in its non-ritualistic aspects}, Copenhagen, 9-39 for a detailed treatise on the centrality of kinship to Maori.
\end{flushright}

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Aupouri people of the northern tip of the North Island took their name from an incident where they burnt their sacred places to prevent them being desecrated by another tribe. The smoke and ashes from the fires darkened the waters of the Whangape river and from that time on they called themselves Te Aupouri, the smoke-darkened current.

As well as whakapapa, the other key element that validated tribal membership was ahi ka roa (literally, long burning fires) - the burning of fires signified the occupation of a territory. Incorporated into the concept of ahi ka roa, land ownership is often expressed as possessing a turangawaewae, literally a place to stand. These two key elements, rights emanating from the descent a founding ancestor and the occupation of a territory, were encapsulated in the notion of tangata whenua, hosts, which was the fundamental ingredient of tribalisation. The tribe was a politically autonomous kin-group living in its own territory and other groups came into that territory either as visitors or as enemies. The mana, prestige, required that host groups, tangata whenua, should lavish hospitality on visitors, manuhiri, even though that hospitality could stretch the resources of the host people to the limit. Because of the scarcity of resources, visits were only of limited duration and visitors could easily outstay their welcome. A prolonged stay was a provocative stance that usually resulted in war. Received Hospitality had to be returned and was part and parcel of the reciprocal interchange that dominated the economic and social relationships between both individuals and groups.

As tribes spread throughout New Zealand, they claimed territories on the basis of discovery and conquest, occupation, and ancestral right (Firth, 384). The boundaries of these territories were understood internally, but were liable to challenge from another tribe at any time. One of the methods of claiming land was for a chief to claim a geographic feature as part of his body or that of one of his children (ibid.). In time, major geographical features in a tribal territory could become synonymous with, or symbolic of, the tribe, as illustrated in this tribal aphorism:

_Whakato taniwha rau, he piko he taniwha, he piko he taniwha._
Whakato of a hundred taniwha, at every bend there is a taniwha.

15 Non-descent members of a tribe, spouses, and slaves, for example, ‘belonged’ to the tribe but always retained the status of an outsider.
Here taniwha, fabled monsters, are a metaphor for chiefs, and the Waikato river is symbolic of the affiliated tribes that live along its banks.

**Whanau and waka**

Maori society is comprised of three types of kin-group: whanau, hapu, and iwi. Whanau, the domestic social unit, is most simply understood as *family* or *extended family*.\(^{16}\) Another term used in this context is waka, canoe (in this case an ancestral canoe), that serves as a means of uniting a range of affiliated groups of iwi or hapu. It is a type of tribal formation that formed as a reaction to nineteenth century colonisation. There are only two active confederations of iwi, namely Te Arawa and Tainui,\(^{17}\) that organise themselves under the banner of their waka, and they have done so since the nineteenth century. Even with these waka-organised confederations, not all iwi who claim descent from these waka affiliate directly to this type of combined organisation.\(^{18}\) Conceivably, both the terms waka and whanau could be understood as tribe as they denote a form of customary social organisation. However, it would necessitate an expansion of the meaning of the word so far beyond popular usage and perception that it would lack any explanatory powers at all, a point that is reconsidered in chapter ten. Just to complicate things, or perhaps indicative of language use, one iwi, Te Whanau-a-Apanui, uses the word whanau in its title. Waka and whanau are not considered tribes in this thesis outside of the discussion on titles as labels.

**Hapu**

By the end of the eighteenth century, hapu were the dominant forms of social organisation among Maori. They formed through a continuing process of population growth, the contestation of resources, and the cultural imperative to explore new territories. The effect of these factors resulted in an ongoing process of subdivision

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\(^{16}\) A detailed description of the traditional Maori family is given in Orbell (1978), Metge (1990) has considered the modern and expanded use of the word in detail.

\(^{17}\) There is an interesting difference between these two waka organisations: Te Arawa is a confederation of eight iwi, whereas Tainui is a confederation of thirty-three hapu. A third confederation of iwi, Mataatua waka, is sometimes activated. Te Arawa and Tainui conduct almost all of their external relations as collectives.

\(^{18}\) Even though the eight constituent tribes of Te Arawa claim the name of their ancestral canoe they do not speak for all tribes who claim descent from the Arawa canoe. The influential Ngati Tuharetoa of the
in which a section of a tribe under its own leader would break away or be ousted. They would relocate, rename and establish themselves as a politically-autonomous group. If they flourished, the process would be repeated. Should they not flourish, they would eventually be subordinated by a more dominant faction or group and would eventually be totally subsumed and exist in name only. Hapu, therefore, had a variety of forms: they existed as both single and corporate entities. Either form of hapu could consist of a single community or a number of communities. Additionally, they could occupy a single location or live dispersed throughout their territory (Ballara, 1998, Orbell, 115-6, also see also Lian and Webster). The hapu, then, was a localised manifestation of the tribe.

Iwi
Iwi, at the time of the arrival of Europeans in the late eighteenth century, was an overarching identity for hapu that acknowledged the bonds of a common descent. It was a means by which related hapu could band together in the name of a common ancestor for corporate military and economic activities. Not all hapu who descended from the named ancestor would be invited to join in a combined activity or would necessarily accept an invitation. They only did so if it was of benefit to them. The iwi was a transient and conceptual form of tribal social organisation.

A process of tribalisation evolved in pre-European Maori society. It was a continuing process of group interaction in which new groups formed, creating new identities and older group identities were either being consigned to history or elevated to an overarching identity. When a new group formed, it would declare its autonomy by adopting a name that differentiated it from its former group identity. This group division involved a group separating from a hapu to become another hapu. Should the two groups desire a continued association, they would then band together under the name of a former senior form of group identity. This overarching identity, which was short-term and dictated by need, was the iwi. Hapu were the active and continuing polities, the physical tribe. The iwi were transient, special purpose entities, conceptual tribal formations. A hapu could not become, or evolve

\[\text{Taupo district is a totally separate and independent tribe. Similarly, the tribal confederation Tainui does not include Ngati Maniapoto and Ngati Raukawa.}\]
into, an iwi as is often argued - for a physical entity cannot become a conceptual entity. It was the hapu name, rather than the community, that evolved into an iwi.

This description of hapu and iwi formation uses as an example what could be termed a progressive model. That is, the example is one where the group is in the ascendant. Just as common would have been groups that were losing influence. Regardless of where a group was in its evolutionary cycle, the principle was the same. The physical social entity remained the hapu, either as an autonomous unit or as subordinate to a more powerful hapu. The most likely outcome of subordination would be that the name of an ascendant group would eventually become the name of an iwi, and the name of a declining group would eventually be consigned to history.

Colonisation and tribal transformation, 1800-1900

The pressures of colonisation resulted in the rapid shift from small independent groups to larger more complex organisations. Introduced ideas (Christianity, nationalism), technology (muskets, print literacy), and goods (potatoes, steel tools) created imperatives (trade and the need for defence from power groups of Europeans and other Maori) to form larger socio-political structures. The nineteenth-century economic and military imperatives for corporate action were very different from those of pre-European times, and this resulted in social entities that differed in composition and function from those of earlier times. In pre-European times, iwi came together only for the duration of a single enterprise, whereas the iwi that formed in reaction to colonisation were obliged to stay together. Because of this, a permanent sense of corporate identity developed. While there was a continuation of the pre-European kin group and social organisation, the post-European models were in most cases quite different in shape and form.

In reaction to a colonial presence, Maori needed larger socio-political organisations. They expanded on their descent-based social organisation by uniting under an overarching ancestral identity. However, this was not so much a revival of iwi but a reconstitution of iwi.⁰ It was the forming of a new type of association. Although

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¹⁹ I contrast revival and reconstruction because in this context, I read revival to mean the reinstatement of an existing social form. What I am arguing is that Maori developed new, larger social forms in reaction to
the concept of iwi as an overarching identity already existed, it was given new forms and functions in the nineteenth century. From a notion of a conceptual corporate identity, the iwi became a political entity and assumed the external political functions of the hapu. The hapu did not become less important but simply focused more on what today would be considered local governance. In essence, then, very little changed in the daily life of Maori but they utilised their collective strength for external relationships. This meant that some degree of autonomy at the local level was surrendered for the greater good. As a result of, and in reaction to, colonisation, by the end of the nineteenth century it was as iwi that Maori conducted their external relations, and the role of hapu was mainly confined to the management of local affairs.

Throughout the dramatic and traumatic experiences of nineteenth century colonisation, the tribe remained the only form of social organisation. However, with the dawning of the twentieth century, societal changes as a result of colonisation were inevitable. Through the loss of military power after the wars of the 1860s, with the loss of an economic base from land confiscations and the actions of the Native Land Court, as well as the unsuccessful attempt in the 1890s to establish a separate parliament, Maori were obliged to adapt to their situation as a minority with diminishing influence.\textsuperscript{20} This, in turn, had both a direct and indirect effect on the location and composition of their communities.

The terms iwi and hapu continued to be used but the physical manifestations of these terms were different. Iwi developed from a transient and conceptual collective identity to become an active political and more static tribal form. It was, for example, as iwi that Maori went to war. Many hapu, however, retained their political independence. For example, not all Nga Puhi hapu fought the British. Similarly, not all hapu of the Waikato joined the King Movement. Hapu remained a close-knit

\textsuperscript{20} By 1900, Maori population had declined from around 150,000 - 200,000 to around 50,000, and Europeans had increased from around 2,000 to 350,000. Maori military power had been broken, political representation was restricted to four seats in parliament, and land ownership had decreased from 62 million acres to 11 million.
collective that was focused on local affairs. Not only did the functions change, but it is quite likely that the composition of groups changed as well.

As the late eighteenth century tribal formations of hapu were the sole physical manifestation and iwi a conceptual notion, tribal (multi-hapu) identity was transformed in the nineteenth century. Hapu were regarded as a local tribal formation and a sub-group of an iwi, and iwi was considered the regional and centralised tribal formation. The iwi became a permanent, rather than a transient, social entity, as a regional tribal formation. This process took place over the course of a century. It evolved unevenly throughout New Zealand. While this process is an adaptive one, it is equally a reactive development, with the catalytic events being the musket and then the colonial wars. The establishment of the iwi as a permanent form of the tribe with its own jurisdiction had a number of consequences. The system of naming continued into the twentieth century but in an ever-declining rate of frequency, and for reasons other than as a declaration of autonomy.\footnote{Probably the last recorded example took place among the hapu of Te Whanau-a-Apanui when hapu names were changed after a tragedy in which a number of children were drowned on their way to school.} The names of existing groups were formally documented by scholars and government officials and gradually became permanent and static. The formation of new groups continued from a combination of the earlier pre-European causes and those of the colonial period, the latter comprising the division of groups as a result of the wars, including land loss and transient life styles that developed as Maori adjusted to the wage economy of Pakeha settlement. This was the situation at the dawn of the twentieth century. There were also supra or multi-iwi formations, such as the King Movement and Te Arawa that were firmly established by the twentieth century.
Chapter Two

Scholarship and understandings of the tribe

This chapter considers some recent scholarship on the tribe in Maori society. More specifically, it focuses on those writers who have, in recent times, published definitive arguments on tribal formations. These writers can be categorised in their relationship to the work of Elsdon Best and Raymond Firth. This is because Best and Firth described and popularised a structural model of the tribe that became so deeply embedded in both official and popular thought that succeeding scholars in the field can be divided into those who differ fundamentally from them (Ballara, Lian, van Meijl, Webster) and those accept (albeit with modifications) their model (Cleave, Metge, Rata, and Sullivan).

Because of its significance, the seminal model of Best and Firth is now briefly considered. From the time of initial contact, all aspects of Maori society held a fascination for Europeans. Maori social organisation was classified as tribal and ethnographers attempted to give the tribe conceptual form. One of the first and foremost of these ethnographers, Elsdon Best, created the following model of the Maori society. For Best, Maori society was made up of tribes, iwi, and these tribes were comprised of sub-tribes, hapu, which in turn were made up of a number of family groups or families, whanau (1952, 96). His work was also the foundation of further study by the anthropologist Raymond Firth in his thesis, “*Primitive Economics of the New Zealand Maori (1929)*”\(^2\). Firth’s work has been seminal in understanding tribal formations in Maori society and it continues to be influential, leading Webster (1998), a contemporary anthropologist, to remark: ‘Contemporary theories of Maori culture continue to take Raymond Firth’s early theory (Firth 1929) as axiomatic’ (124). In observing this, Webster, along with other scholars, challenges Firth’s model and theories (Ballara, 1998, van Meijl, 1995).
Best was a prolific writer, and his ideas on the tribe formed the basis for later scholars and a raft of tribal histories (Ballara, 1998, 106). Ballara (ibid.) considers the early ethnographers as honest observers, but slaves to their Eurocentric theories, with the most enduring consequence of the legacy of their scholarship being a pyramidal model of the tribe (19). The top of the pyramid is the iwi or tribe, the next tier consists of hapu or sub-tribes, and a third tier of whanau, families. This criticism is supported by van Meijl (1995) as he questions the flawed premise on which Best and Firth based their work. He argues that it is therefore unreliable as an analysis of Maori social organisation:

Indeed, the entire notion of authenticity on which Best's search for prehistoric purity was based fails to take into account a perspective on change in prehistory. For that reason, too, Firth's sketch of Maori society in all its aspects, which was entirely based on data collected in post-European conditions, is unreliable for the analysis of Maori socio-political organisation in prehistoric as well as protohistoric circumstances (318).

Scholars who do not accept the model of Best and Firth express serious concern about the continuing influence of the work of these earlier scholars. Webster argues that the common understandings of these iwi, hapu and whanau are founded on Firth's theoretical models and ignore the ongoing international anthropological scholarship: 'This parochial disregard, and out-dated reliance on Firth's classic work, is misleading historians and lawyers as well as social anthropologists' (125). His main problem is that Firth's and his successors' view of Maori social organisation is ahistorical and therefore the historical processes that impact, and have impacted, on the hapu have largely been ignored. Van Meijl laments the lack of empirical study in the field:

The implications of this ethno historical deconstruction of the standard model of Maori socio-political organisation are, of course, far reaching, not only for the archaeological study of Maori society in pre-colonial circumstances, but also for the examination of continuing development of Maori tribes and chieftainship since Firth published his dissertation in the late 1920s. It is remarkable that in the twentieth century very few empirical studies have been conducted into the socio-political organisation of contemporary Maori society (ibid. 318).

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22 This thesis was later published as Economics of the New Zealand Maori (1959).
In constructing their model it would appear that Best and Firth made the fundamental mistake of which Keesing (1975) is critical of in his exposition on the tribe:

It is all too easy, in summarizing kin group organisation in the primitive world to build typological pigeonholes (patrilineal, matrilineal, cognatic...) into which the range of tribal social forms can be classified. Easy, but misleading. First of all, one risks overlooking the way social forms represent adoptive solutions to ecological and organizational problems. Second, one is prone to classify on the basis of a few formal and ideological features, and to end up putting in some pigeonhole systems that are only superficially similar, and separating systems that are only superficially dissimilar. And third one is tempted to characterize a whole society on the basis of some single idealized formal rule or principle, overlooking more subtle alternatives or organizational principles. In the study of social organisation, it has been all too easy and common to oversimplify and idealize social groupings and categories that are complex and variable. (Roger M. Keesing, 1975, vii)

Ballara argues that the Best/Firth model is so entrenched that it has become the stereotype of the tribe. This pool of criticism of the model attests to its embeddedness in both scholarly and popular thought. It is a simplistic, unchanging, and ahistorical model, that continues to dominate thinking on tribes and tribalisation. The circumscribed social structure that forms a pyramid with iwi on the top is a neat and tidy one that is easily transposed into an acceptable stereotype23.

Detailed reviews of Angela Ballara, (1998) *Iwi: The dynamics of Maori tribal organisation from c.1769 to c.1945* and Elizabeth Rata (2000) *A Political Economy of Neotribal Capitalism* form the basis of this study. These two books are the only substantial publications in recent times to focus solely on the tribe in Maori society, and, as such, are of particular relevance to my thesis. Ballara presents a historical examination of tribal origins, while Rata presents an economically-determined analysis of retribalisation among Maori. The study is then supplemented with reviews of a number of key journal articles including: Peter Cleave (1984) *Tribal and State-like Political Formations in New Zealand Maori Society 1750-1900*; Kwen Fee Lian (1987) *Interpreting Maori History: a case for a historical sociology* and (1992) *Tribe, Class and Colonisation: the political organisation of Maori society in the*

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23Like most stereotypes (models), it is easily understood and consequently has wide popular appeal to both the protagonists and detractors of the iwi, ranging from Maori seeking their antecedents to Pakeha wanting to interact with Maori. This latter group includes the Crown.

**Angela Ballara (1998)**

Ballara focuses on changes to Maori tribal organisation over a period of 175 years. This period surveys tribal organisation before the arrival of Europeans in the eighteenth century to the end of World War Two. Ballara presents a detailed study, drawing examples from Maori language sources, especially the records of the Maori Land Court (43, 107). She discusses in detail changes to tribal formations in the eighteenth and nineteenth centuries and follows this by some speculative observations on continuing twentieth century trends. Ballara believes that tribes were evolving entities and accordingly her definitions are era-specific. However, she works from a base understanding of iwi and hapu as they existed in the eighteenth century.

**Iwi**

Ballara argues that in the eighteenth century iwi were “*the widest social categories of Maori people and who continued to acknowledge and sometimes utilise common origins – were of vastly differing population sizes and settlement patterns*” (124). She suggests that iwi is best translated as *peoples* (17, 32) who were the founding groups of Maori society. These iwi appeared in a variety of forms that ranged from an overarching identity for a number of independent communities to a group identity in the process of being subsumed by other more dominant groups. Eventually the lesser group identity ceased to be that of a physical community and was relegated to history as the memory of an earlier people. Whether in ascent or descent, iwi ceased to function as political units, becoming conceptual, as opposed to functional, forms of social organisation. In ascent, iwi was the over-arching identity for a number of related hapu, in descent the iwi name was consigned to history (28, 31, 124-6, 176-78). They became an overarching identity that permitted related hapu to unite in a
temporary alliance for the purposes of mutual protection or a major economic enterprise (124, 127-9, 214). Iwi had evolved from a corporate group in a single location to a conceptual community identity and, over time, their various sections – hapu - had dispersed, often over a wide area (124-7).

Hapu
Eighteenth-century hapu were “politically independent corporate and social groups which also regarded themselves as categorically identified with a wider set of people” (161), the wider set of people referring to iwi, both singular and plural, as some hapu had multi-iwi affiliations (169). Hapu, which Ballara suggests are best understood as clans, were independent groups that formed from iwi (17, 32). She explains the formation of hapu through a process of subdivision (161, 176-78). The process is described in this way: as an iwi flourished and its population grew, a strain was placed on resources. This strain eventuated in internal dissension and eventually iwi subdivided into hapu, one of which would relocate to a new territory. To illustrate her point she draws examples of this process from various tribal histories (176-78). By doing so, she presents a strong case that pre-European Maori societies were continually undergoing this process of subdivision. She goes on to explain that hapu were the dominant form of social organisation in Maori society in the eighteenth century. All expressions of governance, such as land ownership and defence, were vested in the hapu. They were politically autonomous (28, 31, 193) and remain so to the present time.

Europeans and Colonisation
Ballara also explores the adaptation of Maori social organisation to the presence of Europeans and the process of colonisation. As the presence of outsiders and their goods and technology became noticeable, Maori society adapted to these external forces. The major societal adaptation included the formation of larger socio-political organisations. The first of these formations appeared in the musket wars of the early nineteenth century and later in the military and political responses to organised colonisation. She describes the formation of these larger groups as an iwi revival (217). Iwi became the most visible form of social organisation throughout the nineteenth century. The iwi had become an ongoing feature of Maori social
organisation rather than one that was activated for special purposes. Hapu still remained the functional group within Maori society, but it was as iwi that Maori conducted their external relationships.

Ballara goes on to explain that in the process of establishing larger supra-hapu, social formations evolved even further to supra-iwi formations. The King Movement and the political movement, Kotahitanga, were two forms of this trend. The attempt to establish confederations of iwi in the name of their ancestral waka, canoe, was another example. As the twentieth century progressed, iwi as a form of social organisation appears to have entered a period of hiatus, competing with hapu and pan-tribal organisations (218, 297-315). In the late twentieth century, a renewed emphasis on the iwi as the dominant form of social organisation among Maori has become evident (158, 281, 336).

Iwi tribal organisation, she argues, had become so dominant that, by the mid-nineteenth century, Europeans regarded the iwi as the long-standing and traditional form of social organisation (217-8). It was believed that the iwi was the tribe and possessed coercive powers over its constituent hapu. This was especially entrenched in popular (Pakeha) and official thought. Such a perception, according to Ballara, is wrong. Although with the ascendancy of iwi in the nineteenth century hapu appeared to have been relegated to a less important position, they continued to be the major form of social organisation among Maori. Not only were they the most common form of social organisation into the twentieth century, they also continued to be politically autonomous (125, 219, 227, 282, 325).

Ballara argues that the designation ‘tribe’ as a category of Maori social organisation was a colonial imposition. She considers various definitions and applications of the word, concluding that the tribe is merely a social construct of European intellectual thought that was imposed upon Maori society (19-33). She argues that there were two different causes for this imposition, both with roots in Eurocentric worldviews (55). The most blatant expression of this Euro-centricism is the agenda of the colonists to control Maori. Colonial officials, influenced by the intellectual thought of the times and motivated by the need to govern, arrived in New Zealand looking for
tribes and tribal leaders. They needed to categorise Maori society into a form that rendered it amenable to colonial rule.

In addition to explaining the colonists’ agendas, Ballara also notes the influence of early scholars. She considers them honest observers, but slaves to their ethnocentric theories. The most enduring consequence of the legacy of their detailed but flawed scholarship is a pyramidal model of the tribal structure (19), with the top of the pyramid being the iwi or tribe, the next tier consisting of hapu or sub-tribes, and a third tier of whanau, families. This model has become a stereotype, and one that has been somewhat internalised by Maori (259, 289). It has not been seriously re-examined or challenged (106-7). In summary, conflating iwi with tribe is a perception, which Ballara attributes to flawed scholarship and the agendas of successive governments throughout the nineteenth century, and is a trend that continued into the twentieth century.

**The critique**

To critique this work in relationship to this thesis, I have analysed the following separate, yet interlocking, themes that are evident in the book:

1. The formation of hapu and iwi: process and labels
2. Colonisation: the tribe as imposition and model

### 1. The formation of hapu and iwi: process and labels

In explaining the relationship between hapu and iwi, it is not immediately clear from Ballara’s explanations whether hapu were formed from iwi or whether they formed iwi. That is, the question should be: were hapu formed by splitting off from the parent group, iwi, or did they form iwi when they required an overarching identity to link them with other hapu? On closer examination, it can be deduced that, in fact Ballara argues for both explanations: the former, when describing the formation of hapu (chapter eleven), and the latter by implication when she explains the revival of iwi in response to the presence of Europeans (chapter fourteen). While the two explanations are very different, they are not necessarily contradictory. It can be

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24 The position of families is mentioned in passing, but is not taken into account in the substantial argument.
reasoned, then, that iwi were defined by hapu. That is, iwi were a source of corporate identity only as long as there were hapu who claimed this identity. When there were no hapu to claim a specific iwi identity, that particular iwi identity was consigned to history as a former or earlier people.\textsuperscript{25} Iwi were formed by the process of renaming after subdivision and at the initiative of hapu. In reality, therefore, iwi were only a transient and specific-purpose polity.

Hapu and iwi, defined as categories of Maori social organisation, are positioned dichotomously throughout her work. In spite of this positioning, it is difficult to ascertain what the actual differences were. The author herself describes this difficulty (124, 161) and explains that it is because iwi were hapu at one stage of their development (161). Hapu and iwi, therefore, are both stages in a cycle of development. At first there appears to be the major difference is that, iwi were conceptual in nature and hapu were the political entity, but then she also designates hapu as being conceptual in nature: “Such matters as hapu membership belonged to the ideal, conceptual or categoric dimension rather than to the everyday concrete reality” (200-1). In the same section of the book, she says: “hapu membership is only one of several categories of identity of the complex reality of day-to-day living in the community” (201) and “communities developed, thrived by living and co-operating together in mutual defence, and then fell apart, but the stuff of which they were formed, the independent hapu moved on” (214). Therefore, for Ballara, hapu were not the community, but comprised the community,\textsuperscript{26} just as they comprised iwi. The categorical difference that Ballara makes between hapu and iwi is that hapu had a physical existence, whereas iwi was an identity that existed only as a name. Consequently, iwi could not exercise any form of coercive power. Hapu, on the other hand, exercised coercive power over their constituent sub-hapu and whanau\textsuperscript{27} (140, 179).

\textsuperscript{25} This point relates to an earlier comment about iwi being subsumed by a more dominant group. The identity was being subsumed, rather than the people being subjugated.

\textsuperscript{26} The argument that hapu comprise the community, but are not the community, probably refers to the fact that some communities were multi-hapu.

\textsuperscript{27} This reasoning falls in line with the understanding that the power to define iwi and the control of resources was vested in hapu.
2. **The tribe as imposition and model**

In the first chapter of her book, Ballara provides a useful and informative discussion on theories and definitions of tribes. She examines in summary the various schools of anthropological thought on the subject and makes comments on their usefulness and appropriateness in applying them to Maori society. Overall, she finds this to be a structural-functionalist approach that has limitations when applied to Maori society. She also suggests that this approach led to false conclusions. Alternatively, she finds the work of some contemporary writers more valuable. One of these writers, Cornell, she describes as having written on the social organisation of Native Americans and focused on the tribe as both a construct and result of the colonial experience. The other writers quoted write about the creation of the tribe to facilitate colonial control (34-5).

She accepts the latter position unequivocally, that the tribe is an imposition. From a position of considering the tribe as a vehicle of control, her major line of argument is that Maori formed larger corporate social formations, which they described as iwi in response to the presence of Europeans. Early European observers mistakenly thought that these larger formations were the traditional, long-standing groupings and determined that they were tribes. Later ethnographers accepted this categorisation and went on to determine the structure of these vaunted tribes. Because of their pre-conceived ideas, these ethnographers constructed a pyramidal model of the tribe that did not exist in any reality. The main problem in this model, as far as Ballara is concerned, is that iwi are attributed with coercive powers over their constituent hapu. Confusingly, however, Ballara, by quantifying hapu as sub-strata, minor or major, or sub- and supra- (140, 179), ascribes hapu with a corporate structure and with coercive powers. She thereby creates her own hierarchical, pyramidal structure so that the only difference between her model and that of the early ethnographers is that the hapu is placed on top in lieu of iwi.

For Ballara, tribalisation in pre-colonial times differed markedly from tribalisation in colonial and post-colonial times. Prior to the arrival of Europeans, there were two forms of tribe: the conceptual tribe, the iwi, and the political tribe, the hapu. The political tribe consisted of major hapu, sub-hapu, and whanau, with iwi being the
conceptual tribe. Through the processes of colonisation, political autonomy was relocated from hapu to iwi. In the communities, however, there was no visible change: people still lived in the kin-groups of whanau and hapu. Colonisation, therefore, created two different forms of tribe: the colonially constructed, regional tribe, the iwi, and the ongoing traditional, local tribe, the hapu.

Ballara, therefore, accepts the proposition that iwi are the tribe and continually returns to the theme of hapu versus tribe (227, 322, chapter fifteen) and that hapu were, and are, the most common form of autonomous social organisation. The problem with this position is that it only allows for one oppositional response to prove that hapu, not iwi, were the tribe. The tribe then becomes a contestable status because of perceived benefits. Not only does this line of thinking raise the danger of giving labels a life of their own, it is very much a late twentieth century argument.

**Elizabeth Rata (2000)**

Rata’s hypothesis is that in the 1970s and 1980s Maori, a rural proletariat, became an urban poor (44). In their struggle to improve their position in society, Maori ethnicised their identity, they wanted to advance or “come in from the margins” (68) as Maori (as an ethnic group, as a distinctive people). They were assisted in this advancement by an increasingly liberal Pakeha society as New Zealand was beginning to understand itself as a bicultural society. At the same time, New Zealand society was being influenced by global capitalism and, in 1984, with the advent of the fourth Labour government, a globalised capitalist economy was overtly embraced. The post-industrial forces of New Zealand’s capitalist society pressured the Maori ethnification movement into a tribalisation movement as a necessary precursor to establishing a neotribal form of capitalism. Maori, she argues, bowed to these pressures and rejected biculturalism in favour of tribalisation.

To describe the impact of these forces on, and social movement among, Maori, Rata uses a trifecta of terms: ethnification, indigenisation, and retrabilisation. She couples ethnification and indigenisation together by arguing that Maori, in response to their

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28 Rata claims that both Maori ethnicisation and Pakeha biculturalism are separate but interrelated, reactions to ‘invasive globalisation forces’ (18, 22).
impovery, redefined their ethnicity by politicising their Maori-ness, their indigeneity\textsuperscript{29} (22, 44). From the ethnification and indigenisation movements, neotraditionalist ideologies emerged. Rata also critiques neotraditional ideology in which traditional societies are romanticised as existing in a timeless world that is totally attuned to, and in harmony with, the natural world. They are then drawn up in stark contrast to the modern, capitalist world of the West. Neotraditionalism, she argues, legitimises traditional modes of production for their inclusion into the modern, globalised society. In spite of these claims, however, according to Rata, the result has been the creation of neotribal capitalism and not a revival of the ideals of the past.

It is from neotraditionalism that the ideology of retribalisation evolved. The ideology of retribalisation champions advancement as a tribe as opposed to that as an ethnic group, and ‘assumes a revival of communal relations of production in the kin-group’s ownership of land’\textsuperscript{30} (44-5). Retribalisation became interdependent with capitalisation as the tribes sought to utilise their communally-owned assets. This development changed retribalisation from an extension of the ethnification and indigenisation movements to the active agent of neotribal capitalism: it was a specific local response and adaptation to global capitalism (41-44).

Rata highlights the role of Maori leaders in the tribalisation process. These people, she explains, are compradors, a class of people who act as intermediaries between the marginalised group and the capitalist power cliques. Market forces reacting to the ethnification movement created a niche for brokers of culture and traditional knowledge. It was an opportunity that was taken up by those with the required skills and knowledge. There are two types of Maori compradors: (i) the knowledge brokers, those who spoke Maori and understood customary practices and who were able to take advantage of the neotraditionalist policies adopted by knowledge institutions; and (ii) those who were able to act as agents in the juridification of Maori lands and water (67-72).

\textsuperscript{29} Maori have always regarded themselves as descendants of the original peoples, tangata whenua.
In support of her theoretical work, Rata analyses her experience in the Maori language revival movement, as well as the experiences of two families who attempted to establish themselves as whanau units and re-establish themselves on tribal lands. She also describes in some detail the disappearance and reconstruction of Ngati Kuri as a tribal identity.

Rata is far more concerned with the retribalisation process than with the tribe. While the basis of her theory is that neotribal capitalism requires a tribalised society, she does not describe the tribe in any detail. She gets around this by considering the tribe in terms of a communal mode of production, as opposed to a community or polity. Tribe is rarely used as a noun but mainly as a verb, an ism as in tribalism, not as a form of social organisation but as a social movement.

Central to her thesis is the postulation that the contemporary tribe is a reconstruction and not a continuation from the past. The forces of global capitalism have shaped the form of the contemporary tribe, overwhelming any legacy of the past. Pre-European modes of production, she argues, were lost because of colonisation (85). She also makes the point that social formations were constantly evolving and were never static. Having made her argument about retribalisation and social reconstruction, she remains vague about the tribe and is satisfied with the whanau, hapu, and iwi model. This is an interesting acceptance as the iwi, hapu, whanau model is a static one that has long been understood as a pre-European model. The only conclusion that can be drawn from this anomaly is that she accepts the model as pre-European but insists that its current mode of production is post-industrial. The obvious contradiction is not explained, nor is there any explanation as to how the model and mode of production interrelate or differ. In her major empirical study, she considers the whanau and its relationship with the tribe. The tribe, therefore, is the iwi, and the whanau is posited as extraneous to the iwi rather than being a constituent part of it. Hapu appear to have no function in this relationship. By considering the tribe solely as a mode of production and not a social organisation,

\[30\] This assumption is made on the grounds that the driving force underlying retribalisation is a desire for unemployed urban Maori to return "home" and exploit tribal lands and water (173).

\[31\] She describes how the Pavhau Whanau and the Ngaru Whanau combined to create an extended whanau (155).
Rata is caught in a contradictory situation. She argues that the tribe is a mode of production that has been externally reconstructed, and yet accepts without question an early twentieth century model of the tribe, one that was in vogue well before the advent of global capitalism.

Rata claims to be neutral about retribalisation as she regards it as "a historically located response to the harsh material circumstances of global capitalism" (43). She is in fact critical of the movement in a number of ways. Retribalisation, she claims, is an idealisation of collectivism that is claimed to be a revival of traditional kin-based social organisation but in fact conceals the emergence of new class relationships among Maori (44). Criticism of retribalisation is also implicit in her criticisms of neotraditionalism (6, 27, 43, 45), as this is where she locates retribalisation, describing it as "the process of the assertion of ethnic identification within the neotraditionalist ideology" (46).

Rata considers that the trifecta of ethnification, indigenisation, and retribalisation has failed because the true tribe or essence of the tribe, which is "the communal relations of production," has not been restored. She differentiates between the traditional and the contemporary tribe, and argues that historical, geographic, and genealogical links and the use of the word tribe are insufficient to satisfactorily breach the gap between the two. In her economically-determined paradigm, a return to a communal mode of production is required to have a genuine restoration of the tribe (225).

Applying a paradigm of economic determinism to explain retribalisation produces several reductionist effects. In constructing the Maori past and present solely through economic determinants, any internal cultural, social, or political determinants are denied or, at best, are considered of minor importance. It also polarises commentators into two camps: cultural theorists and economic determinists. Anyone who does not attribute retribalisation among Maori to economic determinants is defined, by default, as a cultural theorist. Rata's arguments as to the cause and effect of retribalisation hold good only when applied to those Maori who are involved in a

32 The concealment of class relationships is read as concealing the oppression that is implicit in class relationships (see chapter thirteen, 'The threat to democracy').
return to the traditional home settlement and land movement and/or the exploitation of tribally-owned resources. This explanation either excludes the rest of Maori society or positions them in dichotomy to tribal Maori.

Rata’s thesis posits tribalisation among Maori in a conceptual straightjacket: any attempt at social reform that is linked to the past is deemed neotraditionalism. On the other hand, any development that entails an organisational or bureaucratic requirement is considered participation in neotribal capitalism. These lines of argument dictate the way in which the Maori past can be considered and deny Maori people entry into the modern world unless they replicate the past. According to Rata, retribalisation among Maori can only be considered meaningfully in terms of class, an argument that denies Maori agency and, to a degree, their ethnicity.

Her argument is based on absolutes: Maori are either tribal or they are not. Rata’s argument shuts down any exploration of alternative explanations. There is no room to consider that some Maori may want to progress tribally within a cultural framework of understanding themselves as Maori. This, I argue, is essential, not an option, as tribes define themselves in relationship to other tribes. While tribes politic to relate to the Pakeha world as tribes, it is from an understanding that they are Maori tribes or tribes who are Maori. Her assumption that tribalisation is the antithesis of bicultural development is not necessarily a logical conclusion. It is, I would argue, essentially a Marxist and an outsider’s perspective. For many Maori, bicultural development means acceptance of the idea of tribe. In addition to this, it can be argued that mobilisation of Maori as tribes is a logical progression as Maori have sought self-determination as a vehicle for cultural survival.

Rata defines tribes in terms of their mode of production rather than their social organisation. Traditional tribes operated a pre-European, communal mode of production, a type of tribe that no longer exists because of colonisation. The traditional tribe consisted of iwi, hapu, and whanau. The contemporary tribe is a neotraditional reconstruction because its mode of production has been shaped by the

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33 External to any discourse on tribalisation is the fact that tribally-owned resources are a legally recognised category of property rights in New Zealand.
imperatives of global capitalism. In descriptions of the contemporary tribe’s operations, she does not mention hapu; they appear to have no function. She only considers the whanau and its relationship with the tribe (Ngati Kuri, the iwi). The whanau is described in two forms, as a single-family unit and as a two-family unit. Therefore, for her, the contemporary tribe is the iwi, extended whanau, and whanau.

Peter Cleave (1984)

Cleave presents the case that Maori society was, over the period studied, developing larger, centralised polities. He argues that Maori were developing along these lines before the arrival of Europeans and with their arrival the process rapidly increased. From hapu, the size of the political groupings increased to that of iwi where the boundaries of the tribe became set. The process continued with the evolution of pan-tribal organisations that Cleave argues were state-like polities. He cites both the King movement and the Kotahitanga movement as prime examples. For Cleave, the tribe is the iwi, and the process by which iwi became the tribe was tribalism. The hapu is a sub-tribe, it was originally an autonomous group but evolved into a larger formation or tribe, a process, tribalisation, that rapidly took shape following the arrival of Europeans.

Cleave explains the difficulties of translating Maori concepts into English. He discusses the concepts of intra- and inter-group relationships, such as whanaungatanga, kinship links, rangatiratanga, chiefly rights, and mana, power, prestige. These concepts, he explains, give rise to the leadership and status of a group. He does not, however, include the terms that describe the actual social groups. So he differentiates between the language of social and political dynamics and the social and political structures themselves. The latter group of terms, including whanau, hapu, iwi and waka, are not problematic as they merely describe a physical group, and therefore do not require explanation. They are accepted without reservation. In accepting these terms Cleave seems to be unaware of any contradictions in their use, such as the contradiction in using the King Movement as an example of pan-tribalisation, and yet referring to its constituent groups as hapu.
Kwen Fee Lian (1987, 1992)

In two papers, Lian presents arguments on the tribe in nineteenth-century Maori society. In the first article (1987), he makes a case for a historical sociology of nineteenth-century Maori society because he argues that there has been a failure to clearly conceptualise the tribe in the historiography of that era (445). The tribe is a concept that he considers to be useful to understanding nineteenth century Maori society, but he warns that an over-emphasis on the tribe can distort Maori history. Lian is critical of those who would consider the tribe as a unitary concept, that the tribe was the fundamental unit of Maori society. For Lian tribalisation is a concept that should be viewed as a dynamic process that operated at several levels: intra-hapu, inter-hapu and inter-iwi. He also argues that the tribe became established at iwi level as a result of colonisation.

Iwi, therefore, are the tribe but, for Lian, the influence of an iwi was totally dependent on the influence of its constituent hapu (454). Hapu, he maintains, were the "most significant political and operative unit in Maori society" (447). While he attributes this status to hapu, Lian goes on to observe that hapu did not exist in isolation. They maintained a variety of linkages with other hapu that allowed them to create larger formations for the duration of a set purpose, and that he considers this made for a tribal society (461). Hapu of the same tribe could be of different status - some of minor status and others clearly more dominant than others (458).

In the second paper (1992) Lian considers whether a class system arose among Maori as a result of colonisation and their subsequent participation in a commodity capitalist economy. In this paper, he postulates that, as a result of colonisation and contact with the West, Maori society moved from a communal subsistence economy to a communal surplus production economy (388). Lian concludes that, in spite of the major changes in the mode of production and distribution of wealth, a clearly defined class (in a Marxian sense) did not emerge because of the dominance of kinship links and obligations that permeated all levels of Maori society.

Lian, like other writers in the field, identifies the two major problems in conceptualising and describing nineteenth century Maori society. The first is the
imprecise use of the appellation tribe and the second is the difficulty of using tribe as a label to describe the social cleavages in Maori society, namely hapu and iwi. Also, like other writers, Lian, having identified these problems, proceeds to use and apply the term as though it was not problematic.

While explaining that tribe can be used to describe a variety of social forms, Lian settles on the unitarian form of tribe of which he is critical, by arguing that the iwi became the tribe as a result of colonisation. At the very least, he is using the same terminology as Cleave, whom he criticises for adopting a unitary explanation for the tribe. Even though Lian argues that the term tribe has limitations, he finds that it is a useful tool for analysing Maori society. The tribe, then, is primarily a tool to analyse, rather than describe, Maori society. Having made his case, he then unequivocally maintains that the iwi is the tribe. After stating this, he argues strongly that the real influence, the power, resides at hapu level.

What is implied, but not stated in Lian’s line of argument, is that the tribe, is this case the iwi, was somehow extraneous to society. The physical society was the hapu. In certain circumstances they came together to form an iwi or tribe. He does not talk of the hapu as ever having been the tribe, yet insists that the tribe became a collective of hapu, an iwi, in the early nineteenth century. It can be assumed that in Lian’s conceptualisation the tribe, prior to this development, was the hapu. This position is reinforced with his use of the word tribalism. He uses this term to describe the evolution of any given tribe from a hapu to a collective of hapu, an iwi, by the nineteenth century. Using the word tribalism in preference to tribalisation points to the possibility that he considers the development of the tribe from hapu to iwi as primarily an ideological movement rather than a matter of social evolution. His choice of words is not explained, so he possibly sees the two units as one and the same.

**Joan Metge (1990)**

Metge is concerned with the whanau and starts by considering the influence of Elsdon Best the founding ethnographer, on understandings of whanau. Best, she notes, observed that whanau was used in two ways: to describe a cognatic descent
group and to describe a group of siblings. He concentrated on the former understanding for he considered the whanau to be the smallest economic unit in Maori society, as well as being one with a limited degree of political autonomy. Best held the view that, as the size of the whanau increased, it developed into a hapu. Metge considers this to be a one-dimensional view. In addition to a sufficient increase in population, appropriate leadership and adequate resources were required for a whanau to become a hapu. That is, when a whanau developed to the stage to gain its own territory, it took an ancestral name and became politically autonomous. If growth in population were the only factor, a whanau would not develop into a hapu, it would simply subdivide into separate whanau. A group of whanau, which were subdivisions of a whanau, retained their links with each other, but would claim a separate identity.

Metge illustrates her point with observations of one particular contemporary whanau that has become a force within itself, yet has not claimed hapu status. In doing this, she appears to be as flawed as Best in giving the false impression of timelessness. The confusion is not that the whanau would increase in size, which is a side effect of normal procreation, but that it would be able, or even want, to make such a claim. Even in historical times, ironically, as Metge herself points out, it is not understood in any detail when, how, and even if a whanau claimed the status of hapu. Such a claim in the late twentieth century (the era in which the article was written) would be a conscious political action and probably contested by others with vested interests.

Metge grapples with the problem of labels, explaining that confusion has caused a mistranslation of whanau as family. That is because preconceived notions of the family, which in itself is a nebulous concept, has dominated the way in which the whanau has been considered.\textsuperscript{34} She concludes this discussion by contending that meanings of the words for social formations, in this case whanau, were contextual. She also argues that not only were whanau descent groups they also consisted of people who did not descend from the common parent or ancestor.\textsuperscript{35} In support of

\begin{footnotesize}
\begin{enumerate}
\item[34] It is the same argument in principle as that of imposing the label ‘tribe’ on hapu or iwi.
\item[35] Namely those who had married or were adopted into the whanau.
\end{enumerate}
\end{footnotesize}
her point, Metge maintains that the word whanaunga, relative, is not derived from the word whanau. The evidence that she offers for this is flimsy. Her sole reference is to the Williams’ dictionary, which is certainly regarded as an authoritative source for the language. It is not clear, however, from the entry in Williams that whanau and whanaunga do not have the same derivation. This point does not affect her substantive argument or this critique of it. What it does illustrate is that she places too much store on the translations of social/kinship terms as a means of understanding social formations, a criticism that she herself makes in referring to the preoccupation with the ‘real’ meanings of these words.

Metge notes that a whanau differs from a hapu in that a whanau resides in one location and has daily contact and interaction. Hapu, on the other hand, occupy a number of locations and only come together as the occasion requires. Hapu, therefore, are corporate in nature, autonomous, and have control over territory. Metge does not use the word iwi at all in the article, and the only time that she uses the word tribe is in her concluding statement, noting that whanau maintain their unity through common membership of the tribe. Metge gives the whanau the characteristics of being both local and dispersed, and both corporate and single units. While she does not claim that the whanau is the tribe, she describes it as a tribal unit. Webster charges that her work denies the meaningful existence of hapu. She does this by not recognising that the whanau that she observed displayed all the characteristics of a hapu.

**Anne Sullivan (1995)**

In this article, Sullivan argues that the tribe is the basis of Maori society, and always has been. She champions the enduring nature of the tribe and describes how it survived all official attempts to do away with it. She begins by claiming that tribal government was in action before the time of Columbus (43), which she explains was not the same as the “legal, rational and bureaucratic” European notion of government. Tribal government for Maori was a sophisticated system in which the interests of the group were considered before those of the individual a system that was enforced through the utilisation of whakapapa. She emphasises the distinctness
of one tribe from another, and then comments that, in spite of these differences, the tribe remained the "cornerstone of Maori society to the present time."

Much of the article is spent describing nineteenth-century colonial history in some detail. The Treaty of Waitangi, she claims, recognised the tribal nature of Maori society and that for a short time after the signing (1840-46) limited recognition was given to the tribe, a move that was soon overtaken by the colonisers' desire for land. She places much emphasis on the fact that land alienation and the individualisation of title conspired to undermine the status of the tribe. The undermining of the tribe, she argues, was the principle agenda of successive colonial governments. Although the full power of colonisation was aimed at the destruction of the tribal system, she argues that it survived by accommodating the prevailing social circumstances (48). She credits the survival of the tribal system with enabling Maori to withstand the forces of assimilation (44).

After considering the nineteenth century, she discusses developments in the twentieth century, continuing her argument that successive governments worked to detribalise Maori society. She does this by continuing with her theme of land alienation and considering the various Acts that were aimed at providing forms of local governance and failing to empower the tribe. The Acts to which she makes reference include: the Maori Councils Act 1900; the Maori Lands Administration Act 1900; the Maori Social and Economic Advancement Act 1945; and the Maori Welfare Act 1962. Sullivan accepts that within these Acts there was some recognition of Maori communalism, an acceptance that fell short of recognising tino rangatiratanga. These Acts failed to deliver because they were severely under-resourced, and eventually any specific reference to the tribe was omitted (52). She then considers the events surrounding the enactment and repeal of the Runanga Iwi Act 1990. This Act was an agreement for tribal control of services by Maori that was turned around in favour of pan-Maori development, a position that was again quickly turned around by the incoming National government in favour of pan-tribalism, demonstrated by the awarding of contracts to pan-tribal organisations such as the Maori Women's Welfare League (54).
While acknowledging that there is a role for pan-tribal organisations she argues that they should give way to tribal organisations. In support of her position she comments that many Maori felt that the political role of the New Zealand Maori Council (NZMC) should have been taken over by the National Maori congress \textit{(ibid.)}. This is an interesting comment in the context of her argument as both of these organisations fit her definition of pan-tribal. The actual difference between the two is that the NZMC unlike the congress was a statutory body. Therefore, she ends up arguing the issue of tribal autonomy versus government patronage, not the issue of tribalism versus pan-tribalism.

Her history concludes by noting that development centred on the tribe is gaining strength. The presence and work of the Waitangi Tribunal has given tribes mana and thus has had a positive effect on confidence in the tribe. She argues that Maori political and economic strength, and consequently the future of Maori, lies in tribalisation, noting that an educated elite was providing the leadership to do just that.

Sullivan presents a convoluted historical account of Crown tribal relationships from the establishment of the colony through to contemporary times. Around fifty percent of the article, concerns colonial New Zealand. However despite presenting a broad sweep of history, she fails to take into account changing social attitudes. For example it is difficult to accept her claim in 1995 (the date of publication) that non-Maori New Zealanders continued to \textit{deny or ignore} the existence of the tribe. Her inability to position public attitudes in their historical context is demonstrated when she supports her contention that paternalism towards Maori was still common with a quote from Best written in 1924. While her argument is largely cogent, it does contain some inconsistencies, such as explaining the shortcomings of the NZMC (an organisation that she does not favour) but not doing so for the National Maori Congress (an organisation that she does favour) with regard to the same issues that underlie the problems that tribes face in creating any form of national organisation.
Toon van Meijl (1995)

In this article, van Meijl argues that the popular understanding of the tribe as whanau, Hapu and iwi did not emerge until the 1930s. He attributes this model to the work of Best and Firth. Firth, building on the work of Best, reasoned that Maori society was rigidly structured into four different social levels: the extended family, whanau, the sub-tribe, Hapu, the tribe, iwi, and the super-tribe, waka. Meijl identifies three problems associated with Firth’s model of Maori society.

The first problem is the issue of translating Maori political and social concepts into English (whanau as extended family, hapu as sub-tribe, iwi as tribe and waka as super-tribe). Van Meijl only contests the translations of hapu and waka. He maintains that it is incorrect to translate hapu as sub-tribes because they were “a central unit of social action in Maori society.” Hapu lived in the same location and operated as a social unit (a community?). Hapu membership, therefore, had to be validated by contact and participation in local activities. Individual links by descent to other hapu weakened after two or three generations.\(^{36}\) Waka, he argues, were loose confederations of tribes, rather than super-tribes (309).

The second problem is that the model is underpinned by the theory that Maori society was continually undergoing progressive segmentation. This perception, he argues, is flawed in that it is too regimented. Maori society, he explains, was always in a state of flux, with tribes mixing, dividing, migrating and forming fresh relationships (310). The third problem, which he deems the most serious, “concerns the reification of Maori tribal organisations and their representation as timeless,” the effect of which has led to an ahistorical understanding of the tribe. Other scholars have fine-tuned Firth’s work, but Van Meijl claims they have not challenged his basic assumptions about the tribe that were based on faulty methodology and ignored the internal dynamics of Maori society, portraying the tribal system as timeless and unchanging (310).

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\(^{36}\) He does note though that there is another view on hapu, and that is hapu as a descent category, rather than a descent community (310).
Van Meijl accepts an evolutionary model of the tribe. The first arrivals from east Polynesia,\textsuperscript{37} he maintains, were not organised in tribes. Eventually, loose forms of tribal formations emerged. These forms solidified with contact with Europeans, particularly with the arrival of the musket and the subsequent musket wars (316). So, the tribe, for him is a stage in the evolution of socio-political structures, he does not engage in the discussion of whether an iwi or a hapu was the tribe, except to note that hapu were not sub-tribes (presumably this is because his article is focused on \textit{pre- or proto-history} and the considers the hapu was the tribe in pre-European times).

**Steven Webster (1998)**

Webster contends that ethnic politics and a new \textit{traditionalism} are dominant features of the Maori \textit{Renaissance},\textsuperscript{38} and that this trend has the tendency to take the understandings of Maori kinship patterns outside history. Common understandings of these social formations are founded on Firth’s theoretical models and an ignorance of ongoing international anthropological scholarship: \textit{“This parochial disregard, and out-dated reliance on Firth’s classic work, is misleading historians and lawyers as well as social anthropologists”} (125). As well as working from a flawed foundation of understanding, local scholars in the field have been unable to shake off the influence of Professor Ralph Piddington, the founding father of social anthropology in New Zealand. Piddington differentiated between traditional and modern societies and he understood changes to Maori social organisation in terms of the influence of modernity, implying assimilation. Therefore, according to Webster, the historical processes that have impacted on the hapu have largely been ignored by other writers.

Whanau, hapu, and iwi are not considered by Webster to be gradations of a single system of a segmented social organisation (136, 138, 144). They are each \textit{“structurally and substantially different.”} Whanau are the domestic descent group in Maori society. Iwi, on the other hand, are non-kin groupings and are political and transient in nature. They are primarily a group of affiliated hapu that appeared with the advent of European trade and are inextricably linked with colonial history (140, 37 He makes the point that Maori evolved in New Zealand from east Polynesian origins.
A hapu, Webster argues, is primarily a descent group that is simultaneously a local core group, yet consists of interacting non-local groups. Hapu are both descent groups (social action and assembly) and descent categories (where commonality is centred on resources, politics and locality, sustained ideological and jural activity) (130). For Webster, the hapu is the primary form of social organisation, the whanau is a domestic unit and the iwi is dismissed as a colonial construct, the tribe. Webster offers a similar view to that of Ballara in that he sees the tribe as a colonial and post-colonial construct that has been imposed on Maori society. For him the iwi is the tribe. The iwi is transient and political and, as he does not qualify political, presumably only serves a representative function, while the tribe is a construct of colonialism and so the iwi-cum-tribe does not require further examination. For Webster, as it was for Ballara the hapu is, the major social formation. Webster, therefore, takes tribe out of the equation so that hapu is the self-determining, asset-owning social formation in Maori society.

The major theme of the article is to promote the continued existence of the hapu. This argument is in reaction to the ahistorical-modernisation approach to understanding Maori society, which sees the hapu as being superseded by new kinship forms of socialisation. Webster not only argues for the continued existence of, but also the centrality of, the hapu in Maori society.

Scholarship and notions of the tribe, iwi, and hapu

As I have observed previously, contemporary scholarship on the tribe can be divided into two groups: (1) those who have developed their thinking using the tribal model derived from the work of the founding scholars in the field, Best and, later, Firth; and (2) those who reject the work of Best and Firth in its entirety.

With the notable exception of Webster the dominant paradigm by which the tribe is understood is a functional, structuralist one. This is just as applicable to the critics of the Firth model as to those who have accepted it. The only point of difference between the various scholars is whether the tribe in pre-European society was the

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38 Webster understands the Maori Renaissance to be a form of ethnic mobility (9).
hapu or the iwi with the tribe being the locus of political autonomy. Pre-European models of tribes are thereby considered the most valid forms of tribal formations. Other forms of the tribe, both historical and contemporary, are measured against pre-European models. These scholars scrutinise the later social formations to identify characteristics of pre-European tribal formations and draw conclusions as to whether or not they can be considered iwi, hapu, or whanau. Inadvertently, this line of inquiry results in a denial of nineteenth and twentieth century history. Arguments that do not take into account not only the differences between the tribe in pre-European times, the tribe in historical times, and current tribal formations, and that they are actually different, is an acceptance of a static and ahistorical model of the tribe.

Metge and Rata, in accepting Firth’s pre-European model as the tribe, explain the change to larger tribal groupings in colonial times in terms of the revival, expansion or denial of the existing forms of the tribe. Firth’s basic premise that hapu consisted of a number of whanau and that iwi consisted of a number of hapu is not questioned. However, his model is convoluted as their explanations of the tribe in contemporary times focus on the whanau at the expense of the hapu, and iwi continue to be considered as the tribe.

Those who reject the whanau/hapu/iwi model, in particular Webster and Ballara, present a logical and convincing case to reject this model, as it is an ahistorical one. However, in presenting their case that the hapu was the primary form of social organisation in pre-European times, they take their case further and proclaim that in colonial times the iwi was a construction as opposed to a continuation from the past and therefore is of little consequence. They also note the changes to the iwi but maintain that somehow the hapu did not undergo any changes in colonial times. It is a proposition that denies Maori agency and the historicity of both iwi and hapu. Ballara, in rejecting the Firth model, dismisses the pre-eminence of the iwi in colonial times as a colonial construct, that being a colonial construct somehow makes the iwi a less valid representation of the tribe. The tribe, according to this line of argument, is the hapu. Webster also rejects the Firth model but presents his case differently to Ballara. He accepts that the iwi was, and is, the tribe, but deems it a colonial
construct. He then disregards it, and focuses on promoting hapu as the rightful claimants to tribal property and assets. Again, however, the underlying logic of the argument is that iwi cannot be valid social organisations as they are fabrications.

While all of the writers accept the obvious - that the evolutionary processes of tribalisation were affected by colonisation - there is a tendency to describe tribalisation as being completely severed (Rata) or distorted (Ballara). These descriptions are value-laden; they are not neutral observations. An examination of colonial history reveals that Maori social organisation changed as much through the forces of Maori agency, and adaptation, as from the pressures of colonisation. To describe these changes as being severed or distorted indicates an ideological position that sees the normal or authentic tribe being suppressed and other forms, historical or contemporary, as being less than real. Regarding the tribe during the colonial period as an aberration of the normal leads to the quest to seek a reinstatement of the authentic form of the tribe. Tribalisation therefore becomes conceptualised as an ahistorical process, a finite process, and the tribe consists of finite or static forms. Consequently, contemporary tribalisation becomes re-tribalisation and contemporary forms of tribes are re-constructed tribes, and, by implication, not original and therefore of lesser validity.

With the exception of Lian, the writers characterise the tribe as external to, and not the sum of, its constituents. This is clearly illustrated by Rata as she describes the whanau interacting with the tribe, an outside, authoritative agency. The other writers describe the iwi as being corporate in function and dispersed in location as well as being conceptual and transient, and claim the iwi was the tribe. The tribe is therefore external to the community, analogous, say, to the province in New Zealand’s contemporary political structure, where the province exists but is very remote from daily reality and is only activated on certain occasions. It is a position that supports the idea that the tribe is external to the community.

39 Lian sees the tribe as a dynamic process that is constantly changing as it adapts to new situations.
40 Although Cleave argues that pre-European Maori society was moving towards larger multi-hapu, iwi groups.
If the tribe is considered a colonial imposition, as Ballara and Webster argue, then the tribe is clearly external to the community. There is no question that the notion of tribe is an introduced concept. That the tribe became tagged to the iwi, hardly a development from within Maori society, supports the proposition that the tribe, if not originally an imposition, became one. Imposition or not, the tribe is deeply embedded in the thinking of Maori society. In all of the texts reviewed, the tribe was used as a label for one form or other of social organisation, even by those writers who question its existence.

Failing to accept that the tribe can be considered as both an internalised and introduced concept, imposed notion solely, limits writers’ powers of explanation. The tendency to favour one-dimensional explanations suits those who operate within a heavily ideological paradigm and leads to prescriptive notions of tribe, iwi, and hapu. Prescriptive forms do not easily allow for variations. They create valid and invalid, authentic and unauthentic forms of tribe, hapu and iwi.

The scholarship on the tribe in Maori society is premised on a notion that the centrality of the tribe has been in the pre-European past. The most common approach was to take a tribal formation at a certain point of time, most commonly the end of the eighteenth century, characterise these formations as *the* tribe and measure changes against it. Change has been explained in terms of deviation from some kind of timeless norm. While there are obvious legacies and historical continuities of tribes from pre-European times to colonial times to tribes of the twentieth century, I hold that tribes were conceptually different era to era. Within the literature reviewed, this idea was not recognised. The emphasis has been on continuity or lack thereof, from the past and through the twentieth century.

The other dominating trend in the scholarship is the preoccupation with the structure and functionality of tribal formations. The two trends were interrelated and overshadowed human agency, the act and actions of being a tribal society or tribalisation. Because of this, there was failure to recognise the two fundamental elements of the tribe - the tribe as an individual and group identity and the tribe as the, or an, organising paradigm of society. Instead scholarship has constantly
focussed on the tribal formations of whanau, hapu, and iwi in a quest to ascertain their existence, their validity in tradition, and their form and functionality in contemporary society. The lack of recognition of the nature of the tribe and tribalisation has had a range of consequences.

The transformation of definitions into labels

One consequence was a tendency for scholars to search for communities that matched the prescribed tribal structures. Static definitions were applied to evolving communities. As a result, definitions became labels. Iwi, hapu and tribe became subjective labels that were defined by way of cross-reference to each other when they served different functions and were endowed with characteristics not readily reflected in society. For explanatory purposes, these terms were characterised. However, because it was the labels, not the society, that were characterised, the characteristics became prescriptive.

When these prescriptive labels were applied to communities, they created their own mandate. For example, for a group to be considered an iwi, it had to display the predetermined and prescribed characteristics of an iwi. Such an approach took the power from the society and vested it in the label. For instance, was a hapu a hapu because its members deemed it so, or was it an externally-determined status? It was, of course, both but when the balance was in favour of the external influences, colonisation or hegemony was the main force, as the people did not have power to define their own society. Whether these characteristics had been determined by the hegemonic forces of government, by academics, or by Maori elders, they were all encapsulated in a paradigm that was premised on understandings of static definitions of tribal formations.

This prescriptive approach could not recognise any ongoing processes of tribalisation, that is the formation of new tribes. The public validation of new, named tribes that diminished over the course of the nineteenth century ceased completely in the twentieth century. There was no mechanism to recognise the continuous cycle of ascending and diminishing status that was integral to pre-European tribalisation. Thus, prescribed definitions gave rise to contradictions between the definitions of
iwi, hapu, whanau and tribe and their application to actual societies. The society changed — evolved — but the labelling did not reflect these changes. The converse effect was the ongoing, tribalisation process of forming groups that could not be defined outside their labels.

In other words, all levels of social organisation became solidified. A group designated a whanau, regardless of its size and attributes, would always remain a group, and so, by the latter part of the twentieth century, it was possible to have a whanau with a membership in excess of 2000 members,\(^1\) a situation that stretched any definition of family, extended or otherwise, beyond the point of credibility. Similarly, a hapu could only ever be a section of a tribe, but never a tribe. Hapu have continued to form, but, as the naming process stopped, there was no creation of new iwi. In effect, then, the hapu and iwi names became labels, as have the terms tribe, iwi, and hapu. As a result, there were ever-increasingly large, multi-whanau whanau and multi-hapu, hapu.

Among other things, these works exemplify the difficulties in defining and describing Maori tribal organisation. Much of the difficulty in achieving clarity is that it is a system of social organisation that has resulted from, and continues to be affected by, a mosaic of entwined factors, and cannot be satisfactorily achieved through any one-dimensional analysis. Meaningful understandings of the tribe require an understanding of the entwining of the history, languages, social change, and conceptual frameworks. An undue emphasis on just one factor restricts the writers’ ability to explain the tribe and tribalisation outside of their respective positions. Variations become framed as opposing definitions: tribal versus non-tribal, hapu versus iwi, contemporary versus traditional, and so on. Oppositional definitions polarise and tend to lead to illogical conclusions and to making definitions subject to political pressure. Illogical conclusions, such as the claim that a contemporary form of tribe is less valid than a traditional form, are a denial of the evolution of Maori society. In addition, they place the tribe, the hapu, and the iwi outside of history and anthropology.

\(^1\) Evidence of Hirini Moko Mead in the Fisheries case.
Chapter Three

The 1900s – Incorporation

The aim of this study was to understand the socio-political function of the tribe in the first decade of the twentieth century, and to gain insight into the attitudes towards the tribe in this period. I begin from the premise that for Maori the tribe was synonymous with community. To support this premise, village life during this decade is described. I then consider government policy as an agent of change.

A study of the first decade of the twentieth century is important to any understanding of the tribe as Maori society in this decade became incorporated into the workings of government. The Maori policy that evolved in this period became the templates for this type of policy throughout the twentieth century.

Maori Society at 1900

At the dawning of the new century, it was apparent to Maori that even a limited type of home rule would not be countenanced by either the colonial government or the wider population, and so the attempt to establish an alternative parliament based on tribal representation had to be abandoned. A new type of political leadership began to emerge in the form of a group of young men who had received a western education at the Anglican school, Te Aute College, in Hawkes Bay. They formed the Young Maori Party for the Amelioration for the Maori Race (YMP) and began to work towards the adoption of European ways. Under the tutelage of the established Maori politician James Carroll (later Sir James) they came to dominate the political scene.

This was a period of forced adjustment from being an independent people to living as a minority in a developing colonial, capitalist society, to and being incorporated into, and consequently dependent on, the government of the day. While this had been in reality, a fact since 1860 and the end of the Colonial Wars, Maori, in general, had only just begun to accept this. Of course, the realisation and reaction to such
marginalisation was not uniform throughout Maoridom. Indeed there were great regional differences. For instance, in many parts of the South Island, Maori lived as Pakeha, albeit in their own communities. Commenting on Maori living in Nelson, a census sub enumerator made the following observation:

The Natives are practically Europeanised, and the majority speak English with fluency. They reside in dwellings equal in comfort to the usual country settler, and have adopted European customs. (A.J.H.R., Vol. 3 H.26a, (1906), p24)

However, in certain areas of the North Island, various tribal groups lived in total isolation from the developing colony. In the Taranaki region, for instance, the influence of the prophet-leaders, Te Whiti and Tohu was still being felt. Allegiance to the Maori King among the Waikato people was more important than allegiance to the government. Rua Kenana held sway over a large section of Tuhoe and throughout the country. Local leaders, often in the form of healers, Tohunga, caused problems for those wishing to reform Maori society. The King Movement, Te Kooti’s followers, and the Taranaki peoples all maintained an isolationist stance, keeping themselves to the remoteness of the rural backblocks.

Maori were only partially integrated into the wage economy. Their own practices of subsistence agriculture, fishing and hunting were still essential. The wage work that was undertaken related, in the main, to breaking in the wilderness, agricultural work, and primary exploitative industries, such as bush-cutting, road-making, laying railways, gum-digging, shearing, and potato-picking. Settlements were a mix of transient camps with some relationship to a home village. The net result was that Maori society remained a separate society in itself with its own language, leadership and social structure. There was very little interaction with Pakeha society except at the official level, with government agencies, or in the market place, at the point of trade or in employment.

Maori were peripheral to the development of the nation state of New Zealand. This is a point noted by James Carroll when introducing amendments to the Maori

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36This isolation from development was related to the physical distance from developing centres and to the historical relationships of local Maori with the colonising settlers of the district.
Councils Act 1900 as evidenced by the failed attempts to introduce the F.M.A.E. Bill in 1893 and the N.R.B. in 1894:

Maoris were not to be found on Roads Boards, on County Councils, on Borough Councils, or any lesser bodies. And even their special representation in this house was to his mind, a rather doubtful compliment. Instead of receiving reasonable assistance in the conduct of their affairs and in promoting their interests, the Maoris in this country had been left to grope their way without practical help, without beacon lights to guide them. (N.Z.P.D., Volume 127, (1903), p513)

Maori, however were of special interest and concern to governments committed to policies of pastoralization because of the extent of land still in Maori ownership.

**Maori communities: a description of community life**

Papers relating to the 1906 census of the Maori population give a good description of life in Maori communities during this decade [A.J.H.R., Vol. 3 H.26a, (1906)]. These papers consist of reports from enumerators summarising the status of village life in their districts and the reports also include extracts from reports of the sub-enumerators; the people who actually went into the villages to collect information.

Two types of settlement were prevalent in this era: the permanent village and the transient camp. At the time that this census was being taken, there was a potato blight that had devastated Maori cultivations. One of the effects of this crop failure was to force Maori to seek wage labour, which they did in gum-digging, and as flax-cutters and scrub-cutters (*ibid.* p10). All of these occupations required them to live in camps. As the 1906 report noted,

The potato is the staple food of the Maoris. Now the potato-crop has been a failure, they have to do something by which to gain a living. I have never seen them so scattered. They are living in tents, which are not very nice houses for winter work (*ibid.*).

I found very few Maoris residing in their regular homes ... They are scattered about, working in small gangs ... I have taken a district for collecting the Maori census each of the last four or five times that the census has been taken, and never previously knew them to be even half so scattered as they are at present (*ibid.* p9).
Camp life took the people away from their villages and created new social linkages:

The Maoris in this district do very little cropping they depend entirely on what they earn by gum-digging. I find them scattered all over the gumfields and but seldom find anybody in the old kaingas, the old homes are deserted (ibid. p5).

The Natives in my division of the country ... are continually moving their camps from place to place in search of kauri-gum. As you will see, they are an entirely mixed lot being Natives from all parts and all tribes (ibid. p9).

In the villages, there was a move from thatch houses with dirt floors to European-style weatherboard houses:

Up to 1901 the Natives were living chiefly in miserable whares made of rushes and raupo ... Now hardly a Maori raupo whare is to be found in the Native villages ... Their big meeting houses have been raised in blocks and supplied with floors (Cook county, ibid. p14).

The report acknowledged that the traditional leadership still held sway in the villages and that the influence of these leaders was manifested in the amount of co-operation that various villages gave to the sub-enumerators:

I found that the people were very inquisitive as to the nature of my mission and whether it had been approved by Mahuta. When they were satisfied with my answers they were quite willing to give information (Ohinemuri, ibid. p10).

You will notice that in some cases I could not list the full name and there were six children whose names I could not ascertain at all. At Waikawarau and Kiritehere the excuse given was that they were followers of Te Whiti and Tohu and in the other case at Te Anga the person was an adherent of Mahuta and declined to give any information without his permission (Awakino, ibid. p12).

They told me that they had nothing to do with the government and that they belonged to King Mahuta (East Taupo, ibid.).

During this decade traditional leadership (as noted earlier) was still a force to be reckoned. Some leading families had representation on district and local councils, but the most important leaders kept their distance from these bureaucratic structures. In the debate to introduce the Maori Councils Act 1900 (M.C.A.) the MP, Heke, spoke of the chiefs as being part of society:
Then in event of trouble arising between Maoris and Maoris or between Maoris and Europeans, it was desirable that the chiefs should have power to deal with it without carrying it into the law-courts of the colony. (N.Z.P.D., Vol. 115, (1900), p201)

However, in arguing that the chiefs required the backing of Pakeha law to be effective, Heke implied that the power of the chief was waning. This was a point that he stated more explicitly three years later:

At one time the native chiefs had great influence, but now as he had said it was diminishing to some extent. (N.Z.P.D., Vol. 127, (1903), p520).

The M. C. A. introduced a system of self-government with little recourse to any existing tribal self-government. It set up village committees under the jurisdiction of regional councils. There was some recognition of the role of hereditary chiefs, who could be used as a control measure on the councils:43

The Governor may from time to time appoint a Maori chief in each district, to be called the Advisory Counsellor, who shall advise the Council or the Governor, whether so requested or not, upon all or any matters pertaining to the administration of this Act. (Maori Councils Act 1900, section 9 [7]).

When exercising their rights under this Act, there were complaints if chiefs were seen to be too independent:

Several of the Advisory counsellors too, have proved more of a hindrance than benefit, through assuming the power of veto, which they are not slow to exercise. The position of these members is too loosely defined. Of course, there are many honourable exceptions, like the chiefs Te Kepa Te Rangipuahe, Hori Ngatai, Tamahau Mahupuku, and others. (A.J.H.R., 1903, Vol. 3, G-1.)

Significantly, the more independent chiefs kept their distance from the formation of these councils:

There are many matters pertaining to the welfare of the native race that come well within the scope of the Maori Councils Act, but the influence of Parihaka is so strong that the best and most influential Natives will, unfortunately, take no part in the formation of the Councils (A.J.H.R., 1906, Vol. 3 H.26a, p17).

43 This simultaneous use of, and opposition to, tradition was also evident some eighty years later during the passage of the Runanga Iwi Act 1990.
Maori Councils

The Maori Councils Act 1900

The Maori Councils Act dominated Maori–state relationships in the 1900s for it had the effect of incorporating the tribe into a government-controlled bureaucratic system. James Carroll engineered the Maori Councils Act through Parliament in order to give Maori some measure of local control. In moving the committal of the Bill, he informed the house that the Bill was the result of requests from the Maori community:

applications have been made by the Maori inhabitants of those parts of the colony where the Maoris are more or less domiciled and settled, forming what is known as Maori centres and surroundings, for the establishment within those districts of some simple machinery of local self-government, by means of which such Maori inhabitants may be enabled to frame for themselves such rules and regulations on matters of local concernment or relating to their social economy as may appear best adapted to their own special wants (N.Z.P.D., Volume 115, (1900), p201).

New Zealand was divided into districts based on the location and density of the Maori population. The Governor could proclaim any district to be a Maori district for the purposes of the Act. After a district had been proclaimed and promulgated, a Returning Officer was appointed to arrange the election of a council from among the Maori population of that district.

Councils were then asked to draw up plans to facilitate:

1. the enforcement of rights, duties, and liabilities for all domestic and social matters
2. the suppression of injurious Maori customs
   a) the promotion of education – including the management of schools
   b) the promotion of health, welfare and moral well being

(The Maori Councils Act 1900, section 15)

The councils were also charged with collecting statistics and a limited form of rates and taxes to fund their activities. (ibid. section 16). The council could fine those who did not uphold the by-laws and, when offenders refused to pay the fine, they could be taken to the Magistrates Court (ibid. section 25). Within the districts, villages and marae could petition the council to appoint a committee, or the council could appoint
a committee on their own initiative. The councils delegated their powers to these local committees (*ibid. section 17*). The line of communication was from the Minister to the council down to the local committee.

The whole system was to be financed by the activities of the councils themselves. Moneys gained from the collection of fines, fees, and rates were to be placed in the credit of the council. From their credit, councils were to finance sanitary works, pay council members, and fund other projects as approved by the Governor (*ibid. sections 13, 14, 24, 25, 27*).

**Tamatea Council**

The Tamatea Council was one of the eighteen councils appointed under the 1900 Maori Councils Act. Named after one of the major ancestral figures of the Ngati Kahungunu people, its boundaries included the Hastings area known as Heretaunga down to, and including, Takapau in Central Hawkes Bay. The area could be described as progressive: the Maori population, while still residing in distinctive communities, had a comparatively high level of interaction with Pakeha. The chairman of the council, Ihaia Hutana, was later elected chairman of the National Assembly of Councils. The council minutes surveyed cover the period 1900-1910 and consist of 573 pages written in Maori. The Takapau Marae Committee, whose records were also surveyed, came under the jurisdiction of the Tamatea Council.

The Council ran its business under the Westminster conventions of conducting meetings, flavoured with the traditions of whaikōrero, and singing to enhance a point and extended discussions continuing all night. They had to deal with the demands and forms of centralised bureaucracy, along with traditional matters and an overlap of the two. Extended discussions took place on the boundaries of the marae committees. In one instance, the council decided that they would have to consult with community leaders about these boundaries. One council member, Tuahine Renata, objected to Te Teira, a non-council member, being consulted as he, Tuahine, was the nominated representative for that particular area (Tamatea Council Minutes p.110). Many discussions on the administering of the dog tax took place. Questions like, "*Was a Pakeha working on a Maori farm subject to the council’s jurisdiction to the collecting*
of dog tax" (ibid. p149). Current community matters occupied the Council, with financial and funding always a concern. Mention was made of elected members being supported financially by working members of their families (ibid. p110).

In dealing with traditional matters or matters of custom, the Council handled them with a degree of ambivalence. The issue of whether tupapaku, corpses, should be placed on the verandahs of buildings during tangihanga was referred back to the marae committees (ibid. p126), advice on traditional matters was sought by ethnologists such as Elsdon Best (ibid. p176).

By 1905, interest in the Tamatea Council was flagging, attendance was casual, and when the chairman was away no meeting was held (ibid. p416). Political apathy increased as time went on. No one wanted to be chairman and the council struggled to get a forum to conduct business. Councils were continually strapped for money and their work appeared to be bogged down with parochial matters.

**Takapau Marae Committee**

A survey of a collection of letters of the Takapau Marae Committee covering the period 21 March 1903 to 11 May 1910, was undertaken. The collection consists of copies of forty letters that had been sent by the committee over this period. The letters have been translated into English and the content examined. The number of letters shows a decline of activity over the decade, from 18 letters sent out in 1903 down to a single letter in 1910. Takapau is a small village in central Hawkes Bay. Its Maori community in the 1900s was a combination of three hapu: Ngai Tahu, Ngati Kikiri-o-te-rangi and Toroiwaho. For the purposes of the Maori Councils Act 1900 they came under the jurisdiction of the Tamatea Council.

These texts also change in content, from lively letters expressing the concerns of the community to routine reports to the Tamatea Council. In the earlier years the frequency was about two to five letters a month, covering a range of topics such as land matters, disputes between individuals, letters of complaint to government ministers and concern for the marae buildings, cemetery and church. Over the period the tone of the letters changes and they become more bureaucratic, primarily
involved with the chasing of fine monies, payments of dog tax, and provision of reports of these activities to the Tamatea Council. The decline in frequency and the changing content support the contention that the council system was running out of steam, and indicate that its influence had waned at the village level.

Comment
For this thesis, the major question is “how did the council system affect tribal life?” In defining the boundaries of a district, it appears that some cognisance was paid to tribal areas, but, in the main, geographic and demographic factors played the largest part in determining district boundaries. While the names of the districts carried some recognition of the tribes resident in them, the districts themselves were primarily defined by geography and population.

For Ngati Kahungunu, although arguably never a homogenous group, the tribal area was divided into four different districts: Rongokako, Tamatea, Kahungunu, and Takitimu. Some of these districts incorporated other tribal groups. The Te Arawa district included Tauranga, where tribes of Takitimu and Mataatua descent resided. Regardless of anomalies such as those just mentioned, the boundaries appear by and large to have been accepted by Maori.

However, there were some exceptions:

* Ko matou e mau ake nei o matou ingoa i raro iho nei he iwi e rongona ana te ingoa ko Ngaitakoto ... ara mo te rohe mai i o matou takiwa i te Kaunihera Maori o Mangonui.*

We whose names are set out below are known by the name Ngaitakoto ... [are asking] that our district be excluded from the Mangonui Maori Council (Maori Affairs file MA MC 1/3, entry 1902/103).

The system was seen by Maori as all-embracing, as this extract from the Rongokako Council illustrates:

The names of different councils are first, Rongokako, Tamatea, Kahungunu, Takitimu, Horouta and so on all districts being occupied by some council. Therefore there can be no escape for any person called a Maori (*ibid.* entry 26/5/02).
A measure of how much political support a system enjoyed can be gauged by the amount of resources, particularly financial resources, allocated to it. The councils were expected to be self-funding, as discussed earlier, and, from the records of the Takapau Marae Committee and the Tamatea Council, it is clear that funding for expenses and development was a continual problem, and appeared to get worse as time went on.

Take tuatahi: kia hawhe ma te Komiti, kia hawhe ma te Kaunihera mo nga moni whaina. E toto atu ana tenei kia whakamanaia mai e te Kaunihera tenei a te Komiti.

First matter: let half of the fines money be for the Committee and half for the Council. We are asking for the Council's support for this proposal of the committee.

Tuarua: Kaore te Komiti i te mahi i kore ai he moni, i kore ai hoki. E rahi ake nga take hei tuku atu katahi ano ka timata atu.

Second: the committee is not functioning because of the lack of money, none at all. A large amount of taxes need to be received so that the work can begin. (Takapau Marae Committee letter to the Tamatea Council 25 September 1909).

At the council level, a great deal of time was spent on discussing the administration and collection of dog tax (Tamatea Council Minutes pp471-9). In spite of the difficulties experienced, which could be argued as simply the trials of administering any system, the council system was seen by some observers as being successful:

The Maori council has done good work since its inception (A.J.H.R., Vol. 3 H.26a, (1906), p13).

The benefits of the Maori councils and committees are very apparent, and the Natives are taking a great interest in their local affairs, which fills a long felt want (ibid. p5).

This marked improvement in the condition of the Maori people is owing to the presence of the Maori council, which sits at intervals in the different Native settlements and imposes certain restrictions upon the natives generally. The result is the improvement of their circumstances and of the conditions that surround them (ibid. p6).

The health of the Maoris in my district has been exceedingly good since the taking of the census in 1901 owing largely to the influence of the Maori councils in inducing the natives to live in better houses an observe more closely the laws of health and sanitation (ibid. p7).
It was clearly a top-down process, although it is doubtful that any stringent control by councils over committees could ever have been enforced. In the Tamatea minutes, there are instances of a local MP, such as Ngata, chastising the Council for its poor performance (Tamatea Council Minutes, p222). At the other end of the scale, marae committees communicated directly with Government officials.\textsuperscript{44}

**The demise of the councils**

The Native Department that had effectively become defunct in 1892 was re-established in 1906. During this hiatus, the Native Land Court function of the Native Department had been transferred to the Justice Department, and there was continued pressure on Carroll to make available Maori land for sale. His response was to re-establish the department to facilitate land sales. According to Butterworth (1990, p61), Carroll also intended to encompass economic development and health reforms under the umbrella of the department.

At the same time that Carroll was being pressured to reconstitute the department, it had become obvious to him that the Maori Council system was not going to reach its full potential. As Butterworth noted,

\begin{quote}
A 1903 amending Act further strengthened Maori Councils powers ... Carroll was unable to extend their taxing powers or give them the right to handle minor offences such as assaults or thefts. After 1903 it became clear that they would not become institutions of full local self-government as Kotahitanga had hoped.
\end{quote}

In another development, Carroll had instituted Native Sanitary Inspectors in 1904. This development provided for salaried Maori officials to have oversight over the work of councils and committees to ensure that they carried out their obligations under the Act. Carroll also had the ambition of establishing a network of Maori-staffed cottage hospitals. While Maori were enthusiastic and willing to donate land and money, he was unable to secure government support (Butterworth, \textit{ibid.}).

\textsuperscript{44} Letters from the Takapau Marae Committee to Maui Pomare, Minister of Health, 17 September 1903, and to George Hobgen, Secretary of Education, 8 October 1903, are examples of these direct communications.
For initiatives such as the Maori Council Act to reach their full potential there were two necessary ingredients. The first was the goodwill of parliament, which translated into tangible support. This type of government, required by implication, the goodwill of the Pakeha population because public resources were involved. The other ingredient was that the Maori politicians and public servants needed to have confidence that the Maori community could, in fact, handle their own affairs once given the opportunity. It would appear that neither of these two vital elements were present in the opening years of the twentieth century.

The parallel developments that took place at this time including sanitary inspectors and Maori land councils, had the effect of providing alternative power bases (sanitary inspectors represented the bureaucratic power of state employees and land councils were government-sponsored alternative power bases for opponents of the councils).  

Finally, re-establishment of the Native Department made the councils redundant. The lasting effect of the Maori Councils Act was establishment of a bureaucratic infrastructure into which Maori society (including the tribe) was to be fitted.

**Tohunga Suppression Act 1907**

Another piece of significant legislation passed in this decade was the Tohunga Suppression Act 1907. It was an ineffectual enactment, but it is worth considering because it illustrates some of the changes in self-perception that were taking place within Maori society. It also illustrates the dominant Pakeha attitude to independent Maori social organisation.

The cultural institution of Tohunga survived into the twentieth century, albeit greatly modified from its pre-European origins. Linguistically, the word Tohunga is a cognate of the proto-Polynesian *tufunga* and has its equivalent in other Polynesian languages.

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45 With these developments, Carroll had set a trend for Maori development that continues to the present day: create a development initiative, implement the legislation to facilitate the initiative, and then maintain or develop alternatives as a safety measure. These alternatives undermine the original initiative, causing the whole scheme to flounder. While there is a certain logic behind this process, it has become the formula for a continued run of unsuccessful development initiatives.
languages.\textsuperscript{46} In traditional Maori society, Tohunga was a title bestowed on experts in specialised, highly valued skills, such as carving and tattooing, as well as the manipulation of tapu and the interpretation of signs and omens. All these prized activities were accompanied by elaborate ritual. The term \textit{priestly expert} employed by the early ethnographers still best captures in English the unity of thought that made the Tohunga’s role a combination of ritual observances and practical skills.

By 1900, as the influence of westernisation separated practical and spiritual skills into different categories, the primary role of the Tohunga was confined to that of healer. Sickness in traditional society was blamed on the transgression of tapu and the assistance of the Tohunga was sought to counter or negate the nominated transgression. After the introduction of Christianity, the once honoured title acquired negative connotations of superstition, backwardness, and charlatanism. Gilbert Mair, Superintendent of Maori Councils, stated in 1903:

These Tohungas are the curse of their race. They are generally persons of bad repute, whose cleverness enables them to impose upon the credulity of their countrymen. Without actually demanding payment for their services, they generally manage to obtain an undue share of worldly goods (A.J.H.R., 1903, Vol. 3, G-1, p1).

Tohunga were opposed vehemently by politicians and government officials alike largely because they were seen as an impediment to Maori acceptance of the European lifestyle. On introducing the Tohunga Suppression Act, the Native Minister James Carroll asserted:

This class of person has been too much tolerated and encouraged, especially in isolated Native districts, much to the harm, detriment and undoing of the Maori population. The effect of these Tohungas is to paralyse the industries in which the Natives are engaged (N.Z.P.D., Vol. 139, p510).

Carroll and Apirana Ngata, the member for Eastern Maori and a social reformer, offered a further argument against Tohunga. As advocates of \textit{progress}, both made a clear distinction between the Tohunga of the old world and their manifestation at the

\begin{footnotesize}
\textsuperscript{46}Samoa, Tufunga, Hawai’ian, Kahuna.
\end{footnotesize}
turn of the century. Carroll defined the latter-day Tohunga as *so-called prophets* who claimed that they could predict the future, but were pretenders to the *ancient order*.

Ngata expanded Carroll’s line of thought about the *ancient order* by defining Tohunga of former times in laudatory terms:

> I am giving honourable members a definition of genuine Tohungaism as it was known in the old days: To the Maori the Tohunga was the sole medium of communication with the ancestral gods ... Those chosen ... were mentally superior to their fellow-tribesmen (*ibid*. p519).

He was, however, adamant that this class of Tohunga no longer existed:

> This Bill does not purport to deal with that class of Tohunga, for the very sufficient reason that he no longer exists in New Zealand. This Bill deals with a bastard Tohungaism (*ibid*).

Ngata’s comments reveal the frustration of one whose efforts were being thwarted from within, in this case, by traditional conservatism:

> You can preach for hours and hours about carrying out sanitary works in the pas; ... but all your work will be undone when next day a Tohunga comes along and says, “No; you must not do that.” And when you come along a month after you find all the work you had done undone (*ibid*. p512).

Tame Parata, the MP for Southern Maori, in a brief statement, supported the bill. In response to some generalised and derogatory comments by Pakeha members about Maori and Tohunga, he assured the house that Tohungaism was not a problem in his electorate, and that he personally had dealt with any such occurrence:

> I am glad to say that Tohungaism does not apply to the South Island. There was one Tohunga who came down there, but I made it my business to remove him from the South Island to the North Island. I was not going to have Tohungas in my Island (*ibid*. p515).

While Parata takes credit for the absence of Tohungaism in his area, evidence suggests that South Island experience had more in common with the North Island than the MP was prepared to acknowledge. (*Voyce*, p107)
Hone Heke, the member for Northern Maori, took quite a different tack from other Maori MPs. While supporting the bill for its stance against quacks and pseudo-religious leaders, Heke criticised the proposed legislation for its racial bias:

The only fault I have to find with this Bill is this want of provision for the suppression of the Pakeha Tohunga ... but, I want legislation to suppress also such practices as are exercised by the Pakeha Tohungas, who manage to kill their patients in a very similar fashion (N.Z.P.D., Vol. 139, p.513).

... I say to the Native Minister that if he intends this Bill to be an honest attempt to suppress Tohungaism, why apply it to the Maori alone why not extend it to Pakeha as well? (ibid.)

Heke’s stance, like Parata’s, was shaped by the particular history of his electorate. Where Parata appeared, reflecting the more acculturated south, Heke was comfortable challenging, reflecting the confidence of a people who did not see themselves as a minority.

For Maori in their own communities, Tohunga were part of their world. But this was a world that was rapidly adapting to westernisation, and opposition to Tohunga was rising (Voyce, p.105). Evidence of changing ideas is reflected in the varying responses to Tohunga in the 1903 census reports from two neighbouring districts. The sub-enumerator for Gisborne said:

In the northern part beyond Tokomaru I am advised that the Tohunga or Maori doctor has lost his prestige whilst in other parts his mana is greatly on the wane (still it is astonishing how the Maoris still cling to these people) (A.J.H.R., 1906, Vol. 3, p. H.26a).

His counterpart in Cook County reported that his district, “I am reluctant to say, teems with Tohungas and impostors” (ibid.).

The continuing existence of Tohunga cannot be explained entirely in terms of clinging to the past. Maori communities suffered from a lot of illness and received little medical care from the government, particularly in remote areas. Ngata observed:

in the Urewera, the Bay of Plenty, and up to Cape Runaway, where the Maori population exceeds three thousand five hundred, there is only one man, resident at Oputiki ... [T]he real grievance on the part of the Maori people, is
the lack of enthusiasm displayed by successive Governments in the matter of medical attendance on the Maori sick (N.Z.P.D., Vol. 139, p520).

The Maori politicians were clear about the connection between the survival of Tohunga and the lack of alternative modern health care. When Carroll spoke to the Tohunga Suppression Bill, he supported Ngata's suggestions that an extensive health programme for Maori was needed. This view of the Tohunga's activities as addressing Maori health needs kept the Maori reformers grounded in the practical social reality of life in the villages, in contrast with some of their Pakeha colleagues, who tended to see the issue in terms of the extension of political control.

The Maori Councils Act gave Maori some measure of control over local government, including the power to deal with Tohunga. The Act was inoperative until the 1903 national conference of Maori Councils, which passed specific by-laws to regulate the activities of Tohunga. Tohunga now needed a licence to practise, and were liable to be fined up to £50 if they did not have one. Tohunga who were found interfering with food production also courted a £50 fine. Fines of up to £10 could be imposed for treating a person by immersing them in cold water, for hindering a person from seeking medical assistance and for charging or receiving a fee for their services (A.J.H.R. 1903, Vol. 3 G. - 1. p5).

These by-laws discouraging Tohunga from practising should have been sufficient to deal with the problem. But the politicians and officials had little faith in the councils' ability to handle Tohunga. Apirana Ngata observed:

That Act was passed in 1900, but until 1904 it remained a dead-letter. There was not one Council that dared to tackle the Tohungas (N.Z.P.D., Vol. 139, (1907), p521).

The report of the Superintendent of Maori councils for 1903 stated:

In only one matter did the conference fail to rise to the occasion and that was while dealing with the rather difficult question relating to Maori Tohungas. Superstitions die hard: therefore I do not think the natives themselves are capable of putting down this serious evil (A.J.H.R., 1903, Vol. 3, G.-1).
The difficulties that councils had in dealing with Tohunga are reflected in two case studies from the minutes of the Tamatea Maori Council, which operated in the Hastings area of the east coast of the North Island.

**Case Study 1.** When a group of Tohunga from Nga Puhi wished to set up a tent community to heal the sick they had to apply to the council for approval. The group was cross-examined: How many cures had been made? How many cures had been effected where Pakeha doctors had failed? What kind of ailments had they treated? What were their methods? The Tohunga responded that 600 people had been treated in Waipawa and none had died. A further 600 had been treated in various other districts and three had died. They listed the illnesses that they were able to cure and those that they were not. They recorded each case in a casebook and called themselves takuta, doctor, as opposed to Tohunga. After considerable debate, the Tohunga were given their licences.

**Case Study 2.** In 1902, a case was brought against one, Tipihau, for allegedly causing the death of a woman called Te Paea by not informing a Pakeha doctor of her illness. Tipihau stated that he had diagnosed the woman to have a *Pakeha sickness*, and therefore a doctor should have been called. The family was reluctant to follow this advice, so he had to give what assistance he could, even though he knew he was going to get into trouble. The council was split on the case, and it was eventually thrown out of contention.

The events in these case studies suggest that Tohunga were under pressure from both the community and the government, in different ways, to *succeed*. In the old world, failures could be explained away by faults in ritual. But by 1902, Tohunga operated under the skeptical eye of the law and had to defend what they did to outsiders.

The desire of the Nga Puhi Tohunga to operate as doctors in the western sense, their careful record-keeping, and their appreciation of the limitations of their field of expertise provides considerable evidence that westernisation was an internal process in Maori society, as well as the result of external influences.
The Council debate in these cases also confirms that there was a major upheaval going on in the minds of the members as they struggled to deal with the issue. Some looked to the law for protection. Hape Nikora said:

I am frightened of this word ‘Tohunga’. Let us operate according to the law. We won’t be able to deal with this matter properly if we haven’t got our by-laws organised and published (Tamatea Council Minute Book, p128).

Some, such as Nepe, expressed their Christian beliefs and sought the answer in prayer:

Money is the root of the evil of mankind. The people must concentrate their attention on salvation. I am in favour of leaving this matter to prayer (ibid. p130).

The passing into law of the Tohunga Suppression Act did little to change the ambiguous attitude of Maori to Tohunga. This was illustrated in a letter to the Minister of the Native Department from the Acting-Superintendent of Maori Councils in 1908:

Some prominent members of councils are themselves encouraging Tohungas mainly on the ground of their being persons skilled in herb remedies ... Another chairman came to Wellington to ask why a Maori skilled in herbs and drugs should not be allowed to practise the same as Chemists. He, to strengthen his argument, instanced the instantaneous cure of certain pains by the application of some drug a so-called Tohunga had given him (Minutes of the General Conference of Maori Councils, Wellington, 14 July 1908, MA 1369).

The government approach to the issue was to deal with Tohunga summarily under the auspices of the law. This did not address Maori ambivalence about dealing with Tohunga through legal means, as the census enumerator pointed out:

while it is almost a crime to hand over the treatment of the sick to their Tohungas. Such criticisms are, in a sense, quite true, but they result from a failure to realise the mental attitude of the Maori (A.J.H.R., 1906, Vol 3, H.26a).

In the end, however, the council evidence reveals that Maori found their own way to deal with Tohunga in an informal policy, which could best be described as benign
neglect. From 1901 to 1909, only three major cases came before the Tamatea Council. The last case was in 1903, yet the Council was operative for another five years. Having failed to get a satisfactory result from the operation of the legislation, the Council apparently concluded that Tohunga could not be dealt with by the Pakeha system, but were best left in the separate, if changing, cultural world that Maori communities still occupied.

At the beginning of the twentieth century, the Tohunga was still a cultural institution with a viable role in society. Although subject to charlatanism and sometimes appearing to impede the Europeanisation of Maori society, the institution of Tohunga did not warrant the vehement attacks made on it. In light of the evidence, what was the justification for the enactment of the Tohunga Suppression Act? For Maori politicians, opposition to Tohunga was a matter of desire for social reform tinged with a sense of rivalry with the old type of leadership.47

For Pakeha politicians and officials, the issue was given a perceived need to suppress the existence of any focus for Maori nationalism. Both politicians and the general public viewed Tohunga as synonymous with independent Maori political thought. The debate on the introduction of the Act continually referred to the prophetic leaders of the political movements of the last forty years: Te Whiti and Tohu, leaders of the Parahaka movement, and the East Coast prophet, Te Kooti, who had died in 1893. These men, all of whom having offered strong resistance to government policy, were potent symbols of a Maori threat to Pakeha social hegemony. Laws such as the Tohunga Suppression Act were expressly aimed at the rapid cultural assimilation of Maori into the majority society and at the destruction of any possible power base for the resurgence of nationalist sentiments.

With this history of resistance fresh in their minds, the politicians eyed with unease the activities of the Tuhoe leader Run Kenana, who was establishing his commune in the isolation of Maungapohatu in the Urewera. While politicians spoke in the

47It is a general observation that in times of transition, customary practices form an impediment to ambitious visions for future development. Initially opposing tradition, reformers typically return to their roots and become masters of cultural practice, such as oratory, with its accompanying skills of myth, legend, and song. They then use these skills to promote social reforms. The career of Sir Apirana Ngata illustrates this progression.
language of health and general social reform, Rua’s independent activities were the
centre of most of their debate supporting the Bill.

Both the process of how Tohunga were treated by the state and the reaction of
Maori are both important to this thesis as an illustration of the process of the
integration of Maori into Pakeha society that took place during the first decade of
the twentieth century. In summary, laws such as the Tohunga Suppression Act
aimed at the rapid cultural assimilation of Maori into the majority society and at the
destruction of collective action (in the form of tribes) as possible power bases for the
resurgence of nationalist sentiments.

Official attitudes

The dominant attitude that Pakeha officials and MPs displayed towards Maori was
one of benign paternalism. Communal living was seen as the major impediment to the
advancement of Maori:

In conclusion I am strongly of the opinion that what is wanted is technical
schools for the Maori children so that they may learn to be of use in other
ways than those which are now open to them. This would be the surest way of
breaking up their old communal habits, failing which the Maoris can never

Mr. Moss (Ohinemuri) said there was no doubt communism was the trouble
that the Maori had to meet in the past, had now, and would have in the future

Opposition to communal living was directed at the tribe: *We must break up the
tribes and tribal jealousies* (ibid.). The Europeanisation, or assimilation, of Maori
was seen as both inevitable and desirable:

Now, there is an opportunity for them to assist in the control of local affairs,
and I do not think that I am too optimistic in saying that this will improve to
be a great factor in gradually preparing the way to the ultimate elevation of the
Maori – viz., their fusion with the white race (A.J.H.R., Vol 3 H.26a, (1906)
p5).

It is an idea of many people that the ultimate fate of the Maori race is to
become absorbed in the European (ibid. p2).
The number of half-castes was also seen as an indicator of the progress of assimilation:

the ultimate fate of the Maori race is to become absorbed in[to] the European. Whether any tendency is shown in this direction must be gathered from the increase or decrease in the number of half-castes (ibid. p2).

Pakeha were ambivalent and possessed an ambiguous attitude towards special legislation and conditions for Maori:

This desirable state of affairs may be brought about by the continuance of the efforts for the prevention of disease, the education of the children, the greater scope allowed them in their local affairs, the goodwill of their fellow British colonists and gradually by legislation (A.J.H.R., Vol 3 H.26a, (1906), p5).

He proposed to look at the Bill first from the aspect of the Pakeha. The difficulty they had in this kind of legislation was where to let the Maori legislation finish and the Pakeha legislation begin (N.Z.P.D., Vol 127, (1903) p514).

They must endeavour ... to see that no white man should be oppressed in any possible way by its provisions (ibid.).

Why should there be two laws – one for the Europeans and another for the Maoris? (ibid. p515)

Why should these Maori Councils have to deal with the management of the social life of the Natives? Why should not that matter be bought under the Health Department? (ibid. p518)

Clearly Maori issues constituted an enigma for Pakeha decision-makers. Obviously something had to be done about Maori health and land ownership. It was *a damned if you do and damned if you don’t* situation. Maori MPs filled the role of buffer and interpreter between Maori and the state, a sentiment expressed by the MP for Hutt Valley when praising the efforts of Carroll:

[H]e did not fear for the future of the Native race while the honourable gentleman held the reigns between Pakeha and Maori (N.Z.P.D., Vol 127, (1903) p515).

The nineteenth century had shown that separate autonomous development was not an option because Maori did not enjoy the requisite political power. What was
acceptable was an integrated, separate development, a Maori utilisation of Maori resources, which mirrored Pakeha development. The options for Maori at the turn of the century were few. They could either remain as an irrelevant minority who were geographically and socially peripheral to the dominant Pakeha society, or they could attempt to improve their situation by adapting and learning how to exist in the encroaching modern world. Although some among the conservative tribal leadership were still opting for an existence in isolation, most of the political leadership, both at national and local level, were promoting development based on utilising land.

Maori politicians attempted to use the parliamentary political system to achieve this aim. The first result was the enactment of the M.C.A., whose effect was to bureaucratise or systematise Maori social organisation. Community decision-making was westernised by adopting the conventions of the Westminster style. Committees ran the community and these committees were accountable to councils, who, in turn, were responsible to the Minister, rather than to any notional Maori polity.

The issue of leadership under this westernisation process is complex. Where widely acknowledged hereditary leadership existed, leaders were deferred to by giving them the status of Advisory Counsellors. In some cases, leading families had able members who were able to take advantage of the council system and become the elected leadership, while in other cases the council system provided an alternative leadership to that of the chiefs. It can be assumed that there were points of tension and power struggles between the various classes of leaders.

Through the lack of resource provision the Maori Councils Act became redundant by the end of the decade. Given that councils were reasonably successful, this raises the question as to why the system was allowed to run down. The process by which the council system was undermined is quite clear: lack of resources, namely funding, the provision of alternative lines of communication with government, and the re-establishment of the Native Department. All of these factors have their roots in the lack of political will on the part of the state to make the system work. This gives rise to the question. Was a successful form of Maori local government too threatening for those outside the system? Could an alternative power base be countenanced by the
politicians, both Maori and Pakeha, the Maori leadership not included in the system, and the Pakeha public? Such enquires are explored later when considering the remarkably parallel events that surrounded the rise and demise of the Runanga Iwi Act 1990.

With the re-establishment of the Native Department, the pattern for Maori development was set for the next eighty years Maori development was left to be channeled through the Department and there were no alternatives. Maori MPs and tribal/community leadership could only operate within the government system.

For Maori at the turn of the twentieth century, the tribe was a *sui generis* reality, so ordinary or natural that it was taken for granted that everyone had a tribal identity. Tribe was equated to a community that was synonymous with the local territory where a people lived. The forces that favoured the retention of the tribe were the recent history of tribal warfare, traditional communitarian values, and the existence of a significant number of commonly-owned assets. Politically, the tribe was useful because it presented a single voice to officialdom. Mitigating against the continued existence of the tribe was the arrayed weight of bureaucratic political power against communal living and the communal ownership of assets, particularly of land. Such official attitudes were reflected in government policy. The M.C.A. did not acknowledge traditional tribal boundaries in the establishment of Maori districts, and the Native Department did not recognise the tribe, preferring to deal with individuals rather than group representatives.
Chapter Four

The 1920s – Tribes in Transition

In the decade of the 1920s Maori society was still in a state of transition from a subsistence to a wage economy. Some sectors of Maori society were well on the route to integration, while others were still living in isolation. Attempts by the Maori political leaders to modernise Maori society were centred on the utilisation of customary land. It was a plan that was undermined by the lack of development finance and by the resentment felt in a number of Maori communities over the land alienation of the nineteenth century. The underdevelopment of Maori land, coupled with the economic depression, had resulted in an impoverished and unsettled society. The story of this is fragmented, so this chapter contains more individual sections than other chapters. The fragmented nature of the history and the difficulty in obtaining original data from this era means that there is greater reliance upon printed than archival sources.

The various entries for this chapter are grouped into the following three categories: Maori leadership of the time, Observations and studies of Maori in the 1920s; and Land issues. In the first section, letters exchanged by Ngata and Buck and the Putiki report give insight into the thinking and concerns of the leading Maori intellectuals and parliamentarians of the time. They illustrate not only the tactics employed by these leaders to influence national politics, but also the philosophical basis from which they operated. The cursory look at Ratana and his approach to tribalisation contrasts with that of the Maori MPs of the time, and provides an example of Maori thinking independent from government. In the Observations and Studies section, the ethnographic studies provide insights into Maori society of the decade. The Pitts Rivers study focuses on a small village community and the work of Keesing covers the whole of Maori society. The two Social Impact Reports, which form the next entry, were compiled in the late twentieth century and consider in detail tribal groups from the same geographic region over a wide period of time, including the
1920s. Webster’s theoretical piece positions the 1920s as the era in which the notion of Maoritanga, Maori-ness, as a pan-Maori ethnicity, emerged. The three entries on land include the Maori Trustee Act, the Aorangi land claim, and the Royal Commission in Confiscated Native Lands (popularly known as the Sim Commission, after the Chair of the Commission). These entries demonstrate the government concern for management of Maori lands and Maori concern for the return their lands.

Maori leadership of the time

The Ngata and Buck letters


The influence of these two leaders, Sir Apirana Ngata and Sir Peter Buck, on Maori society, as well as New Zealand society as a whole, is well recorded (G. Butterworth 1969, J.B. Condiffe 1971, The Journal of Polynesian Society 1951, E. Ramsden 1947, R.J. Walker 2002), and they, in particular Ngata, and their works are also referred to in various chapters of this thesis (see chapters three and five). This publication comprises 52 letters that Buck and Ngata exchanged between 1925 and 1929.

Aside from the personal and family concerns, the discussions between Buck and Ngata fell into two general areas: politics and ethnography. The political discussions included representation, leadership, and community development. They were not just concerned with parliamentary representation but church, tribal, and scholarly representation and leadership as well. Ethnography was clearly a passion for both men, and their approach was dominantly Darwinian in their fascination for racial origins and hereditary traits. This fascination with origins and the survival of language and traditions did not mean that they in any way lived in the past, as they were both very much concerned with the future and progress of Maori society. They were inclined to indulge in state of the race commentaries which they characterised, as views from legendary mountain tops (144, 163).
They both considered Maori society, which they usually referred to as the race, solely in terms of tribes (137). For example, Ngata, in discussing the economic situation in his district, informed Buck, "The tribe is gradually emerging from the slump" (p71). Buck in a passage considering Maori society in general, made the following statement: “To me, the development of race consciousness must be based on tribal consciousness. The tribal independence has always been present”(182). In this, Buck was echoing a statement made by Ngata in an earlier letter, when he informed Buck (who was living in Hawaii at the time) that there was a recovery of “tribal if not racial pride.”

They both believed that the successful adaptation of Maori society (which they considered in terms of social progress) to modern life was not assimilation but the retention of the virtues of the past combined with the use of modern technologies (123). Ngata felt that he had succeeded in this with his own people (141) a position supported by Buck (183). He noted proudly that the Waikato leader Te Puea during her recent visit to his people had remarked:

Ko Ngati Porou te iwi kua pakehatia te noho, nga mahi, te oranga; engari ko te ngakau kei te Maori rawa atu.

Ngati Porou are the people who have Europeanized their habitations, work and life-styles; but their hearts remain irretrievably Maori (141).

In another letter, Ngata noted that there was less progress among the peoples of the West Coast (Taranaki – Buck’s people) because they had no respect for the Pakeha world. He observed that the rejection of all things Pakeha had actually resulted in a greater degree of assimilation than for his people, who had progressed while holding on to their culture (163). It is a theme that is repeated throughout their dialogue on Maori society (123, 135). In one letter Buck waxed lyrical as he pondered about progress, the retention of the culture, and opposition to assimilation:

The higher culture as represented by Governments and officials...would have us abandon all but their culture ... If we do nothing. We become standardized to wear a made to order suit that was made by European factories with no knowledge of Polynesian hips ... Are we trying to hang on too much or are we jettisoning valuable freight that the canoe may reach the haven? One foot on the Pakeha brake and the other on the Maori accelerator, how will the car stand
it? Our cousins the Hawaiians are being rapidly absorbed if not already, into the nirvana of American citizenship. Our more remote kinsmen, the Samoans are in the rut of self satisfaction so deep that able bodied men sit round braiding coconut semnit and parcelling out governing positions amongst themselves over a mandated country. Between the two there should be a balance that moulds together the assimilable good of each culture … It seems to me … that the Maori race are the only branch that are struggling to maintain their individuality as a Race and moulding European culture to suit their requirements. The tangi, the hui and Parliament have kept us together and by providing exchange of ideas amongst the tribal leaders have stimulated tribal ambitions which added together forms a racial ideal (144).

To achieve this best of both worlds approach to social development, they promoted tribal development, reasoning that, by strengthening each tribe, all of Maori society would progress. While promoting tribal based development they were both concerned with the inability of the tribes to work together. Ngata remarked: “The battle has been to break down tribal exclusiveness” and later in the same passage “if these old grievances were out of the way the development of a race consciousness would be rapid and emphatic” (pp209-10). Buck determined that, while the tribes were unable to unite because of their warlike nature in the past, it was now possible: “What was impossible by means of war is now rendered possible by peace” (183).

The Putiki Conference, 1927


Under the umbrella of the Young Maori Party, the MPs Ngata and Pomare took advantage of the New Zealand Maori Lawn Tennis Association tournament held at Wanganui to convene a meeting of young leaders to review the progress of the race. In the introduction to the report on the meeting, they noted that it had been 27 years since the Te Aute Students’ Association had held its last conference at Putiki. They also explained that there had been few opportunities for inter-tribal meetings. As a consequence, younger leaders from the various tribes did not know or have contact with each other. Part of the reason for this, they noted, was that alternative political/religious movements had thwarted attempts at progress.48 They noted that this was not solely a matter of convenience, for they linked sporting prowess with

48 Clearly a reference to the Ratana movement.
leadership: “the twofold appeal of sport and the conference on racial questions brought together some of the most progressive elements of the race” (1-G 8).

They called for tribal unity and identified the need for coherent conscious organisation to facilitate social progress (1-G 8). They noted with some pride that young Maori were becoming more individualistic, seeking self-employment, rather than the former communal way of life. They then made a contradictory observation that the “weakening of the protective elements of the old-time communism” had resulted in economic hardship for many Maori (2-G8). This argument of Maori willingly and purposely pursuing progress, but not at the expense of their culture, continued throughout the introductory remarks. The Europeanization of Maori was lauded, and it was noted that the quest for education prepared them “to take a fitting place in the life of the Dominion,” and was a strong motivating driving force among Maori. At the same time it was argued that Maori were “demanding more allowance for his racial peculiarities” and were no longer satisfied to merely “ape the pakeha,” but had realised that they could employ their own (culturally appropriate) means of achieving progress.

The report of the conference was prefaced with a copy of a memorandum from the Prime Minister, J.G. Coates, read to the conference by his Private Secretary, H. Balneavis. He commended them for taking advantage of the tournament to build on the discussions of the conference held at Tikitiki the previous year. He also urged them to hold onto their lands, explaining that land titles needed to be sorted, otherwise rates and other liabilities on their lands would accrue. The Prime Minister also warned against investing money foolishly, and recommended that they put their money in the Post Office Savings bank or other properly conducted banking institutions.49

The agenda included discussion on land, education, health, the preservation of traditional arts and crafts, the settlement of grievances, and ethnological and historical research. Each section commenced with an acknowledgement of the

49 This warning is mostly likely a reference to the fledgling Ratana bank (see section on Ratana).
Government's initiatives and support in the particular area of concern, and was then followed up with a list of concerns and demands.

Education concerns included the fact that scholarships for young Maori to attend Maori secondary schools were working well, but in areas where there were few native schools, the children were disadvantaged. The conferences also recommended the continuation of nursing scholarships and incorporating the teaching of the poi into the physical education programme. Under the heading of Industrial employment, trade training and land utilisation were discussed. The Maori Arts and Crafts, and Ethnological and Historical Research sections included the preservation of pa sites, support for the School of Arts and Crafts, and a recommendation that each tribe be supported to establish an organisation for the collection and storage of traditional information, such as songs, genealogies, incantations, and objects of the material culture.

The Settlement of Grievances section referred to confiscated lands, and the government was applauded for establishing commissions to investigate grievances, noting that the psychological effect on the Maori people of this belated but laudable act of justice must be immense. The section on health noted the increase in population. This fact was contrasted with previous declining populations and heralded as a sign of successful health policies. However, in spite of this positive trend, there was a warning against complacency and called for more Maori health professionals. Health, interestingly, was mainly characterized as hygiene, so health initiatives focused on hygiene education and sanitation. The development of land was considered separately, and included the notion of the consolidation of land interests and other industrial assets/opportunities. Also, the conference noted a need for development finance. The report concluded with a recommendation for more conferences.

The Ratana movement and tribalisation

The church and political movement founded by Tahupotiki Wiremu Ratana was a major social force among Maori in the 1920s. Estimates put the late 1920s membership at 20,000 (The Dominion 15/9/27, Ballara, 1996) out of a total
population of just over 50,000 (Thorns and Sedgewick, p35). It is acknowledged that Ratana had a nationwide influence, as opposed to earlier religious movements that were tribally and regionally based (Henderson, Raureti). Ratana’s desire was to unite all Maori in one faith, calling his followers Nga Morehu (literally, the Remnants—by implication, the Faithful). This call to the faith implied a rejection of other affiliations. In a thesis on the subject, Raureti, himself a follower of Ratana, states:

Those who followed the movement to the extent that they were prepared to forego all, giving up their homes, families and tribal affiliations, and moving to live in Ratana, were those who within their own areas and tribes did not have deep and stable roots. The effect of Ratanaism was to create a detribalised unit, devoid of tribal affiliations. This was a strange and completely new departure for a people steeped in tribal tradition. The all-pervading influence of the leader and movement therefore can be judged in the light of this action (16).

This view that the Ratana church was anti-tribal was supported by the influential Maori scholar Maharia Winiata (1967). In writing on Maori leadership, he notes that the Ratana movement cut across tribal boundaries (98). The historians Michael King (1992, 298) and Graeme Butterworth (1972, 166) both acknowledge Ratana’s anti-tribalism stance. Butterworth restricts this stance to tribalism as the basis of social organisation, noting Ratana’s attraction to whole tribal communities (ibid.). In his biography of Ratana, Henderson (1963) does not mention that Ratana was specifically anti-tribal, and Ballara (1996), in a more contemporary view, notes that Ratana utilised tribal institutions and allowed his followers at Ratana Pa to organise themselves along tribal lines. However, both writers record conflict between Ratana and the leaders of the King movement, King Rata and Princess Te Puea, and Henderson also talks of the rejection of Ratana by Ringatu. Ratana was also roundly opposed by the pro-tribal leaders Sir Apirana Ngata and Sir Maui Pomare. While the opposition from various Maori leaders of the time can be credited to political and religious reasons, these opposing leaders were also strong advocates of development along tribal lines. King observes that Ratana himself was not of chiefly status, that he did not have a tribal community base, and that he had special appeal to “the growing number of detribalised, non-chiefly common people” (298). The implication was that Ratana chose a non-tribal base because he did not have chiefly status. King, however does not give any evidence that Ratana was not a rangatira or that he did
not have a tribal base. It is also notable that neither of the Maori writers, Raureti and Winiata, mention Ratana's whakapapa. The success of the Ratana movement in the 1920s did not result in large-scale detrivalisation. Rather it was a viable alternative to customary tribal organisation. It was viable because it was a movement that was endogenous to Maori society and one that expressed itself solely in Maori terms, through prophesy and metaphor, ritual and organisation.

Observations and Studies of Maori in the 1920s

George Pitt-Rivers and his observations


The visiting scholar, George Pitt-Rivers, accompanied by Elsdon Best, visited a Maori village on the Wanganui river. He was interested in the relationship between culture and race and subscribed to the theory that there was an older Maori world that had all but disappeared, and any adaptations that he observed were corruptions of this former world. He observed: "We are now witnessing an ethnic and cultural metamorphosis of the Maori population in which each generation represents a distinct step in a new direction" (49), which he pronounced as a decay of the race (*sic*). It was this phenomenon that he set out to observe and, through Best as translator, gain a Maori perspective on its past (*ibid*). He observed that there were three tiers of generational differences in the village: an older generation that spoke no English; a second generation that, while comfortable with the elders, was more interested in the future; and a younger generation who, according to Pitt-Rivers, had no knowledge of, or interest in, the past.

In his quest to study the "decay that had overtaken their race" (50), he questioned a group about why people worked well under chiefs in former times, but not so willingly for the village committee. The response was unanimous. He claimed that he was told that the village committee was a feature of Pakeha mana,50 law and order, as Maori mana had been destroyed. His informants went on to explain that matters

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50 Pitt-Rivers himself describes the District Council and the village committees as an imposition by Pakeha to control and administer the Maori body politic (50).
that considered Maori subjects were still discussed in the old way, and that the committee had very little or no influence in this arena (58-9).

**Keesing’s ethnography**


This work offers an interesting insight into the role of Pakeha ethnographers in understanding Maori life in the 1920s. It has been selected because it is one the few published and, in the opinion of Apirana Ngata, one of the most thoroughly researched and insightful ethnographic studies of contemporary Maori life in this period (vii). The aim here is not to review Keesing’s book as such, but to consider his descriptions of Maori society. Writing in the style of the time, Keesing did not record straightforward observations but incorporates his observations, usually without reference, in his hypotheses of progress and Maori society. The book is divided into two parts. The first part contains three sections: the Ancient Life; the Coming of the Pakeha; and the Process of Change. The second consists of four sections: The Race Today; The Pakeha at Work; The Outlook Ahead; and The Future Task.

Keesing’s approach to his ethnography is revealed in these headings and grounded in the methodology of studying the past to understand the present (75). As such, he understood Maori as being in a period of transition from the Old to the New World. He reasoned that this period of transition has had an extremely negative effect on Maori (89). He understood this situation in terms of a dying race-cum-fatal impact theory. He argued that because the Maori mana of old has been crushed by Pakeha mana, Maori consequently exist in a state of depression, and to remedy this situation there is a need for the creation of a new Maori mana (168-9). He also contended that this cannot be achieved without Pakeha assistance, and that Pakeha have a moral duty to assist Maori through this troublesome period.

Within this ideological framework, Keesing described Maori society as being predominantly rural, with the majority living in very remote areas. Consequently, there was little sign of their presence in the cities (80-5). He observed that English
was very much a second language among Maori (88) and that Maori form a discrete society within New Zealand society (94). He also noted that the Maori population was increasing and acknowledges that it was a permanent trend. The significance of this observation was that change in demography required an adjustment to the hitherto prevailing view that Maori were a dying race. He did not consider that this demographic change was necessarily positive as he reasoned that, because there would be a continued loss of elders, there would also be a loss of cultural capital in the form of lost traditional knowledge. The proportion of younger people would therefore be greater, but they would have little knowledge of their culture and would be without the wisdom of the elders to guide them. This situation, he reasoned, would entrench the lack of pride in culture and as a consequence exacerbate the sense of depression among Maori.

He described Maori as living tribally and holding onto their “ancient communal organisation” (94). He saw this as perpetuating tribal rivalries and differences that had resulted in Maori communities developing in isolation from each other. Therefore, there was a wide variation of the level of Europeanisation among them. He saw this uneven development as a barrier to progress (107, 175). Keesing noted that sports tournaments were one effective way of breaking down tribal differences. The other barriers to progress, he determined, were the strong, continuing sense of grievance over the land losses of the nineteenth century, the general poor state of health, and the sense of social inferiority.

The Maori sense of social inferiority, according to Keesing, had its roots in the loss of pride in themselves and their culture. This had happened through the lack of interaction among themselves and the excessively rapid interaction with Pakeha (in particular the negative aspects of Pakeha culture) (106, 157-8). He argued that there was a need for a new “social and moral order” (a new Maori mana) in which the retention of the Maori “racial character” was essential (168-9). Keesing continued to argue that Maori pride in their culture would facilitate “ordering the chaos of transition” (173).
He argued that to strive for tribal unity was overly idealistic as the tribes could never be unified, but he proposed that, with the help of Pakeha, the historical tribal differences could be negated and eventually superseded by a new moral and social order (175). He noted that there was an educated leadership that was optimistic, even though the majority of Maori were in a state of depression, and that there was a need for more positive relationships, not only between Maori and Pakeha, but also among Maori themselves (175-177).

While Keesing’s work was promoted as ethnography, it was primarily social commentary. His work contains interesting ambiguous contradictions that are never satisfactorily resolved or, more tellingly, even considered contradictory. Maori of this era are posited in a state of transition between two idealised states of existence, with the transitional period characterised as an extremely negative state of limbo. His primary message was that, with the help of Pakeha, Maori could become totally integrated citizens of the new world without being assimilated, thereby effecting the transition from one oxymoronic state of the *noble savage* to that of another, the *civilised native*.

**Two Social Impact Reports**


These two reports were commissioned by the Crown Forestry Rental Trust (CFRT) to support iwi claims to the Waitangi Tribunal. They were surveyed in an attempt to gain insight into Maori life in the 1920s, but it was found that neither report contained sufficient information to construct a stand-alone picture of iwi in the 1920s as they both surveyed iwi formations over a long period of time, beginning in 1840. The CNI Report highlights the problem of the paucity of information on the 1920s (Kukutai *et al.* p8, p89) and the problems of classification of iwi are noted in appendix 2, indicating, but not identifying, the change that took place with iwi over
the nineteenth and twentieth centuries. The comment was made that 'Iwi names do not fit perfectly with those used 100 years before' [(e), (i), 126]. In spite of these shortcomings the reports have been included for reference purposes as they contain snippets of information that provide insights into tribal societies in 1920s. The first report, Central North Island Iwi: Population Patterns and Trends (CNI), is primarily a demographic report, while the second, The Ngati Whare Report, is a social impact report. They both pertain to iwi who resided in the central North Island Iwi.51

The CNI report is a demographic report supported by a range of qualitative sources that provide a historical and socio-economic context to the demographic changes experienced by the iwi of the central North Island (p15). The report traverses the experiences of these iwi from 1840 to 1996. Chapter nine, entitled The Era of Vulnerability & Marginalisation 1901-1945, was the only section examined to ascertain the situation of iwi in the central North Island during the 1920s. The purpose of the Ngati Whare report was to “delineate the social impact of the alienation of Ngati Whare’s land and at the same time could serve as a social history of the Te Whaiti area in the past 120 years.”

While these reports focus on land alienation and the resultant poverty, as well as the consequence of poor health, they confirm that Maori in this district were still living communally in their tribal territories. Each village was a hapu community and, because of their isolation, retained their tribal lifestyles. As this Missionary report to the Presbyterian General Assembly attests,

In reading a report from the Tuhoe, one needs to realise something of the atmosphere – ‘the cut-offness’ from almost all association with European life and customs, although Te Whaiti is just within the borders of the Uruwera (sic), and there are constant rumours of pakeha settlement in the near future; yet life in the Maori pa goes on in much the same way as it has done for generations past. They still live the ‘simple life’, and it would not take long to take an inventory of the furniture in the homes, so there is not much housework to be done. All subjects of local importance are discussed with great interest, business is transacted, marriages are arranged, and family disputes settled by the old people (Hudson and Neumann, 301).

51 The Central North Island refers to the geographic region most commonly known as the Volcanic Interior Plateau. The central North Island iwi are not a tribal formation, but rather groups of iwi who reside in this region. The report groups them as Te Arawa, Ngati Tuwharetoa, and the Kaingaroa iwi (various Mataatua iwi).
Both reports discuss land alienation in detail. For example, after losing a large portion of their lands in the previous decade, Ngati Whare lost twenty five percent of their remaining lands through the consolidation scheme that the Crown introduced in 1921. (ibid. 5). The reports link land alienation with the poverty that these iwi experienced and the poor standards of health that were a consequence of poverty. The 1920s saw an improvement in health standards with the introduction of inoculations for typhoid even though the fundamental problem of sub-standard living conditions was not alleviated (Kukutai et al, p83, p87). The combined population of these iwi in the 1920s was recorded as 4757, with some commentary regarding the underreporting of statistics because of the reluctance of iwi in this area to cooperate with census takers (Kukutai, et al. 162).

A theoretical exposition on Maoritanga


Building on the argument presented by Roy Nash (1982) in considering education policies affecting Maori, Webster (1990) investigated the roots of Maoritanga, Maoriness. Nash argued that the concept of Maoritanga was opposite to that of assimilation which he contended was based on the notion that Maori were not Pakeha enough, whereas Maoritanga understands that (modern) Maori are not Maori enough. Webster accepts Nash’s position, but argues that it appeared in the 1920s, as opposed to the 1940s and that it was the result of the influence of anthropologists and administrators, rather than educators and administrators.

After describing the prevailing socio-economic conditions in New Zealand, Webster quotes other writers and supports their contentions that by the 1920s Maori were 10 percent urban, and the remaining 90 percent could be accurately described as “rural proletariat” (76-7). He challenges aspects of these writers and includes other factors such as the increasing Maori population and developing trends in agriculture that included the reduced use of casual labour and the continued alienation of Maori land. According to Webster, these factors resulted in Maori becoming “the most
disadvantaged sector in the increasingly, marginalised and transient rural proletariat of the 1920s” (80).

Webster goes on to discuss the combined effects of anthropology and administration. He begins by describing the contradictory stance of Maori politicians in that they promoted assimilationist policies among Maori, while at the same time exhorting Maori to hold on to cultural values. According to Webster, these contradictory messages were first made public in a speech by James Carroll when he addressed a public gathering at Te Kuiti and urged the people not to lose their Maoriness. The actual quote was “kia mau ki to koutou Maoritanga – hold fast to your Maoriness.” In doing this Carroll had coined a new term, Maoritanga, which Webster observes was in complete contradiction to Carroll’s political career, which had centred on promoting Pakeha ways to his people. Webster argues that this ambiguity has never been resolved (83).

Under the heading the anthropologists52 Webster considers the influence of George Pitt-Rivers, Elsdon Best, Raymond Firth, Felix Keesing and Apirana Ngata. Webster credits Pitt-Rivers, the English scholar, with laying the theoretical foundations of Maoritanga, arguing that he created a theoretical hybrid, fusing the conceptualisation of culture along racial lines and the conceptualisation of functionalism in terms of Social Darwinism. It was a line of thinking that was adopted by Best and expanded the dying race paradigm that he had formerly employed. This approach led to the glorification of the past and denigration of contemporary Maori society. Webster also adds that, as well as these theoretical leanings, there was also a considerable element of class prejudice in these scholars’ observations (86).

The emphasis on illuminating the past and disparaging the present was continued through the work of Keesing as a practising anthropologist and Ngata as a politician. It was a position that, according to Webster, resulted in them supporting the notion of Maori adopting a more Western lifestyle while holding onto worthy aspects of their culture. Both Keesing and Ngata had publicly observed that the opposite had

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52 Best and Ngata were not trained in anthropology, but they were both active ethnologists, prolific writers, and consequently very influential in the field.
happened in Maori society, that Maori had lost the more noble features of their culture and adopted the vices of the West (91). This position according to Webster, led Keesing to support a "more generalized Maori culture." Maoritanga, rather than tribal solidarity (93). Maoritanga, therefore, was a theoretical tool that facilitated assimilation. Ngata, Webster argues, was unable to grasp this contradiction or that his, Ngata’s, (101) “view of traditional Maori social organisation had become merged with English relationships of social class privilege and subordination.”

**Land Issues**

**The Native Trustee Act 1920**

The Native Trustee Act 1920 was: *An Act to provide for the appointment of a Native Trustee and to make better provision for the administration of Native Reserves.* This Act was enacted to take the management of Maori Reserve lands from the Public Trustee to an independent body that would operate for the good of the landowners. It was an initiative that was spearheaded by the politician Sir Maui Pomare on behalf of his Taranaki peoples (Butterworth, 4). The Act established the office of the Native Trustee and the Native Trust Board. Their role was to administer all reserve lands and the revenue that came from these lands. The idea was that Maori could access these revenues to develop their lands (*ibid.* 28).

The Bill for the Act was introduced into the House by Sir W.H. Herries, the Minister of Native Affairs. He stated that the intention of this Act was to assist Maori into farming by placing the administration of Native reserves under an independent body. In doing so he argued that the system in place, as controlled by the Public Trustee, was not working. He explained that, although the Public Trustee held large amounts of their money in trust, Maori found it very difficult to access finance to develop their lands (NZPD, Vol 187, 965-967). Herries argued:

> We owe a debt to the Natives, to try to provide them with some means by which they may finance themselves. There are at least a great many of them – I should think, the bulk of them – who are anxious to try to emulate their pakeha brothers; in some instances they surpass their pakeha brothers – and they are anxious to be as other citizens of this country (*ibid.* 967).
He also argued that such an initiative would be beneficial for Pakeha as well as Maori, for as well as raising the general level of productivity, Pakeha lessees of Maori reserve land would also be eligible for finance from the Maori Trustee (ibid.). Herries saw this Bill as a vehicle for individualisation of title and land usage:

It will take them out, I believe of the communal system, which, in my opinion, is holding the Maori nation back (ibid.).

It proposes that we lend money only on partitioned or incorporated blocks. We would not lend money on a block of land, which had a hundred owners, ... but if one of the hundred owners cut himself out, then he would be open to have money advanced to him (ibid.).

While overtly aiming at self reliance, the Maori Trustee was very much part of State machinery: the Trustee would be an appointee of the government, not Maori, as Apirana Ngata the member for Eastern Maori pointed out in the debate on the Bill (ibid. 969). Herries stated that the Bill had the support of the Maori members (ibid. 968). Ngata, however, expressed concerns about the costs of administration (ibid. 969) and complained that the whole process should not be funded solely from monies off these reserve lands. He argued that the income from the reserves should be subsidised. He also argued that any finance given to Maori should be controlled by the Trustee as they were not yet ready, in his opinion, to independently control their own money (ibid. 971-972). Following from this argument about control of money, Ngata made a point about other considerations in lending Maori money:

One thing that the Board has to be careful about is that it does not lend money to isolated applicants without considering the environment and character of the person to whom the money is lent. There is no more helpless person than the Maori who is “on his own” amongst a colony of white people, unless he is a man of extraordinary strength of character; he wants to herd with his own kind. My experience in my own district is that although there may be farming going on all round the Maori, and although he is keen to learn, he does not learn readily from the Pakeha — not as readily as he learns from people of his own race who have acquired the art of farming (ibid. 972).

Within the context of this debate, Ngata explained in detail to the House why it was difficult for Maori to develop their lands (lack of capital) and why land incorporation was necessary for Maori:
What is the position of the Maori? He has no capital but his land. He does not put in any money to begin with; he has only the land, and that is defined for him by the Native Land Court on the principle of descent from ancestry, occupation and so on. These Natives are incorporated together in order that they may quiet their tribal quarrels over land, and pull together as one body. There is no alternative. Either they must be placed under the orders of the committee compulsorily or they must have those quarrels at which the Pakehas in Maori districts gaze in amazement. Quarrels between members of the same hapu or family lead to partitions of land, to troublesome litigation, and the frittering away of estates (ibid. 974).

The establishment of the Native Trustee typified the focus on land and land management that dominated the relationship between Maori and the Crown in this decade.

The Aorangi Land Claim

Native Land Claims Commission

In 1921, a Commission of Inquiry, the Native Land Claims Commission, reported on various outstanding Maori land claims that had come before it (H-R 1921-22, 1-G. 5). One of these claims was the Aorangi Reserve Claim. Aorangi was a block of land to the east of the village of Takapau in Central Hawkes Bay. The claim was that this block of some 7,200 acres had been alienated from the resident hapu without payment. The Aorangi Claim had been presented to, and rejected by, the Hawkes Bay Alienetion Commission of 1873. From that time, Aorangi had been the source of community discontent and hapu leaders had continually petitioned the government to have the matter re-investigated.

On investigating the events that had led to the alienation of this block, the Commission found that:

Upon a careful review of the evidence and facts we can come to no other conclusion than that the Natives have been deprived of this particular land known as Aorangi by mistakes (honestly made) arising out of the various transactions which took place in the early days: (H-R, G-5).

While finding in favour of the claimants, the Commission was quick to absolve earlier official action from any blame, citing the difficulties with surveying and finding fault with the hapu: "this was probably the fault of the Natives in not making the real position clear to the Commission" (ibid).
The Aorangi Judgement

Native Land Court Hastings 23 February 1924
Judge M. Gilfedder
Clerk K.W. Katene
Interpreter Ware Waitai
(Napier Minute Book 72 pp87-115)

After the Commission’s report was released, the Native Land Court commenced an investigation in April 1923 to ascertain the rightful owners of Aorangi. The Court divided the Aorangi block into 7200 shares (the estimated number of acres that comprised the block) and considered claims to entitlement under the following presumptions:

1. That conquest, ancestral right, gift, “Mana or ringa-kaha” without occupation confers no right.
2. That occupation previous to and actually or constructively existing at the date of signing of the Treaty of Waitangi in 1840 presumes the right to occupy unless the contrary is shown.
3. That rights through the former occupation of elders who went away may be revived by their own or (sic) their descendants [who] returned before their fires had gone completely cold.
4. The involuntary “hekes” during the twenty years prior to 1840 did not amount to an abandonment or less of “take” because the exiles left with the intention of returning as soon as more favourable conditions obtained.

From the seventeen claimant groups, ten were rejected and a total of 20 shares were allocated to individuals, with the remainder allocated to whanau and hapu. In deciding on who and which hapu had rights to this piece of land and, even further, the degree of rights each claimant and claimant group possessed, Judge Gilfedder made his judgement based on the evidence before him, as well as on previous Native Court rulings. All of the evidence presented was historical, that is, it pertained to occupation prior to, and immediately after, the signing of the Treaty of Waitangi. The Judge’s decisions, therefore, were based on his interpretations of traditional concepts of land occupation and tenure. For example, with a group of eleven people who made a claim under a brother of one of the most prominent chiefs, the Judge ruled, “The ancestral right of Turahui [the ancestor] is doubtful but as there is a presumption of some right to support it perhaps under a different ancestor. This small list will be awarded 75 shares.” (section 15). In allocating the major portion of
the shares between the two hapu that the Judge regarded as the major claimants, he made these comments, "Each party admits the right of the other both by ancestry and occupation ... Both parties have shown occupation of their elders on adjacent lands ... Both parties have persistently and consistently in season and out of season petitioned for redress and satisfaction ... The Court considers these two parties should divide the shares equally and awards 3000 shares each." This decision was followed by the instruction that the shares should be allotted to the people on the lists. As the vast majority of shares were allocated to hapu rather than individuals, the Judge obviously recognised collective rights and, through this official recognition, assisted in their perpetuation. That the claims were primarily made in hapu, rather than individual, names, and that they considered their rights to property in terms of genealogy, illustrates that Maori of this era perceived of themselves and their society in tribal terms.

As a postscript rather than part of this study, even though the judge ruled in favour of the claimants, the claim was not settled until some thirty years later, in 1951, with the payment £5000-0-0 and, at the time of writing, Aorangi is the subject of a claim to the Waitangi Tribunal (Wai 657).

The Royal Commission into Native land confiscations, 1928

In 1926, a Royal Commission was appointed to inquire into the confiscation of Maori land under the New Zealand Settlements Act 1863 (and amendments of 1864, 1865, 1866). The Commission came about after a long period of lobbying. The Reverend A.J. Seamer of the Methodist Mission in the Waikato wrote to the Prime Minster, recalling their days as non-commissioned officers in World War I, and informed him about the high level of dissatisfaction among the Waikato people about the loss of their lands in the nineteenth century. He argued that the opposition of Taranaki and Waikato peoples to the recruiting effort in World War I and their ambivalence to royal visits was because of their land loss. Seamer went on to explain that these grievances were festering away as Maori felt that they were not being listened to and were being gagged. He wrote, "there must be a clearing of these old wounds. Father time is not helping this problem. These wounds are septic and affect not only the whole tribal body, but the tribal mind as well as creating general ill
"health and infirmity" (File MA 85/8, Letter Seamer to Prime Minister). The Prime Minister replied to Seamer in July 1925 informing him that the matter was in hand and thanked him for bringing it to his notice. He blamed the lack of progress on the Waikato tribes as they had referred the matter to the Home government instead of the New Zealand parliament (ibid., letter PM to Reverend Seamer, 6 July 1925).

The next month, the Prime Minister received a deputation consisting of the Members of Parliament, Pomare, Ngata, and Uru, with Rikihana from the Native Land Court, 70 Maori leaders from the Bay of Plenty, Waikato and Taranaki, and their lawyers C.P. Skerret, R.C. Sim, and D.P. Smith (M/A/85/8, minutes of the meeting held on the 1st of August between the Prime Minister and the deputation on confiscated lands). Skerret argued that the confiscations were indiscriminate and as a result, innocent tribes had suffered. Ngata pointed out that it was difficult to convince the tribes that had suffered from unjust confiscations to embrace social and economic reforms, and that is why they refused to enlist in the Maori contingent in World War I. In reply, the Prime Minister promised to take their concerns seriously. In addition to these approaches, the Prime Minister received 18 telegrams and letters, as well as 43 petitions on the confiscated lands (ibid.).

The deputation must have convinced the Prime Minister for, in a memorandum to Cabinet a month later, he recommended setting up a commission and, in doing so, offered the following arguments. He told them that there was a very strong sense of grievance over the land confiscations some 60 years earlier and that this ongoing sense of grievance was the reason for the "backwardness of a large section of the Maori people in education, in social and moral conditions and in other respects that fit them as citizens of the Dominion." He wrote that the sense of grievance was passed on from generation to generation, giving rise to "reactionary movements." Finally, he noted that Maori had made deputations to the Crown and the Secretary of State for the Colonies, and that their complaints had been referred to them, as it was their (the New Zealand government's) responsibility (ibid. memorandum Prime Minister to Cabinet, 10 September 1925).
The pressure on the government continued. Te Rauowoa Balneavis, the influential secretary to the Minister of Native Affairs, informed his Minister that if the Prime Minister did not set up a commission soon, the Labour Members would force the issue and take all of the credit at the forthcoming elections (memorandum Balneavis to the Native Minister, 28 September 1925). The following day, the Prime Minister made a public announcement that a commission into land confiscation was to be convened. K.S. Williams, the Chairman of the Native Affairs Committee, commenting on the Commission, noted that even if the allegations by Maori were not proven, they (Maori) would have at least got the matter off their chests (ibid. Evening Post 29 September 1925). The proposed Commission was reported in the government publications, the New Zealand Gazette and Te Kahiti (1 October 1925). They listed the reasons for the Commission because: (1) in some instances, Maori loyal to the Crown had had their land confiscated; and (2) a full investigation would dispel the sense of grievance from the Native mind. Also it was reported that it was the government’s duty to express goodwill towards Maori, and that previous Maori attempts to have the matter resolved had been ill-advised as they had used a Treaty rights argument to resolve a situation where the Treaty had been breached by them. The article also noted that, in the context of these claims the “intricate relationship between individual and tribal rights under Native customs” had to be considered.

The Commission was convened, chaired by Sir William Sim, with Vernon Reid, a Maori Land Court Judge, and William Cooper, described as a Native Associate, as members. The Commission was charged with reporting on whether the former owners of confiscated lands were in Rebellion and the confiscations were therefore justified under the Act, and, in the case of confiscations not being justified, were the claimants entitled to any compensation? In addition they were also to consider whether any lands were wrongly confiscated and whether the reserves that were awarded were adequate for the needs of the tribe or hapu.

The Commission sat for four months, and their report was presented to the House of Representatives in 1928. They considered a total of 56\textsuperscript{53} petitions from Maori in

\textsuperscript{53} Some of the petitions were grouped, one of the Hawkes Bay petitions included four earlier petitions (G-7, 4).
the Bay of Plenty, Hawkes Bay, Te Arawa, Tauranga, Waikato, Taranaki and North Auckland. Out of all the petitions, only four received compensation. In Taranaki, the confiscations were considered to be wrong, and an annual award of £5000 was made; in Waikato, the confiscations were considered excessive and they were awarded £3000 annually and Te Whakatohea of the Bay of Plenty and the Northern Hawkes Bay tribes were both given an annual award of £300 for the higher education of youth. The compensation amounts to be paid were calculated on the value of land considered wrongly confiscated (in acres) at the time of confiscation (NZPD, 1928 G-7). These amounts were considerably less than those recommended by the Maori Members of Parliament, who also recommended settlements be made to a number of Bay of Plenty tribes as well (Sorrenson, 138).

As noted in the introduction, the 1920s was a period of transition for Maori society. Maori communities ranged from those who had a large degree of interaction with Pakeha society to those who still had very little contact with it. From the various studies that comprise this chapter, it can be ascertained that most Maori were still living in their own communities. Maori were still living communally, but not necessarily in the kin groups of former times. Butterworth (1972) records that this period saw an intensification of the trend among young Maori to move from one rural community to another in search of work (161).

During this period, there was a focus on the loss of land and the quest to gain compensation for unjustified losses, as well as a continual push by Maori leaders to develop the lands that remained in Maori hands. Customary Maori land tenure is inextricably linked to notions of tribe as land, and is both symbolic, representative, and a manifestation of a tribal identity. In the 1920s, it was also the major, if not the only, resource that Maori communities possessed (or to which they claimed possession) that could facilitate development. Not surprisingly then, that aside from those entries that focus specifically on land, most of the other entries mention land issues in one form or other. For example, Ngata, in his letters to Buck, routinely included comments and gave commentary on land issues and a considerable portion of the Putiki report was also concerned with land issues. The discussion around, and the passing of, the Maori Trustee Act demonstrated the government’s concern with
management of Maori land, and was an attempt to grapple with the issue of multiple-owned land. The success of political agitation to investigate lands lost in the nineteenth century demonstrated the seriousness of land concerns to both Maori and government, and the recommendations of the Aorangi Judgement and the Royal Commission into confiscated lands illustrate an acknowledge next the collective and tribal nature of Maori land tenure.

Pitt-Rivers, through his observations of a remote community, illustrates the transition that was taking place in Maori communities. Change was also a concern of Maori leadership of the time. Ngata, in his correspondence to Buck, argued that if tribes conscientiously adopted Western ways, they would be more likely to remain Maori than those who let modernisation creep up on them. He therefore promoted social and economic reform through modernising the tribe. In pursuing this path of action, he was supported by conventional thinking of the time, that Maori needed to maintain their culture as tool to modernisation. He held that Maori who lacked knowledge of their culture were social misfits who could not adjust to modern society. It is a line of thinking that was supported by others, such Pitt-Rivers, Keesing and Buck (also see the comments attributed Sir James Carroll in Theories of Maoritanga in this chapter).

In spite of the work of Ngata and others, the ideals of tribalisation that they championed were under the threat of change. This trend was evidenced through the erosion of Ngata’s popularity (based on tribal elites) and the rise in influence of Ratana, with his strong sense of congregationalism and scant regard for tribal hierarchies. Although still highly respected and revered by many Maori, Ngata and the Maori Members of Parliament of his ilk were, by the close of the 1920s, losing touch with the ordinary people. Ngata described the struggle he had in the 1928 elections: “I had no notion how the pakeha battle was going, being too immersed in the fight against Ratanaism in four electorates” (Sorrenson, 150). It was a very close battle in the Southern Maori district with Ngata’s colleague winning by one vote - the casting vote of the returning officer. Ratana was possibly offering the same things to Maori as Ngata but packaged in more traditional ways, even though his initiatives could be described as non-tribal. Maori society in the 1920s can accurately
be understood as being organised and functioning tribally, but with sure signs of the erosion of this state.
Chapter Five

The 1940s – Revived and Thwarted

The years 1940 to 1949 were dominated by World War Two and its aftermath. Maori were more directly affected than other New Zealanders because proportionately more Maori were involved in the war effort than Pakeha. The immediate response from Maori to the official declaration of war in 1939 was an intensification of political lobbying for formation of a solely Maori fighting unit. The lobbying began prior to the declaration when the possibility of war was only an imminent probability. The 28th Maori Battalion was duly formed and organised on a tribal basis.\textsuperscript{54} After the Battalion was successfully launched, it was soon determined by the War Cabinet that a community support system was needed to maintain it for the duration of the war.

The Native Department of the time was primarily a land administration agency and very limited in its ability to support the war effort.\textsuperscript{55} Consequently the War Cabinet charged Paraire Paika, the Ratana/Labour MP for Northern Maori, with the responsibility of stimulating and organising the Maori war effort. Paika initiated a proposal for a network of tribal committees responsible to a government committee consisting of all the Maori MPs. The proposal was accepted, and, in June 1942, the cabinet approved the formation of the Maori War Effort Organisation (MWEO). The MWEO was tasked with encouraging Maori support for the war effort by facilitating recruitment and encouraging primary production. The war effort expanded in scope to address the concerns of Maori at home, including the growing urban population, the placement of Maori labour in essential industries, and the situation of the large numbers of young Maori women who were moving into the

\textsuperscript{54}The reasons for forming on a tribal basis will be discussed later in this chapter.
\textsuperscript{55}When the government required a return of Maori men for war service and manpower the Native Department was unable to comply and the task handed over to Paika, who seized the opportunity to create a Maori-run organisation (Orange: 158).
cities with little family support. The MWEO proved a successful\textsuperscript{56} form of organisation and the Ratana/Labour MPs attempted to have it continued after the war as a permanent agency for all issues of Maori welfare.

The moves to establish the MWEO as a permanent welfare and development agency were strongly opposed by the Native Department. The MP for Southern Maori Eruera, later Sir Eruera, Tirikatene, drafted the Maori Social and Economic Reconstruction Bill that utilised the tribal committees that had been set up by the MWEO. The Bill was given to the Minister of Native Affairs to consider and he drafted another Bill, which, in effect, brought the tribal committees under the control of the Native Department. This move thwarted attempts to set up an alternative government-supported agency to deal with Maori concerns. The Bill that was finally accepted by Parliament was the Maori Social and Economic Advancement Act 1945, which is outlined below.

The 1940s were also the beginning of the major shift to the cities by Maori. By 1945 17.3\% of the Maori population was found in urban areas. This was an increase of 86.3\%, the largest single decade percentage increase ever, including the mass migrations of the 1950s and 1960s (Love, 328).

**The formation of the 28th Maori Battalion**

In 1939, in anticipation of war, Sir Apirana Ngata was agitating for formation of a Maori military unit (Cody, 1). When New Zealand entered World War Two (on 3 September 1939) the MPs Paikea and Tirikatene immediately made a public demand that Maori be included in any fighting force that was raised (\textit{ibid.}). Apirana Ngata continued to be at the forefront of raising the Battalion. His agenda was clearly political. He did not want the Maori contribution to the war dissipated anonymously in the general war effort. For Ngata it was an extension of his lifelong efforts to have Maori fully accepted as members of mainstream New Zealand society. In his short monograph, \textit{The Price of Citizenship} (1943), Ngata concluded:

\textsuperscript{56}Over the period of its existence, the MWEO placed 27,000 in the services or essential industries (Love: 355).
Have the civilians of New Zealand, men and women, fully realized the implications of the joint participation of Pakeha and Maori in the greatest demonstration of the highest citizenship? (Ngata, 1943)

Tribal groups led by Te Arawa of the Bay of Plenty called for a Maori fighting unit. The Te Arawa branch of the Returned Servicemen’s League (RSL) made this clear public statement:

Let others hesitate in this, our extreme hour of peril and need, but the spirit of the Arawa and associated tribes throughout Aotearoa flames at the deeds of wanton aggression and demands that they be allowed to cross the seas to stand shoulder to shoulder with their white brothers, sharing with them equality of sacrifice in defending the same ideals they fought for 25 years ago (The Dominion, 16 September 1939).

Te Arawa put action to their words. On 20 September 1939 The Dominion reported that the Te Arawa RSL was advocating the formation of a Maori unit, an infantry battalion, because they wanted to serve as frontline soldiers, not as second echelon labourers, as they had in the First World War. The article also recorded the fact that Te Arawa already had 400 men in training.

There was universal support from Maori throughout the country for a Maori unit. Initially, however, there were differing opinions as to whether this unit should serve overseas. At a meeting of Ngati Kahungunu ki Heretaunga, held on 9 October 1939, there was opposition to Maori soldiers being sent overseas to fight at the direction of the government (The Dominion, 10 October 1939). A government representative was sent to talk with Kahungunu elders to reassure them that Maori soldiers would not be sent into battle at the whim of Wellington-based politicians.

A meeting of North Auckland tribes made the following public statement:

That this conference unanimously approves of eligible members of the Maori race enlisting for home defence alone and suggests that a battalion be organised and named the Treaty of Waitangi Maori Battalion57; that this unit be under Maori Officers, and that the Minister of Defence be asked to make the necessary arrangements for equipping and training this unit. Compulsion is

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57 The inclusion of the Treaty of Waitangi in the title of the Battalion and the suggestion that Maori only be used in home defence indicates the influence of the MP for Northern Maori, Puraire Puakea, and is consistent with Ratana political philosophy of the time.
strongly opposed by the conference (*The New Zealand Herald*, 13 September 1939).

This view probably represented only a section of the Northern people because, in a letter dated 10 October 1939, and signed by T. Rawiri and 206 others on behalf of the tribes of Taitokerau, North Auckland gave full support to the formation of a Maori Battalion (AD, 300/1/2, Vol 1).

Support also came from the East Coast peoples and the Wanganui (*ibid.*). Initial concerns about the raising of an infantry battalion vanished, and Maori throughout the country gave their support to it. The exception was the Tainui people under the influence of the Maori King and led by Princess Te Puea, although while not actively engaged in recruiting their men for the war, they did not discourage them either.\(^{58}\)

The depth of support for the Battalion was reflected in the numbers who volunteered to serve in the unit. By the end of October, a month after the declaration of war, close to nine hundred men had enlisted (Cody, 4). Enlistment throughout the war remained voluntary. Maori politicians and tribal leaders continually lobbied the government not to introduce Maori conscription. They gave assurances that the level of recruiting for the Battalion would remain at a high level without compulsory enlistment.

Commenting on the success of recruitment for the Battalion, Gardiner states that the reason for continued full quotas was attributable to tribal pride:

> It had little to do with patriotic duty, rather it was the age-old tradition of maintaining the mana or status of the family, the Hapu (sub-tribe) and the iwi (people) (29).

While the off-hand dismissal of *patriotic duty* is an extreme point of view,\(^{59}\) the tenor of the correspondence from Maori quoted throughout this section is that

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\(^{58}\) In a statement by a Tainui kaumatua at a meeting between Prime Minister Fraser and Tainui. Ngapaka Kukutai noted that around 1000 Tainui had enlisted in various units. (Minutes of a conference between Tainui Elders and the Prime Minister held Wellington 1-2 July 1942, p10).

\(^{59}\) A reflection on the attitudes of Maori Battalion members to patriotism is offered by Mihaka (1989) where he recounts his relationship with the veteran Te Ohenga Huata (pp. 37-50).
family/tribal pride was important in engendering support for the Battalion. In addition, Ngata’s comments support this contention:

It may be coincidence, but it is fact that the heaviest recruiting has been in those districts where alliance to the tribal system is still strong, namely North Auckland, Waikato, Rotorua, Bay of Plenty and the East Coast.\(^{60}\) (1940, 170)

An example of the potent influence of family/tribal pride is given in the biography of Eruera Stirling, a personal friend of Ngata’s and respected kaumatua of Te Whanau-a-Apanui. Eruera recounts his time as a Maori recruiting officer and recalls that the people were critical of his success as a recruiter in light of the fact that none of his family had been recruited. Eruera was so stung by the criticism that he applied to enlist himself, even though he must have been well over the age limit. Apirana vetoed his enlistment and instructed him to carry on with his good work. The matter did not end there Eruera’s fifteen-year-old son Te Wahawaha, falsified some recruiting documents and enlisted. When Eruera found out, he could not bring himself to stop his son from serving overseas, even though, legally, he could have done (Salmond, 160-162).

The Government was hesitant about a solely Maori unit and wanted the Battalion led by Pakeha officers and NCOs (Cody, 1-2). The issue of non-Maori leadership was strongly challenged by both Te Arawa and Ngati Porou, but the government held firm and the Battalion was initially commanded by Pakeha officers (Gardiner, 23, Orange, 159). In a letter to the Army Secretary, Te Arawa demanded that the Battalion be led by Maori:

It is the feeling that the moment has arrived for the Maori people to give its spirit full expression, and to free itself from the inferiority-complex, by which the mana and soul of the people are being crucified (DA, 300/1/2, Vol 1, Letter dated 6 November 1939).

In the face of these challenges, the government soon agreed that the Pakeha officers should be replaced as soon as practicable (Cody, 2). This policy was made public in

\(^{60}\)While this statement is correct - these areas have the heaviest Maori population - it does not add any strength to Ngata’s argument. Also, this contention does not take into account those soldiers from other areas that enlisted in other units and arms of service.
a national radio broadcast statement announcing the formation of the Battalion (AD, 300/1/2, Vol 1, transcript of a radio broadcast dated 4 October 1939).

When the Battalion was finally formed, a majority of the officers were Maori (33 out of a total of 37), but most of the more senior ranked positions were still filled by Pakeha officers (DA, 300/1/2, Vol 1, establishment chart dated 27 October 1939, Cody, 10-11). The situation of senior leadership changed once Maori officers with the appropriate experience became available.\textsuperscript{61}

The Battalion was recruited along tribal/regional lines, with A, B, and C companies having a predominance of men from different tribal areas. A Company was drawn from Taitokerau, the area that, for the purposes of the Battalion, included Auckland City and northwards. This region is home to five discrete but inter-related tribes. B Company was drawn from the Bay of Plenty area, with its core group and identity coming from the Te Arawa confederation of tribes and with a substantial contribution from the Mataatua tribes. C Company was drawn from Ngata’s people, Ngati Porou, and the neighbouring and related tribes from the Gisborne area in the south and Te Whanau-a-Apanui to the north. D Company was drawn from the rest of the country, with a less distinctive tribal core group, although the majority was probably drawn from Ngati Kahungunu of Hawkes Bay and Wairarapa. Headquarters Company was, of necessity, due to its functions of command and support, a multi-tribal composite group.

A precedent to organise a military unit along tribal lines had been set in World War One with the Maori contingent of the Pioneer Battalion (Cowan, 13). This was requested from the major tribes as a response to the Te Arawa RSL from the Minister of Defence (AD, 300/1/2, Vol 2), as this telegram to the Minister of Defence from the North Auckland tribes illustrates:

\textit{E tono kaha atu ano matou ki a koe me to ropu whakahaere i te pakanga kia tino wehea mai he ope motuhake mo nga tamariki Maori o te Taitokerau me ona apiha.}

\textsuperscript{61}In 13 May 1942, Lieutenant Colonel Te W. Love replaced the second Commanding Officer, Lieutenant Colonel H. G. Dyer, and from that time all succeeding Commanding Officers were Maori.
We strongly urge you and your war cabinet to have an autonomous unit for the soldiers and officers of the Taitokerau (AD, 300/1/2, Vol 1, Telegram dated 10 October 1939).

There was also a telegram to Ngata from a Taranaki man who had enlisted in Gisborne but wanted to join the unit that other Taranaki men were serving in, which suggests that tribal organisation enjoyed popular support among Maori (ibid. Telegram dated 28 February 1940).

There was no evidence that recruiting along tribal lines was opposed or even debated. It was obviously a practical approach to take indicating that most Maori still lived in or had close links to their tribal communities. In a letter to the Minister of Defence dated 20 October 1939, Ngata noted that the Territorial Force network did not reach the majority of Maori villages, and suggested establishing regional training centres specifically for Maori. These centres were to be based in rural areas where there was a considerable Maori population and where the Army did not have a strong presence. The Army accepted the idea, but was reluctant to spend any money from its budget to facilitate it (AD, 300/1/2, Vol 1). The establishment of these centres facilitated recruiting men directly into their local-cum-tribal sub-units, thereby possibly precluding the necessity for any formal announcement that companies would be organised tribally.

The Maori War Effort Organisation (MWEO)

Orange’s (1987) article fully describes the history and achievements of the MWEO. She lists its major features as:

a) It was the largest Maori organisation ever established.
b) It provided a unique opportunity for Maori to display their leadership and planning capabilities.
c) It provided a bridge for Maori between rural and urban life.
d) It was an exercise in autonomy that utilised traditional leadership and social organisation. (ibid.)

Paikea set up a network of tribal committees with the assistance of Army Area Officers, possibly building on the idea of regional training centres set up at Ngata’s suggestion, and certainly following the Ratana political strategy for the organisation on a unified basis.
From this beginning, Paikea devised a scheme for a network of tribal committees overseen by a parliamentary committee consisting of the four Maori MPs and a legislative councillor. Initially, he envisaged a simple system, as he explained in a letter to the Prime Minister:

tribal committees – these can be set up with little or no difficulty by Maori Parliamentary reps for the respective electorates, in consultation with the tribal leaders ... it will only require a small number of tribal committees (File, NP 2067/4017-0701 MWEO, letter dated 11 May 1942).

Paikea either underestimated the eventual growth of the scheme or deliberately played it down in order to get official approval. The eventual number of tribal committees grew to 315 and executive committees were required to coordinate their work\(^{62}\) (NP, 2067: 4017 - 0701: Report from Paika to Minister of Defence, 19 January 1943).

By the end of the war, the MWEO had altered its focus from the war effort to broader welfare concerns. This change of focus was reflected at a conference on the MWEO held at Rotorua on 23 March 1945. The education sub-committee recommended that no Maori pupil should leave school without consent of a tribal committee, and that school attendance should be monitored by an officer of the committee Similar powers for tribal committees were recommended by a sub-committee on social security (NP, 2967, 0397-0399).

As the war drew to a close, Maori leaders lobbied vigorously for the MWEO system to be maintained as the basis for Maori development. Paika expressly wrote to the Minister of Defence:

Should the present attempt to reorganise the Maori people around their tribal system and spirit, and to fit them with their rapidly increasing population to compete on equal terms with their pakeha brothers and sisters in the present and future economic, commercial, industrial and social life of New Zealand, fail, then the outlook can only be viewed in a dim light, with inferiority complex as

\(^{62}\)The eventual shape and size of the MWEO is recorded by Orange (1987). The country was divided into 21 zones, and 315 tribal committees were formed. For coordinating the work of the committees, 41 executive committees, comprising not more than two members from each tribal committee, were set up (Orange: 159).

And to the Prime Minister:

The Maori people feel as the result of their outstanding contribution towards New Zealand’s War Effort, that they have earned and established in a practical way, a right to a form of tribal direction and control which, in their opinion, is of utmost importance to their future welfare, Happiness and development.

As the War Cabinet has approved the principle of control of the people by the People per medium of the tribal and executive committees, and as it is considered expedient that the MWEO should now be the Organisation through which and by which control of Affairs of the Maori people can and should be directed and controlled (Ibid. Letter to the Prime Minister dated 2 April 1943).

The notion of basing future development on infrastructure established by the MWEO was discussed at public meetings throughout the country. At a conference held in Wellington, 18-20 October 1944, and attended by Maori MPs, the Prime Minister, and 400 Maori leaders representing 30 tribes, the following resolution was passed:

In view of the close-knit unity, which has been enjoyed by the Maori, people as the result of the work of the Maori War Effort Organisation under their own leadership. We **Strongly Urge** that means be implemented for giving permanence and increased effectiveness to this Maori Tribal and Racial unity in the service of our Race and of our country for all time (MA, 19/1/535, Conference minutes, resolution 7 p3).

The bid failed, in spite of these requests for the Organisation to become the basis of post-war development. Opposition came from Native Department bureaucrats, and advisors proved too strong. MWEO functions were absorbed by the Native Department and, at the Wellington conference, the Prime Minister publicly announced that the Native Department would henceforward be the primary vehicle for government to deal with Maori issues (ibid.).

During the efforts to maintain the MWEO, the MP for Southern Maori, Eruera Tirikatene, drafted the Maori Social and Economic Reconstruction Bill. This bill utilised the tribal committees that had been set up by the MWEO and placed authority with Maori-controlled organisations. This bid was unsuccessful and the
Minister of Native Affairs, Rex Mason, drafted another bill that incorporated only aspects of it. A major difference between the two was that Mason’s bill, which eventually became the Maori Social and Economic Advancement Act 1945, institutionalised Maori committees within the government system (Love, 392-396).

**The Maori Social and Economic Advancement Act 1945**

An Act to make Provision for the Social and Economic Advancement and the Promotion and Maintenance of the Health and General Well-being of the Maori Community.

This statute is noted as being the first piece of Maori policy to be enacted by a Labour government (Kelly, p75). It established local tribal committees and tribal executive committees. The government could proclaim tribal districts to be presided over by tribal executive committees. These Tribal Executives, the term by which these committees were known, were corporate bodies consisting of two members elected from each tribal committee and approved by the Minister, and a Welfare Officer appointed by the Minister. There was also a provision for the Minister to appoint additional members to the executive (The Act, section 8). The functions of the Executives were:

(a) To promote, encourage, guide, and assist members of the Maori race –
   (i) To conserve, improve, advance, and maintain their physical, economic, industrial, educational, social, moral and spiritual well-being;
   (ii) To assume and maintain self-dependence, thrift, pride of race, and such conduct as will be conducive to their general well-being;
   (iii) To accept and maintain the full rights, privileges, and responsibilities of citizenship;
   (iv) To apply and maintain the maximum possible efficiency and responsibility in their local self-government and undertakings; and
   v) To preserve, revive and maintain the teaching of Maori arts, crafts, language, genealogy, and history in order to perpetuate Maori culture: [12. (a)]

Tribal Executives were also to “control, advise, and direct the activities and functions of the Tribal committee.” Besides looking after their own people the Tribal Executive was to co-operate with all official organisations that worked with Maori. They were also to administer tasks and duties delegated to them from the Minister
[ibid. (c) – (g)]. Tribal committees of five to eleven people were to be elected at public meetings and to serve as representative voices for their tribe or tribal group. The Minister would also appoint a Welfare Officer to each committee [ibid. 15 (a) (b)].

An executive was empowered to control shellfish and fishing grounds used by their communities and to make bylaws concerning health, sanitation, control of animals, protection of meeting houses and burial grounds, meetings, trading, and general discipline of their villages and communities (ibid. 34, 35). To enforce this, they had the power to impose fines of up to £20. This control was restricted to Maori villages, that is, those kainga and pa that had been designated a Maori village by a tribal committee and registered as such with the Maori Land Court (ibid. 21).

What was not clear in the Act was the financing of these tribal executives and committees. An executive was permitted to receive external funding and the government was prepared to subsidise pound for pound any money that the executives or committees were able to raise (ibid. 23). The Act also allowed for the appointment of Wardens as an internal policing system, illustrating a concern of the time over problems with excessive alcohol consumption.

In introducing the Bill for this Act the Minister explained that it was taking advantage of the network of tribal committees established by the former MP for Northern Maori, the late Paraire Paikea, through the MWEO. He made the point that the term *tribal* was used primarily because it was a term with which people were already familiar:

The expressions used are those that have come to be known in relation to the Maori war effort. I do not know whether they will be considered the most apt expressions; possibly not, but the point is that there is an advantage in using the expressions that have become habitual in that connection. There are ‘Tribal Executives’ referred to, and ‘Tribal committees.’ a tribal committee does not mean a committee, actually of the whole tribe, but really a local committee, and the tribal executive is the body with a larger jurisdiction. Sometimes it may happen that the tribal executive has its jurisdiction coincident with the boundaries of a tribe; or it may be the tribal boundary comprises more than one tribal executive (N.Z.P.D., 1945, 469).
The Minister explained to the House that when the MWEO was in full operation the administration of Maori was theirs rather than that of the government officials. The aim of this Bill, therefore, was for government officials to take over those responsibilities (ibid.). The Bill was supported by the Maori MPs, who were in opposition at the time. The extent of control and paternalism in the passing of this Bill is quite clear. Autonomous self-government was never contemplated and the paternalism of the time was illustrated in the concluding comment by the MP for the Bay of Plenty, W. Sullivan, in his speech supporting the Bill: "Every one knows what an asset the Maori can be if we bring him up in the right way" (ibid. 470-71).

The 1940s: an analysis

From an examination of two key phenomena, the raising of the Maori Battalion and the subsequent development of the Maori War Effort Organisation, it was clear that the tribe still fulfilled a key role in Maori society in the 1940s. This conclusion was supported by the fact that the 1949 Maori electoral rolls, in which 35,000 people were registered, show only four cases in which people did not record any tribal names (Mako, 6). Having established that, consideration is now given to the influence of Ngata and to an explanation of what was tribal about the organisation of both the Battalion and the MWEO.

Ngata, in his article entitled Tribal Organisation (in Sutherland, 1940), argued that to be Maori was to live communally. He contrasted that with individualism, which he deemed non-Maori. For Ngata, the major point concerning the 1940s was that in spite of the erosion of tribal identity, it was still the dominant social factor in Maori life:

In the tribal organisation as it still persists we clearly have evidence of a desire among Maori people to resist absorption into western civilisation and to preserve some degree of Maori individuality (Ngata, 1940, 170).

And so the social system of the Maori branch of the Polynesian race remains, beneath the surface of a predominant British civilization, still a very vital and potent factor in the life of the Maori, something that statesmen, religious leaders, economists and others must always reckon with. (ibid. 181)

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63 This is an entirely different argument from the contemporary one, that of tribe versus pan-Maori (or variously urban or detribalised Maori).
Ngata also argued that the tribe was the prime support system for Maori and could not be replaced by any government pension system:

These benefits are highly individualized and cut across the system of tribal support. By providing individualized material resources they give a measure of independence of tribal assistance. The psychological need of the tribal background for people who are still of another race thus contrasts in some degree with the material resources available and the material provisions offered by the Pakeha (*ibid.* 172).

Ngata therefore not only noted the continued functioning of the tribe he promoted it as the vehicle of development. Kelly (1948), in his MA thesis *Maori since 1935* makes the following observation:

Among the Maoris themselves, there is a firm belief, implanted by Sir Apirana Ngata, that the realization of Maoritanga lies in fostering and preserving Maori tribal life (131).

Ngata’s national influence was notable in the formation of the 28th Maori Battalion, particularly in respect of its recruitment on a tribal basis, which he considered as a *natural* organisation for Maori:

When the government first issued a general invitation to the youth of New Zealand, Maori and Pakeha, to enlist for war service no question of tribal affiliation arose among the young Maoris responding. But when it was decided to form a special Maori unit not only was it considered natural but according to the best Maori advice it was considered necessary that the recruiting appeal and the organisation of the unit should, as in the case of the last war, be along tribal lines (Ngata, 1940, 169).

Accepting that the Battalion was organised along tribal lines as a statement of fact, it is pertinent to examine what is meant by *organised along tribal lines*. It was unlikely that any one tribe could raise and maintain a full company64 on its own, so, of necessity, companies comprised an amalgamation of tribes. The tribal organisation of the Battalion was at the company level. There is no record that it extended beyond this to platoon level. It was also centred on three areas: Auckland city north, the Bay of Plenty, and the East Coast, all of which had substantial Maori populations. The

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64An infantry company consists of 100-120 men.
rest of the country was lumped together, including the Tainui confederation whose tribal territory was dissected by three army area boundaries.\textsuperscript{65} That the Battalion was organised along tribal lines – the assertion in the published unit histories (Cody, 1956, Gardiner, 1992, Munro, 1991) – in reality meant that the Battalion consisted of regionally recruited companies whose popular identity was that of the major tribal groups from given region.\textsuperscript{66} The MWEO, established as a consequence of the Battalion’s need for focussed civilian support, was also a tribal organisation, consisting of numerous tribal committees. Again, nomenclature and definitions of the tribal element became important.

In an unpublished draft of an official war history, anthropologist Erik Schwimmer notes the limitations of the title tribal committee:

Mr Paikea suggested recruiting through local Maori committees which he called “tribal committees”. As he conceived them then, each committee was to cover a considerable area … This explains the name “tribal committee” which, later on, when there were many committees in the area covered by any one tribe, was no longer appropriate (MA, 19/1/565, ES/MBM p7).

Similar sentiments were expressed by the Native Minister (N.Z.P.D., 1945, 469). This speech indicated that the government was quite prepared to use the tribe as a vehicle for its own policies. This is a conclusion also reached by Kelly:

[A]s the Electoral Amendment Act 1937 shows, a tribal outlook persists in Maori society. It is deliberately fostered as a means to an end by both Maori and Pakeha – by the latter for greater convenience in administration (Kelly, 131).

A further examination of the MWEO substantiates the view that the tribe was used for political ends. For example, while the MWEO was supported and promoted by the Ratana/Labour MPs, the underpinning Ratana philosophy of Maori unity was opposed to tribalism, as illustrated in this comment of Ralph Ngutata Love:

A matter of some concern amongst the Ratana members, and a further indication of Paikea’s move away from the concept of total “Iwi” as advocated

\textsuperscript{65} As a consequence, Tainui men enlisted in a variety of units not just the Maori Battalion. (File, MA 31/53, Conference Tainui and Prime Minister, 1-2 July 1942, p10).

\textsuperscript{66}While this distinction may appear trivial, it has a major implication for this thesis, which will be dealt with in a later chapter.
by T.W Ratana and the promotion of his ideas was tribalism as it was something which T.W Ratana had worked to overcome. His political philosophy for the koata was based on the race as a whole and not on any one sector (347, footnote 32).

An article in The Standard, covering the Wellington conference on the future of the MWEO under the headline Making a plea for unity, illustrates the Ratana party’s continuing pursuit of non-tribal, political solutions:

Mr Tirikatene emphasised that the conference had been called on a non-sectarian basis and they must approach and discuss their problems not only from a tribal standpoint, but from the point of view of the people as a whole (The Standard, 26 October 1944).

Ironically, Ngata, the champion of the tribe as the vehicle for Maori development, opposed the post-war development of the tribally based MWEO. He covertly influenced Prime Minister Fraser to be cautious about using the MWEO to provide social services to Maori (Orange, 167). His opposition to further development of the MWEO explains the public disassociation of Ngati Porou from these developments at a national conference held in Rotorua on 23 March 1945 (NP, 2067, 0399). Ngata obviously held a set idea of tribal organisation that understood the tribe in terms of pre-European formations his remark on the King movement, as well as the Ringatu and Ratana churches, these groups as Maori organisations that “cut across the tribal system” (1940, 177).

The 1949 electoral rolls and the recruiting forms of the Battalion reveal interesting information on tribal identification and affiliation. Both required individuals to list their tribe and sub-tribe. As noted earlier, the vast majority, over 97%, acknowledged a tribal affiliation. However, there were a number of factors that indicated that individuals’ knowledge of tribal association was not uniform (Mako, 5-13). The recruiting forms and returns of the Battalion also indicate that people had varying notions of the name of their tribe (AD, 300/1/2, vol. 2) and, in some cases, recruits did not know their tribal affiliations.67

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67 In 800 cases, people entered two tribes instead of the tribe/sub-tribe division. Another 800 entered names not recognised by the census takers as tribal names. There were also other combinations, all of which point to the fact that there was a wide variation of what individuals understood as their tribe. There are examples of men listing their ancestral canoe as their sub-tribe, as noted by Mako (5-13). A memo from
Research in this chapter identifies the emergence of a dualism in the understanding of the tribe. It is seen as community, with its membership defined by domiciliary location and descent lines. It was not self-conscious; it was simply being Maori. It is also seen as being the elected, representative voice of Maori that was framed and defined in reaction to external forces, namely the government policies, and political philosophies of individual political leaders, Maori and Pakeha. Its definition was drawn from a simplistic and romanticised version of the tribe of the pre-European past.68 Ngata's restrictive view of the tribe was illustrated when he considered the King Movement as essentially non-tribal (1940, 177).

The separation of the two forms of tribe came with the integration of Maori into Pakeha society. It was an inevitable process that was evolving steadily throughout the early part of the twentieth century. However, because of that steady evolution, it was not an easily discernible phenomenon. Then came World War Two and, with the social upheaval created by the formation of the Maori Battalion and the MWEO, the process became more clearly observable.

It is a phenomenon that is observable when tracing and analysing historical events, but it was not recognised at the time. The duality of definition accounts for the often-contradictory positions on the tribe that were generated by the same person. The ambiguities of the tribe, which can be found in both the Ngata and the Ratana MPs, were not caused by blatant politicking or by simple political expediency. Rather, they demonstrated a growing gap between what the social reality of Maori had become and their perceptions and constructions of their tribe.

68 One tribal structure with one name, living in one clearly defined territory under the leadership of a chiefly aristocracy.
Chapter Six

The 1960s – Loss of Relevance

The Hunn Report and published reactions to it, along with the establishment of the New Zealand Maori Council and the Maori leadership conferences, have been studied. These events were selected as they all assist in understanding the ever-evolving perceptions of the tribe. The two social phenomenon, urbanisation and the appearance of the protest movements, are noted for their importance and relevance to Maori society but are not considered in detail as they are social movements that span a time frame beyond that of the sixties. The effects of urbanisation were taking effect in the 1960s, while Maori protest movements, on the other hand, were only just emerging at the end of the decade.

The effects of the post-war baby boom among Maori began to manifest themselves in the 1960s. Urbanisation among Maori had begun in earnest in the previous decade and by the sixties it became obvious to government officials that some kind of action was required. The first initiative was the research for, and production of, the Hunn report on the status of Maori, and the ability of the Department of Maori Affairs to respond to Maori needs and concerns. One of the flow-on effects of the Hunn Report was the establishment of the New Zealand Maori Council.

The Hunn Report

The Report on the Department of Maori Affairs with Statistical Supplement (the Hunn Report) was the product of the acting-secretary of the Maori Affairs Department, Jack Hunn. He had been appointed to this position by Prime Minister Walter Nash in January 1960, with a brief of producing a detailed description of the department. This task was a response to a critical survey of the department conducted by students from a Diploma of Public Administration course at Victoria University. Hunn’s report was first submitted in August 1960, but was not released by the Labour government. When National became the government in October of that year, Hunn re-submitted his report to Ralph Hanan, the new Minister of Maori Affairs,
who made it public in January 1961 (Butterworth, 1990, 100). In the foreword to the report, Hanan stressed the need to know all the details of the situation concerning Maori. While admitting that he did not know how his own government would receive the report, he confidently predicted that some of the proposals would be quickly acted upon (Hunn Report, 3):

Many of the recommendations in the Hunn report are of a far-reaching nature and all have a fundamental bearing on the well-being of the Maori people, the well-being of New Zealanders as a whole, and on race relations in New Zealand. This makes it all the more imperative that the public should know the facts of the Maori situation (J. R. Hanan, Hunn Report 3).

The report had surveyed Maori under nine categories: population, land settlement, housing, education, employment, health, land titles, legal differentiation, and crime (13). From these, it drew several general conclusions upon which Hunn advocated that future policy should be based. Following is a summary and paraphrase of Hunn’s conclusions:

Because of their ability to adjust Maori should be fully integrated within two generations The Department of Maori Affairs is not keeping up with the rapid rate of development among Maori and needs to ‘redouble its activities.’

Unemployment while not a current problem could be one in the future, and steps needed to be taken to guard against this.

Maori urbanisation is inevitable, as the land will only support a minority. Because urbanisation will assist with integration it is a development that should welcomed rather than deplored. If managed properly the urbanisation of Maori is less likely than rural segregation in preventing a ‘colour’ problem emerging in New Zealand 14).

After announcing his conclusions, Hunn went on to discuss Racial Policy, the relationship between government policy and Maori development. He reasoned that there were four philosophical alternatives on which to base policy: assimilation, integration, segregation, and symbiosis. He supported integration, which he defined as, “Integration: To combine (not fuse) the Maori and Pakeha elements to form one nation wherein Maori culture remains distinct (15)” Hunn then explained, “Meanwhile integration, without the benefit of statutory definition, is the obvious trend and also the conventional expression of policy” (ibid.). After observing that
most Maori had made significant adaptations to modern society, he classified Maori into three groups:

- A completely detribalised minority whose Maoritanga is only vestigial.
- The main body of Maoris, pretty much at home in either society, who like to partake of both (an ambivalence however that causes psychological stress to some of them).
- Another minority complacently living a backward life in primitive conditions. (16).

The object of this policy was to eliminate group C and allow Maori to choose between being part of group A (assimilated) or group B (integrated).

Throughout the report, urbanisation was a continuing theme. The rapid birthrate and rural underdevelopment were identified as the prime causes for Maori urbanisation. The Maori birthrate is noted as being double that of Pakeha and even with the maximum use of Maori-owned resources (primarily land) there would not be enough work in rural areas to sustain the growing population. Unemployment, while not an immediate problem, was an incremental one, as the population growth in rural areas was outstripping work opportunities (28) (which is noted as the opposite situation to that in the cities). Maladjustment to urban living is recorded as one of the reasons for the high crime rates and it was suggested that community centres and group instruction on permissible conduct would assist in lowering crime rates. As well as a great need for more housing to meet the requirements of the growing population, the policy of pepper-potting was championed. Pepper-potting was a system of building houses for Maori within the general population to avoid creating Maori settlements — ghettos — in cities. Where ghettos had developed because urban growth had encompassed Maori land, it was suggested that building sections be sold to Pakeha to break up these settlements (41).

Under the heading population there was considerable concern about the various statutory definitions of a Maori. The report advocates sticking with the blood quantum measure of half-castes or greater being regarded as Maori, with a thought that, in the future (because of the birth rates), the minimum blood-quantum level should be raised to three quarter-castes because it was reasoned that the client base
of the department would increase to the point where it would become unmanageable. It was also noted in the section on education that illiteracy among Maori was virtually non-existent (23). On land and land ownership, multiple ownership was regarded as the major obstacle to land development, and the report suggested that Maori could be encouraged to think of home ownership as turangawaewae. Another strategy to prevent the fragmentation of land title was for the government (in the form of the Maori Trustee) or tribal corporations to purchase shares of all small landowners (59). It was also suggested that tribes could be incorporated as trustees of blocks of land to prevent the fragmentation of land ownership. Tribes, it was suggested, along with welfare organisations should be given responsibility for abstract forms of welfare to let the department get on with concrete forms of welfare.

Reaction to the Hunn report

The Reverend Rua D. Rakena expressed concern over the report, especially about the recommendations for integration. He argued that while urbanisation was inevitable, Maori would seek their own company:

Urbanisation is an inevitable process in the light of changing economic conditions and it will necessitate continual ‘co-mingling’ between Maori and Pakeha. Nevertheless there will be a continuation of the process of ‘withdrawal’ when Maoris will seek one another out to give expression of their traditional and cultural inheritances (sic).

The completion of the marae at Waiwhetu, Lower Hutt, the organisation for the national marae in Christchurch and the raising of £60,000 for a marae in Auckland are given as examples of how Maori would bind together in the cities. He predicted that the suggestion for land reform would leave many Maori landless. He noted, “apart from the mere economic loss will be the more intangible loss of personal mana and of possible kinship and tribal affiliation” (Methodist Times, Vol. 51 No 23, 5 March 1961, 633).

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69 The ownership of land, regardless of how small an area, is a requirement to have the status of tangata whenua. Without a turangawaewae, a person is always a visitor whose rights are subject to the forbearance of the tangata whenua. The suggestion in the report, therefore, was a very radical proposal.
The Dominion (27 March 1961) reported a debate between Steve Watene (the Labour MP for Eastern Maori) and Ralph Hanan (the Minister of Maori Affairs) over integration as proposed in the Hunn report. Watene is quoted as saying:

‘the National government is grooming Europeans and Maoris to the implementing policy of integrating the Maoris as a people out of existence’ and ‘the Hunn report ... based on supposedly economic lines but throughout was the theme of erasing Maoris as such, from all records.’

The Evening Post (16 August 1961) published a letter of appreciation from Hunn to Canon H. Taepa for publicly supporting the report at a Lions International function in Wellington. The Auckland Star (17 January 1961) reported that Maori leaders supported the Hunn report, naming: Whina Cooper (Dominion President of the Maori Women’s Welfare League), S.R. Morrison (Director of the Auckland Adult Education Centre), Hoani Waititi (prominent educationalist), and P.B. Taua (secretary of the Waitemata tribal executive).

The Dominion, 17 January 1961, ran another article on the report, discussing the classifications of Maori, and commenting that, “Here and there were Maoris who resented the pressure brought to bear to conform to what they regarded as the European mode of life.” An undated, untitled article records Te Arawa leaders, Major H.R. Vercoe and C. Anaru, as supporting the report. An undated article from the Evening Post stated that local Maori leaders supported the Hunn report, but quoted the Reverend K. M. Ihaka as saying:

‘One of the policies of the department of Maori affairs is that Maoris should be fully integrated into New Zealand society, and yet the government has promised repeatedly that it will foster Maori culture and encourage Maoris to retain their own language. “I feel that these two are contradictory,” Mr. Ihaka said.’

Another prominent Anglican clergyman, Canon H. Rangihu, commented in The Dominion (30 January 1961):

when integration is spoken of it usually means the merging of the Maori into European not the European into the Maori. There is a drive by the Western or pakeha society to absorb the Maori.

70 The references in this section are located in Maori Affairs file AAMK 869/8a 1/1/42 Department of Maori Affairs on Hunn Report held by the National Archives, Wellington.
The Wanganui Herald (1 February 1961) recorded that the Ratana youth conference backed the report. In a letter (3 February 1961) from a Te Ohuenuku Rene (Ngati Toa, Raukawa, Nga Puhi) to Minister Hanan, he expressed concern over integration, and, citing the Treaty as a guarantee of rights, he went on to say:

When the time came to protect their inheritance the Maori was not found wanting. In WW1 and 2 both Maori and Pakeha fought side by side to defend their way of life – a democratic way of life. Is that way of life to be altered now by the secretary of Maori Affairs? Is it to be adopted by a gradual series of laws obliterating the brown skin of the Maori completely because he is to be mass-produced into a product named Progressive? 71

The Auckland Star (8 December 1961) contained statements from the Maori section of the National Council of Churches, Te Kaumihera Whakawhangaungatanga i Nga Hahi Karaitiana:

We believe that it is imperative that the tribal community be preserved as the anchorage of the scattered members of the tribe, who will need, perhaps, two generations to be fully integrated into the new life of the cities. (30 October 1961)

The completely de-tribalised Maori, with no turangawaewae in the historic sense is a pathetic no-body, and every possible effort should be made to preserve some significant link for the maximum number present and future Maori people.

On migration to the cities they said, "What we hope will not happen is that this will be unduly hastened by Government action." In The Wanganui Chronicle (15 June 1961) J.H. Grace, the secretary to the Minister of Maori Affairs, reported that the MPs Peter Fraser (a former Minister of Maori Affairs), E. Corbett (also a former Minister of Maori Affairs), and K. Holyoake (the Prime Minister) supported the report. The file also contained a letter dated 1 May 1961 from an accountant, George Walker, to Hunn, stating:

I also do audits for a large number of Tribal committees and I thought you might also be interested to know that there appears to be a general falling off in this area, at least, of incentive to raise funds for projects. The women’s organisations are much more active in this respect than the men. It is my

71 In another Maori Affairs file annk 869/8b 1/1/42 there is more commentary.

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opinion that factors are operating such as the freeholding of lands, that are tending to weaken the tribal mode of life and there is as a consequence, a weakening of desire to assist tribal projects.

The Maori Synod of the Presbyterian Church report, Whakatane, 1961

The Maori Synod of the Presbyterian Church examined the Hunn report clause by clause and reported back to the general synod. The report was examined under a set of eleven underlying principles, four of which concerned the tribe:

4. That the fundamental basis of Maori Life is the tribe, not the family.
5. The tribal rights should be respected and should not be replaced by the conception of “the Maori people as a whole”.
6. ...any lands settlement scheme due regard should be given to the fact of tribal rather than individual ownership.
7. ...that the most equitable solution for the problem of fragmentation of title, to land is the statutory incorporation of tribes (report, 4).

The synod supported many of the conclusions in the report but they felt that many of the comments and suggested remedies were not in harmony with Maori ideals and therefore perpetuated and exacerbated the social inequities that Maori were already suffering (3). There was some concern that the report would become the foundation of government policy and the synod argued that the report should not be regarded as a plan for the future, but rather a review of past policies (5). Considerable irritation was expressed about the thrust of the report - that Maori had to do all of the adjusting (7). This was an implied challenge to Pakeha to accept some responsibility for understanding the situation for Maori and be less patronising.

The synod’s report was critical of Hunn’s definitions of assimilation (which they vehemently opposed throughout their report [6, 10, 12]), segregation (they denied Hunn’s statement that there were some who supported rural segregation as opposed to urbanisation), symbiosis, and integration. Their criticism may have been fostered by their supported of a form of integration, which they defined as:

As we understand it, “Integration is the combination of the Maori and Pakeha peoples of the nation into one harmonious community in which each enjoys the privileges and accepts the responsibilities of their common citizenship
wherein there are no racial barriers, and wherein with mutual understanding and respect each race is free to cherish its culture heritage and in this way the best element of both cultures may be united to form the pattern of future New Zealand society” (9).

Urbanisation was accepted as inevitable but the synod disagreed with the notion of urban drift implying a voluntary and haphazard eventuality. They argued that urbanisation was forced through population increase and insufficient land. Urbanisation was seen as leaving the shelter of their tribal communities in search of employment. It was implied that the government was not assisting with rural development as well as they could, thereby increasing the speed of urbanisation. An example of this was the fact that in some counties the Town and Country Planning Act would not allow Maori to subdivide blocks of land of five acres or less (17). They also made the case that, while urbanisation involved many Maori, there was still a considerable number in rural areas who should not be overlooked.

While classifying Maori into three groups was accepted, the implied assumption that the Pakeha way of life is superior to the Maori way of life was challenged in the report. It was denied that group A (those, whose Maoritanga is only vestigial) was the most advanced state, and they emphatically rejected the idea that Maori needed to shed Maoriness to become New Zealanders. “While we are willing to join Pakeha in being New Zealanders, we have no desire whatsoever to become Pakehas.” (10-11). The synod challenged the blood quantum system of defining a Maori, especially the suggestion of increasing the percentage of Maori blood to qualify as Maori. It was argued that less Maori blood did not mean greater assimilation (12). Reconciling the definitions of a Maori was also opposed (37).

The synod, accepting that there was insufficient land resource for all Maori, argued strongly that tribal lands should remain intact. It was argued that these lands were essential to the Maori sense of wellbeing and identity. These lands provided a refuge to which the Maori could return, where they could immerse themselves in their tribal culture. As long as these lands remained intact, Maori could ride the storms of transition (20).
The most important matter in this respect centres on the retention by the Maori people of the remnant of their tribal lands, and the usage of it, so that the historic habitations of the race may be stabilised and the old home of the people may remain a sheet anchor for the sons and daughters who go forth to make a new life in a new world (ibid.).

Under the heading *Land is more than soil*, the synod argued that voluntary incorporation of tribal lands was the best strategy as it was “*in tune with ancient usage*” and *psychologically right* for Maori (24-5). Challenging the suggestion in the Hunn report that Maori transfer their notion of turangawaewae, a place to stand, to home ownership instead of tribal lands, the synod argued that tribal membership was centred on the notion of turangawaewae. Therefore, tribal land had to remain as tribal land put into individual title. Turangawaewae, they stated, conferred the “*rights of tribal citizenship of his tribe ... without this inheritance he is an outsider*” (28) and the “*permanent identification of every Maori with his tribe through the heritage of their tribal lands*” (27). Consequently, they disagreed with the suggestion that the Crown purchase Maori lands to overcome the problems of multiple ownership (41), and warned that there should be no pressure on Maori to sell or incorporate (17, 25).

The synod made a range of comments on various points raised by the report. Doing away with the legal differences between Maori and Pakeha was supported, provided that each step was sanctioned by a Maori tribunal (44). They supported bilingualism, noting that their group (the synod) was all bilingual (15). In offering an explanation as to why there were not many Maori graduates, it was noted that this situation was understandable as “*our people are only now emerging from a period of racial despondency*” (13). Indicating that the sixties were regarded by some as a period of renewed opportunity, this optimism was tempered by the negative consequences of a break with the traditional way of life:

this is true also of many of the detribalised Maoris, who may have lost their Maoritanga, but have not compensated for that by absorbing a European culture (14).

It was also stated in the report that one of the reasons for the high crime rates was that youth were separated from their families, presumably through urbanisation (16).
Some aspects of the Hunn report: a measure of progress
A Diploma of Public Administration (D. P. A.) course, group report 1968 (Kenworth et al.)

Eight years after the Hunn report had been released, a report on it was produced by a group from the School of Political Science and Public Administration, Victoria University. The report does not concern itself with some of the more opinion-centred conclusions in the Hunn Report, but concentrates on practical issues. The bulk of the report is taken up with statistics purporting to show progress. This report is, however, laudatory of the Hunn report in general, (6). While noting disagreements that are dismissed as conservative thinking, the DPA report notes that most publications have simply reprinted large portions of Hunn’s report, and reasons that this is because of the “fundamental soundness of the arguments” (5).

Problems with the measurement of ethnicity were noted and a comment that there was an unrealistic concern over measuring Maori and non-Maori statistics separately (7). It was also noted that the urban drift has become an urban rush, citing the statistics of 1961 when Maori were 33.3% urban dwelling, and those of 1967, when the percentage had risen to 50% (8). The Hunn report was heralded as a major milestone, as it was the first stocktake of the social and economic circumstances of Maori, and had changed the department from a passive to an active mode of delivering services (85-6, 91). The report concluded with a call for more resources so that the recommendations of the Hunn Report could be effected. It was argued that more resources could be justified on moral, economic, social, and legal (citizenship) grounds.

The Hunn Report was the major event in Maori policy-making in the 1960s. Writing on the history of the Maori Affairs Department, historian Graham Butterworth (1990) observes that Minister Hanan knew very little about his portfolio and used the Hunn Report as the vehicle and justification for his policies. These policies were successfully implemented, Butterworth argues, because the timing was right. Further more, nobody else had produced anything substantial to deal with Maori in the cities, and the report was based on thorough and comprehensive research. In addition to this, by making the entire report public, Hanan had committed the government to
implementing its recommendations (101-2). While clearly empathetic with Hunn’s intentions for the report, Butterworth notes that discussion on the classification of Maori unfortunately tended to work for development centred on Maori as a collective, and against development centred on whanau, iwi, and hapu (100).

Both the individual and collective Maori responses examined indicates that, while Maori accepted the picture gleaned from the statistics, they had problems with the interpretation and conclusions that had been drawn. The report from the Presbyterian Maori synod was the only published collective Maori response to the Hunn Report. It is of interest not only in terms of understanding Maori reaction to the Hunn Report, but also because it reveals Maori understandings of their own situation. Their concerns were with the over-emphasis on urbanisation at the expense of rural-dwelling Maori, the support for assimilation, and the thrust towards individualisation of land title. The report by D. P. A. on the progress on the Hunn report dismisses Maori criticism as conservative thinking,\(^72\) and does not consider these concerns seriously. It is also indicative of the times that churchmen and church groups responded publicly to the Hunn Report, but other collectives, including tribes, did not. The fears of the Presbyterian Maori synod were justified, as integration and individualisation of title, as advocated in the report, came to underlie government policy of the time and into the future.

**The formation of the New Zealand Maori Council**

A conference of Maori leaders in June 1961\(^73\) agreed on the establishment of a permanent consultative body. The first step in establishing the New Zealand Maori Council was an amendment to the Maori Social and Economic Advancement Act 1945. In introducing the Bill to amend the Act on 5 September 1961, the Minister of Maori Affairs, Ralph Hanan, spoke of a need for an effective channel of communication between government and all levels of Maori society. He made special mention that the awareness of the need for such a system was not just his and the

\(^72\) While the report does not specifically mention where the conservative thinking came from, as there is no evidence that non-Maori were concerned about the Hunn report, the comment can only refer to Maori.

\(^73\) This meeting is noted in Butterworth and references the Maori Affairs reports in AJHR,1962-64, 103. It is also noted in 'A Review of the New Zealand Maori Council' (p4). The AJHR reports are not specific on
department's but also that of Maori, specifically the tribal committees of the Waiariki district. 

He proposed that the tribal committee structure established by the Maori Social and Economic Advancement Act 1945 be expanded to provide a clear and accountable channel of communication between Maori communities and the government. Hanan argued that the present system was incomplete, as, above the tribal executive, the only means of communication with the Minister was when he called a district conference. To remedy this shortcoming, he was proposing, through the Bill, to incorporate two additional levels of committee. The Act, as it stood, provided for a two-tiered committee structure of tribal committees and tribal executives. The amendment would create a four-tiered system consisting of tribal committees, tribal executives, district councils, and a New Zealand council of tribal organisations.

The Minister pointed to the success of the Maori Women's Welfare League as a reason for having a national representative body, and maintained that the amendment would "create a fully representative and democratically elected body, quite independent of government, free of any external control or domination." He went on to express his hope that it would allow Maori to speak with one voice (NZPD, Vol 327, 1971-2). To support his contention that there would be no government interference in the committee system, the welfare officers of the Maori Affairs Department would not be allowed to hold office on any of the committees. Contradictorily, these welfare officers would be ex-officio members of these committees. Hanan was quite aware that he was establishing a system that was outside the conventional electoral representative system. This is evident in his attempts to placate Maori members by explaining that the council system was needed because the dispersed nature of their constituencies meant that they could not fully represent all Maori. He also argued that the Pakeha members did not feel competent to fully understand the concerns of Maori communities. He stated that,

this matter, and simply make reference to the Waiariki District Maori Council's desire for formation of a national body.

74 The Waiariki district includes much of the Bay of Plenty and had a proportionally large Maori population that included the influential Te Arawa and Mataatua tribes. The Minister's contention that the committees of the Waiariki district wanted this type of development was confirmed by the member for Rotorua, Mr Lapwood, who, in speaking in support of the Bill, stated that Te Arawa leaders wanted the Bill adopted in its entirety (1981).
"Political channels, however comprehensive, are not always appropriate for many matters that concern the Maori people" (1970).

The Bill received support from both sides of the House. The Maori members (in opposition at the time) supported the amendments and noted that tribal committees were not always effective, as there was a considerable degree of apathy among Maori with regard to the functioning of these committees, and they all expressed hopes that these amendments would breathe a new life into the system. The member for Western Maori, expressing concern over tribal rivalry, gave voice to a hope that the changes would bring about a greater level of unity among Maori (NZPD, Vol 327, 1969-1982).

In the following year, it was decided to replace the whole of the 1945 Act with a new statute, the Maori Welfare Act. This Bill was enacted in 14 December 1962 as the Maori Welfare Act 1962, and, under the auspices of the Maori Purposes Act 1979, the name was changed to the Maori Community Development Act 1962. The Acts are identical in content and date of effect75 (1 January 1963) [Maori Purposes Act 1979 (19) (2) and the 8th reprint of the Maori Community Development Act 1962]. The new Act differed in two significant ways from the 1945 Act: associations formally designated as tribal were now designated Maori associations,76 and welfare officers of the Maori Affairs Department were no longer members of the committees and executive committees. It also allowed for non-Maori to be elected to levels of the structure.

The Opposition did not oppose the Bill. There was a suggestion from the Leader of the Opposition that the Maori MPs should be members of the New Zealand Maori Council. This suggestion was rejected on the grounds that it would give Maori an alternative voice to government to that of the Maori members. The main concerns voiced by the Maori members (Sir Eruea Tirikatene, the member for Southern Maori in particular) were the election process and the overall effectiveness of the system. Mrs Ratana, the member for Western Maori, suggested that there would be greater

75 In the literature, both Acts are cited without comment.
Maori participation if the people, particularly in rural areas, were aware of what the Act entailed. Aside from establishing the NZMC, the Act also established and gave powers to the Maori Wardens (an internal policing system), illustrating a concern of the time with criminal offences and the problems associated with the excessive consumption of alcohol (NZPD Vol 322, 2938-49).

The Maori Welfare Act 1962
(Maori Community Development Act 1962)

An Act to provide for the constitution of Maori Associations, to define their powers and functions, and to consolidate and amend the Maori Social and Economic Advancement Act 1945.

As stated in the description this Act superseded the Maori Social and Economic Advancement Act of 1945. The New Zealand Maori Council (NZMC) was formed, replacing the New Zealand Maori Council of Tribal Executives. District Maori councils were established, adding two new levels of committees to the system. At the next tier, Maori Executive Committees replaced Tribal Executive Committees, and, at the local level, Maori Committees replaced Tribal Committees.

The functions of the NZMC listed in the Act were wide-ranging. There were two general sets of functions: first, to encourage the Maori communities in progressive social advancement; and second, to advise government agencies providing services for Maori to facilitate their progress. The responsibilities of the NZMC towards Maori were generalised and couched in platitude terms. For example:

(c) to promote, encourage and assist Maoris –
5 To conserve, improve, advance and maintain the physical, economic, industrial, educational, social, moral and spiritual well-being;
6 To assume and maintain self-reliance, thrift, pride of race, and such conduct as will be conducive to their general health and economic well-being;
7 To accept, enjoy and maintain the full rights, privileges and responsibilities of New Zealand citizenship;
8 To apply and maintain the maximum possible efficiency and responsibility in their local self-government and undertakings; and

76 The change has been regarded as negative by commentators some twenty or more years later [Butterworth, p103, Kawahau (1992, 235)].
9 To preserve, revive and maintain the teaching of Maori arts, crafts, language, genealogy and history in order to perpetuate Maori culture:

The NZMC responsibilities towards government agencies on the other hand were specific:

(d) To collaborate with and assist the State Departments and other organisations and agencies in –
   • the placement of Maoris in industry and other forms of employment;
   • the education, vocational guidance, and training of Maoris;
   • the provision of housing and the improvement of the living conditions of Maoris;
   • the promotion of health and sanitation amongst the Maori people;
   • the fostering of respect for the law and law-observance amongst the Maori people;
   • the prevention of excessive drinking and other undesirable forms of conduct amongst the Maori people; and
   • the assistance of Maoris in the solution of difficulties or personal problems.

[The Act, 18. (1) (c) and (d)]

The Act also provided for the appointment and administration of Maori Wardens (a community policing system) and, under the heading Prevention of Unruly Behavior, a range of offences was listed that, if committed by a Maori, were deemed punishable offences that could be enforced by wardens.

**Regional and Young Maori Leaders Conferences 1960-64**

One of the features of the 1960s was the staging of Maori leadership conferences. In 1960, three Young Maori Leaders’ conferences were held, two under the auspices of the Council of Adult Education at the University of Auckland, and one run by the Adult Education Department at the University of Canterbury.

**The Young Maori Leaders’ Conferences**

Waiariki Young Maori Leaders Conference, Whakatane, 5-7 August 1960
South Island Young Maori Leaders Conference, Christchurch, 19-21 August 1960
Northland Young Maori Leaders Conference, Kaitaia, 21-24 October 1960

The conferences were attended by a range of local representatives along with academics from Maori Studies. They were addressed by leading government officials,
senior university council members, and Maori professionals. After the keynote addresses, the conferences would divide into groups, round tables, and discuss a range of set issues. Between 1961 and 1964, a series of regional Maori Leadership conferences were staged, again by the Council of Adult Education at the University of Auckland, and following the same format as the Young Leaders’ conferences, but with the addition of an elders round table and later a youth round table for senior high school students.

The Regional Maori Leadership Conferences
Tauranga-Taupo, 24-6 February 1961
Rotorua, 31 August – 3 September 1961
Ruatoria, 18-20 May 1962
Tauranga, 7-9 September 1962
Ruatoria, 19-22 October 1962
Taumarunui, 3-5 May 1963
Northland, Kaikohe, 13-15 September 1963 and 17-18 April 1964
Waiariki-Murupara, Murupara, 20-22 March 1964

The three major issues addressed at these conferences were education, land, and health. The education discussion, while considering a number of aspects of education, always led to a discussion about the Maori language, its survival and its teaching. The discussions on land were mainly concerned with land laws and their administration. The issue of turangawaewae was considered by the elders at the Tauranga and Rotorua conferences, but not deemed a problem because it was reasoned that marae were built on hapu land and therefore all descendants had customary rights there. Also, there was little support for the idea of people vesting their uneconomic parcels of land in their marae (Tauranga, 6). Health was linked with family and contemporary domestic practices. It was also linked to discussion on population growth. Other common issues discussed were housing, crime, and employment.

Aside from these obvious societal concerns under headings such as social, Maoritanga, and citizenship, there was considerable discussion on cultural and socio-political topics. Questions such as, What is the Maori way of life?, were pondered. At another conference, detailed questions on citizenship were put to the conference:
Citizenship & budgetting

1 (a) Do people in your district fully understand what is meant by citizenship rights. If not how would you go about filling in the gaps in the knowledge in regards to –
   Electoral system
   Local Bodies
   Voluntary Organisations

(b) Is there a difference between Maori and non-Maori attitudes towards the above. If so what are these differences, how do they operate and how would you solve any differences?

2 (a) Do Maoris have special needs. If so what are they.
(b) If you agree that the Maori has special needs what do you consider should be done about –
   i) Parliamentary representation
   ii) Special legislation affecting Maori
   iii) Special family budgeting

3 Is being a Maori and a New Zealander necessarily contradictory.

4 What do you consider should be the Maori role in the wider N.Z. Community

5 What should be the non-Maori role?

6 What should be the Northlander’s role in the development –
   i) of his community
   ii) of his region
   iii) his contribution to N.Z. as a whole

7. What do you think is mean by integration? If you agree with this concept how would you effect it in the N.Z. Community? (Northland Leadership Conference, 2)

The keynote addresses, while framed in positive terms, were often delivered as homilies and in patronising terms. Pakeha speakers almost always mentioned that education was essential for Maori to adjust to modern living, which, in turn, was linked to (criminal offending) and positive race relations.

Being Maori or the Maori way of life was seen as being distinctly different from that of the Pakeha, and characterised as having the support of, and obligations to, a collective. Professor Bruce Biggs of the Maori Department of Auckland University maintained that Maori remained a distinct group in spite of some 150 years of acculturation and the elimination of legal differences. He argued that the sense of being Maori was actually gaining strength, rather than declining, and he explained that:
As a minority group, they are characterised by distinctive patterns of social organisation and patterns of behaviour, which are related to a system of values different in many respects to that of the Pakeha, and by marked group consciousness and group loyalty. (Report on the Northland Young Leaders Conference, 1960, vi-vii)

The elders round table at the Tauranga/Taupo conference emphasised the notion of collectivity even more strongly, claiming that Maori were part of a community and had no individual rights (32).

At the conference in Ruatoria (18-20 May 1962), Maoritanga was summarised in this way:

Further discussion brought out a general opinion that Maoritanga consisted of a personal feeling of identification and a fear of losing the means of identification. The element of personal interpretation, it was generally agreed, was strong and some people who did not practise cultural expressions of Maoritanga might nevertheless act and think like Maoris. Each one’s Maoritanga is what he can reach, attain and practise (Report, 15).

However, one delegate is recorded as opposing this understanding “Maoritanga,” he said, “is what the elders expound; language and culture, as well as feeling. If language and culture are lost Maoritanga is lost, since what is left is not Maoritanga” (ibid.). On the subject of Maoritanga, two conferences noted that the tohunga were both active in, and necessary to, their communities (Ruatoria, 19-22 October 1962, 24, Waiariki 20-22 March 1964, 4).

The tribe was discussed under various guises. Tribal committees and their effectiveness was debated, with all conferences agreeing that these committees were essential for the well being of Maori, but some claiming that many of the committees were not effective. There were complaints about apathy in some communities towards these committees. Others complained that the elders would not listen to younger people. One keynote speaker noted that tribal chiefs do not exercise the control in the communities that they once did (South Island Conference, 52). In some areas, however, it was clear that tribal committees played a very important part in community life. At the Waiariki conference (20-22 March 1964), one delegate noted that without a tribal committee it was impossible to get the people in his district
together (13) and round table A of the same conference noted that delinquent parents were brought before the tribal committee (5).

Tribalism was also discussed. There was concern and assurance that tribal ties both were and were not a barrier to unity at both local and national levels (Northland, 21-24 October 1960, 43). This topic referred mainly to the formation of a national council of tribal executives and the building of urban marae. Concern was expressed that, with a focus on a national council, local marae and tribal committees would be neglected. It was stated that a national body would only succeed if it had the support of tribal committees (Taumarunui conference, 14). The elders round table at the Tauranga conference (7-9 September) expressed concern that a national council would become an instrument of government, not the people (27). The Maori Women's Welfare League was held up as an example of how Maori could overcome tribal rivalries and form a national body (Waiairiki 20-22 March 1964, 6-7, 17). In the same discussion, tribal committees were regarded as a misnomer, especially in the cities, where they tended to divide the people rather than unify them.

Marae were discussed synonymously with tribe and tribalism. They were seen as essential for the transmission of tradition, culture, and language, and therefore it was necessary to build marae in the cities. This raised the question of tribal rivalries and the need for marae to be controlled by multi-tribal committees (Northland, 21-24 October 1960, 8, Ruatoria, 19-22 October, 1962, 26, Tauranga, 7-9 September 1962, 33-4).

The influence of the Hunn Report on the regional leadership conferences is quite evident, illustrated by the discussions on integration, land laws, and turangawaewae. Not only were items contained in the report discussed, but also some of the same terms and phraseology were used. During a discussion of criminal offending, for example, there was an attempt to define permissible behaviour (Rotorua conference 22-3), a phrase used in the same context in the Hunn Report. Although there is no evidence that the conferences were government-sponsored, they were certainly government-influenced. The first conference of the Tauranga-Taupo area was opened by the Minister for Maori Affairs, Ralph Hanan, and the Secretary for Maori
Affairs. Jack Hunn, the author of the report, is listed as one of the conference members, although there is no record of him speaking to the conference. Discussions on the potential effectiveness of tribal committees and the proposed New Zealand Council of Tribal Executives also demonstrate government influence on the conference agendas. In the introduction of each report, only the Council of Adult Education at the University of Auckland is recorded as being responsible for the conference. There is an explanation that the local community was responsible for two-thirds of the costs of the conference (Tauranga conference, 7-9 September 1962, 2), and there is a comment about criticism of the Council’s agenda at the Taumaranui conference (4). The Council, therefore, organised the conferences and set the agendas.

A comment on urbanisation

The salient points of Maori urbanisation in the 1960s are considered because it was a dominating process of this decade. A fuller consideration of the urbanisation of Maori society is not attempted here as this would have required a study extending well beyond the time frame of this decade. Urbanisation is a difficult term to define. With regard to Maori, the first stage was out-migration, for as noted in the Manatu Maori, the Ministry of Maori Affairs, report on Maori mobility, Nga take i neke ai te Maori (1991), the most common trend was for Maori to move from rural villages to provincial towns, shifting several times before settling in an urban centre (p40). In the literature, only the end result, urbanisation, is considered. The percentages of out-migration were considerable. For example, the county of Hokianga, a heavily-populated Maori district, lost 30% of its Maori population over the period 1961-66 (Poulson and Johnston, 126). The early literature on this era generally equates urbanisation with the acculturation of Maori into Pakeha society and, therefore, by implication, detribalisation. Later publications (Butterworth in the Manatu Maori report, 1990) play down the effect of urbanisation on tribalisation, speculating that much of the Maori movement was within tribal boundaries (40-1). Citing Poulson and Johnston, the report notes that Maori who shift are more likely to change their tribal affiliation than those who do not (40, Poulson and Johnston, 173). This observation in both publications is not posited in any context.

77 See the comment on definitions in chapter two, especially the quote on urbanisation from Southall 1973.
Urbanisation was by far the most influential social feature of this period. There were, however, two other forces gathering momentum: one was exogenous to Maori society - the emergence of the international movements concerned with human rights and antiracism, which in turn, developed into indigenous peoples movements - and the other internal - land alienation. Evan Poata-Smith (1996) links the collapse of the post-war economic boom with the emergence of various rights movements, such as the anti-racist movement. This development was played out in New Zealand in the reaction to the Rugby Union's decision to exclude Maori players from the All Blacks in 1960. A number of Maori were at the fore in this debate. At the same time, two protest Maori Trade Union groups, Te Hokioi and the Maori Organisation on Human Rights (MOOHR), were making their presence felt (98-102, also see Ranginui Walker, (1984), 275-77). Among Maori, there was a growing concern over the alienation of their lands. Concerns over land were deep rooted and struck at the heart of conservative Maori thinking. Radical support of human rights and the concerns over land by conservative sections of Maori society combined in the next decade to become a significant force in bringing Maori rights centred on the Treaty of Waitangi to the New Zealand public.

The 1960s, then, ushered in a new era - Maori internal or private concerns became public issues. A transition had taken place from an acceptance of the polite paternalism demonstrated in the Hunn Report to the emergence of the more demanding face of Maori political aspirations. The tribe, while still present in Maori thought, was not a major force in this period.
Chapter Seven

The 1980s – Retribalisation

In the period 1984-1990, a series of separate but inter-related events served to establish the tribe as a vehicle for Maori advancement and entrench the notion of tribe in the official and popular mind-set. In 1984 the fourth Labour government made it clear that they intended to reform the Welfare State and free the national economy through the introduction of wide-ranging, systematic economic reform. The free-market strategy was the spearhead of their particular brand of democratic liberalism. Accompanying this initiative was the notion of less government and community self-sufficiency. This approach to government, radical to New Zealand, coincided with Maori aspirations to break from state-dependency and, for some, to develop its corollary, self-determination.

Maori at this time were assertively expressing their demand for Treaty rights and, implicit in this, was reinstatement of the tribe. The result of Maori pressure and government free-market ideology was a body of policy known as Iwi Development. This body of policy required an acceptance of the iwi, the tribe, as the basis of future development, and signalled a complete ‘U’ turn in government thinking up until this point. From early colonial times until this era, the Crown, working from a premise that Maori would ultimately assimilate into Pakeha society, had displayed a negative approach to the communalism that is implicit in tribalisation. The focal point of the iwi development policies was the Runanga Iwi Act 1990. The series of events that led to its enactment are examined here. To understand the effects of these policies, case studies of an iwi, Ngati Kahungunu, and an Urban Maori Authority, Te Runanga o Mataawaka, are included in this chapter. Another key development of the time that is considered is the passing of the Treaty of Waitangi Amendment Act 1985. While not a part of the iwi development policies, it was a concurrent event and arose from the same set of Treaty-rights concerns that spawned the Runanga Iwi Act.
Iwi development and the Runanga Iwi Act 1990

Iwi development

On the election of the fourth Labour government on 14 July 1984, a chain of events took place in rapid succession. In September, Labour convened the Economic Summit Conference, which observed in a communiqué of the final session:

The Conference considers that the position of Maori is of concern. The gap between Maori and Pakeha has been widening. Racial tension has been growing and many Maori young people have been alienated from the wider community. The Maori people and their resources continue to be under-utilized and under-developed. To reverse this will require positive initiatives for consultation with Maori communities about their future, policies to deal with Maori unemployment and self-help (cited in Levene and Vasil, 1985, 197).

As a result, a month later, the Minister of Maori Affairs, Koro Wetere, convened the Maori Economic Development Summit Conference, Hui Taumata. Maori participation in the hui was substantial. In addition to the great number of representatives (figured in the hundreds) who attended, there were a considerable number of papers from the various hui that had been held around the country. The Minister was reported as being in a buoyant frame of mind because of the optimism and positive nature of the recommendations contained in the final communiqué, so much so that he labelled the hui as "a blueprint for the future" (Tu Tangata 21, Dec 1984-Jan 1985, 4). The final communiqué echoed the sentiments of the earlier economic conference, spelling out in more detail the negative economic, educational, and social circumstances of Maori. It also contained a number of innovative suggestions on how to address these problems. More importantly, it challenged the existing system of service-delivery and recommended a change from government-centred service-delivery to locally-controlled service-delivery. Utilising tribal structures thereby, as a consequence, empowered the tribe:

Rationalization

Previously strong Maori Tribal based groups have been weakened in recent years by committee systems, which have not utilized the strengths of the tribal system.
Conference therefore supports the establishment of Maori Tribal/Regional Groups that would act as umbrella groups to spearhead economic initiatives at the local level.

After concluding that the current government practices smacked of tokenism, the conference challengingly noted that:

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

The communique concluded on this optimistic note:

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

After the Hui Taumata, the government proceeded with a number of initiatives to address Maori concerns, including a wide range of consultations with Maori. 21 April 1988, the Minister released the result in a discussion paper He Tirohanga Rangapu: Partnership Perspectives. The paper outlined the government’s view of future development. The essence was that the Maori Affairs Department would be disestablished and replaced by a Ministry that would have an advisory and reporting role similar to that of Treasury. The service-delivery function of the Department would be taken over by iwi. To assist iwi in the transitional period, the Department, would attempt to make government agencies responsive to Maori needs and ways of operating.

The rationale for wanting to use iwi was that the chiefs who had signed the Treaty had done so as representatives of hapu and iwi, therefore empowering iwi to look after their own as a Treaty right. In addition to this right was the recognition that iwi were viable organisations quite capable of delivering services to their people:

Maori signatories to the Treaty of Waitangi represented a specific iwi or hapu. The strength of the traditional iwi structure is reflected in their continuing existence today. They are strong, enduring, sophisticated systems of cooperation and community effort and as such it has been advocated that they provide an appropriate means of delivering government programmes to Maori People (He Tirohanga Rangapu, 13).
The sense of urgency was very apparent as the response to these radical and far-reaching suggestions in this discussion paper took a mere eight weeks (ibid. 1). The discussion paper, or green paper, as it was commonly known, was taken on tour of the major marae of the country. People were given until 13 June 1988 to present submissions on the proposals contained in the discussion paper. Although the period of time was limited, 633 submissions were received (Synopsis of submissions on He Tirohanga Rangapu, 2). The large majority wanted the Department reformed and reorganised but they did not want it disestablished. There was also strong support for the transfer of programmes to iwi (ibid. 20). Besides the actual content of the proposals there was a deep suspicion of the government’s motives and a general feeling that the process was a fait accompli and the consultation a sham78 (ibid. 1, 20). In spite of these major reservations, the Minister determined that there was enough support79 to press ahead. In November 1988, he produced a policy statement (Te Urupare Rangapu: Partnership Response).

This policy statement refined the plan proposed in the discussion paper. The agenda of devolution was to immediately phase out the Department of Maori Affairs and replace it with a Ministry of Maori Policy (Manatu Maori, Ministry of Maori Development), and an Iwi Transition Agency, Te Tira Ahu Iwi, whose role was to facilitate the transfer of programmes to iwi. The aim was to complete the whole process by 1994, at which stage the Iwi Transition Agency would be disbanded.

The Government is prepared to commit resources for five years to the development of the operational base of the iwi. At the end of this period the Government expects iwi will be fully operational – they will be able to manage their own programmes and negotiate independently with government agencies. (He Urupare Rangapu, 1988, 14)

The new ministry (Manatu Maori) commenced operations in July 1989, the Iwi Transition Agency (ITA) in October, and in December the government introduced the Runanga Iwi Bill. There was strenuous Maori opposition to the proposals in the

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78 This feeling is not surprising given the climate of rapid reform espoused by the fourth Labour government.
79 He would have been encouraged by the strenuous efforts by various iwi to prepare themselves to administer government programmes. From the period July 1987 and December 1988, the following iwi established Trust Boards and Runanga under the Maori Trust Boards Act: Ngati Porou, Ngati Awa, Hauraki, Ngati Maniapoto, Whanganui, and Ngati Whaou.
Bill, the prime focus being that the government was devolving responsibility without the accompanying power (Boston et al, 1991, 325 and Smith, 1998, 31). In spite of this opposition, the Bill was enacted in August 1990.

The Runanga Iwi Act 1990

The preamble stated that the Act was:

An Act -
   a) To acknowledge the enduring, traditional significance and importance of the iwi; and
   b) To identify the characteristics by which iwi are to be recognised for the purposes of this Act; and
   c) To provide for the incorporation of runanga to represent iwi in accordance with charters prepared by iwi; and
   d) To provide a process for the resolution of conflicts that may arise within an iwi or between incorporated runanga; and
   e) To provide for the registration by any iwi of a body corporate as the authorised voice of the iwi. (Runanga Iwi Act, 1990)

The essence of the Act was to give the tribe a legal identity, which would enable it to enter into formal contracts under its own name. This right had not existed prior to this Act. However, creating a legal identity for the tribe proved to be a complex process that was highlighted by the difficulties in defining the customary concepts. What was an iwi? The Act detailed the essential characteristics of an iwi as follows:

   For the purposes of this Act only, an iwi has the following characteristics:
   • descent from tipuna;
   • hapu;
   • marae;
   • belonging historically to a takiwa;
   • existence traditionally and widely acknowledged by other iwi. (ibid., section 5)

Tribal boundaries, traditionally described as rohe or kaha, were a problem because border areas could be disputed by neighbouring groups. So the word takiwa was used because “it means an area containing rather specific defined boundaries.” (Report of Manatu Maori & Te Tira Ahu Iwi to the Maori Affairs Department, n.d., 7)

The anomalous position of Maori living outside their tribal area was highlighted by the difficulty of defining them for the purposes of the Act. The use of the usual word for visitor, manuhiri, was rejected as it implies a short term visit and an
eventual return home, so a very obscure word from 19th century Taranaki dialect, runanga, guest, was adopted (ibid.). These examples make the point that throughout this whole process concepts and language were manipulated to fit legislative requirements. Many Maori were very reluctant to have iwi or tribal boundaries defined by law for fear of losing control of these cultural institutions to the state. But; to be eligible to receive government recognition and, therefore, public funding, these institutions had to be defined in law, which effectively put them under state control.

Although not stated in the Act, in a supplementary document published by the Ministry that explained the Act, there were clear messages of the need to conform to government criteria:

An application for incorporation can be turned down if an applicant fails to have the above characteristics (Runanga Iwi Act, He whakamaramatanga, 5).

There were also mixed messages within the Act. On one hand, the Act purported to empower iwi, but the government also hedged its bets by pointing out that it still recognised other groupings of Maori as exemplified in section six:

Section 6: Recognition of the importance of iwi
The iwi is an enduring and traditional form of social, political and economic organisation for Maori (Runanga Iwi Act, 1990, section six).

In the explanation, this rider was added:

(This does not diminish from the importance of other groupings such as whanau, hapu, or confederations of iwi.) [Runanga Iwi Act, He whakamaramatanga, 5]

The primacy of the iwi was again expressed in section twenty six:

All incorporated runanga shall be recognised by the Crown and all local and public authorities as the authorised voice of the iwi (Runanga Iwi Act, section 26).

Again, this clear statement was qualified, this time in the very next section of the Act:
(3) Nothing in subsection (1) of this section shall limit or affect the right of the Crown or other agencies to enter into such contracts with other Maori authorities [Runanga Iwi Act, section 27 (3)]

This point was made very clearly in the *explanation*:

The Crown and others are still free to make contracts organizations such as the Maori Women’s Welfare League, urban Maori authorities, the New Zealand Maori Council or any other organisation they wish (Runanga Iwi Act, He Whakamaramatanga, 9).

It was the obligation to conform to the Act’s definitions of an iwi and the reluctance to deal exclusively with iwi that led opponents of the Act to claim that it was still government patronage, not a recognition of tribal tino rangatiratanga.

The iwi development policies and Runanga Iwi Act entrenched the notion of iwi into government thinking and sanctioned the formation and authority of iwi organisations. It produced a vocabulary for the discourses of the future, notably Iwi runanga (tribal councils), Urban Maori Authorities, and Taura here (diasporic tribal communities, see section on terms, chapter one).

**The Waitangi Tribunal**

**The Treaty of Waitangi Act 1975**

An Act to provide for the observance, and confirmation, of the principles of the Treaty of Waitangi by establishing a Tribunal to make recommendations on the claims relating to the practical application of the Treaty and to determine whether certain matters are inconsistent with the principles of the Treaty.

The Act established the Waitangi Tribunal to hear claims that allowed Maori to lay claims against the Crown for alleged breaches of the Treaty. The Tribunal is a permanent commission of enquiry, to examine claims. Claimants must demonstrate that they have been prejudiced by laws and regulations or by acts, omissions, policies, or practices of the Crown since 1840 that are inconsistent with the principles of the Treaty of Waitangi [The Treaty of Waitangi Amendment Act 1985, 6, (1)]. Once the claim has been heard the Tribunal publishes its findings in an official
report to the Minister of Maori Affairs. If the claim is substantiated the Tribunal will make recommendations to government in its report. However, with the exception of former Crown-owned land,\footnote{That is, land formerly owned by the government, and then passed on to state-owned enterprises to be sold to private buyers. Land once owned by New Zealand railways falls into this category.} the government is not bound by the Tribunal’s recommendations.

The claims that come before the Tribunal can be divided into three types: historical, contemporary and conceptual. The Office of Treaty Settlements divides the historical land claims into the following categories: confiscations, raupatu, pre-1865 purchases, and post-1865 purchases. The confiscations refer to lands confiscated from tribes under the Land Settlements Act 1863. The pre-1865 purchases refer to the land transactions that took place prior to the establishment of the Maori Land Court and the post-1865 purchases are those that were effected under the jurisdiction of the Maori Land Court (Office Treaty Settlements, 11-20). Conceptual claims, on the other hand, are usually related to contemporary concerns and focus on contemporary interpretations of Treaty principles, such as the claims for the preservation of the Maori language (Wai 11) and indigenous flora and fauna (Wai 262). These claims reflect contemporary concerns over the loss of language and the protection of the environment respectively. The scope of the claims vary considerably from brief single-issue claims to very extensive claims that involve a wide range of issues. One of the smaller claims was the Pakakohi and Tangahoe settlement claim (Wai 142, Wai 178) where the hearing lasted three days and the report was produced within fourteen days. An example of an extensive claim is the Ngai Tahu Claim (Wai 27), which was the first of the large regional claims. On hundred and fifty years of history were surveyed, 900 submissions from 262 witnesses and 25 corporate bodies were received, and the hearing lasted three and a half years (\textit{ibid.} xix). Importantly the extent and scope of claims is not indicative of the complexity, for the smaller claims could be just as complex as the more extensive ones.

The Waitangi Tribunal was established as a response to a decade or so of political agitation by Maori for recognition of their rights as tangata whenua, and as the other
party to the Treaty of Waitangi. The Act allowed for Maori\textsuperscript{81} to claim against the Crown for current breaches of the Treaty and established the Waitangi Tribunal to hear these claims. The Tribunal consisted of three people - a Judge, a Maori leader, and one other - and the claims that came before the Tribunal were mainly concerned with such issues as the pollution of tribal fishing grounds. The influence of the Tribunal in its early stages was limited not only in capability (three part-time members) and powers (restricted to current breaches), but it was regarded by many Maori as a token gesture by the Crown to defuse the more radical elements of Maori political activism (Boast, 226, Durie and Orr). These concerns eventuated the 1985 Amendment Act.

**Treaty of Waitangi Amendment Act 1985:**

an Act to amend the Treaty of Waitangi Act 1975, enacted 9 December 1985

The 1975 Act was amended substantially in three major ways. First, the range of claims was expanded from considering current breaches of the principles of the Treaty to being able to claim retrospectively to the actual signing of the Treaty in 1840 (The Act 6. 9(1)). This amendment resulted in the vast majority of claims heard being historical land claims, which, in turn, placed considerable emphasis on the tribal formations of that era, reinforcing the historical perceptions of the tribe. Second, Maori membership of the Tribunal was ensured. Members were to be appointed to the Tribunal by the Governor-General on the recommendation of the Minister of Maori Affairs in consultation with the Minister of Justice. In recommending members, the Minister of Maori Affairs was obliged to "have regard to the partnership between the 2 parties of the treaty" [4. (2A)(a)]. This direction was usually interpreted as the membership of the Tribunal being an equal ratio of 50% Maori and 50% Pakeha. In addition to this the Chairperson of the Tribunal was the Chief Judge of the Maori Land Court (an appointment that has, in recent times, been held by a Maori) and the minimum quorum for a Tribunal hearing under this amendment was three people, one of whom had be a Maori member [The Act Second schedule [5 (6) (c)]. The third substantive change was in the operation of hearings:

\textsuperscript{81} A claim can be made by an individual Maori or a group of Maori.
(9) Except as expressly provided in this Act, the Tribunal may regulate its procedure in such manner as it thinks fit, and in doing so may have regard to and adopt such aspects of te kawa o te marae as the tribunal thinks appropriate in the particular case, but shall not deny any person the right to speak during the proceedings of the Tribunal on the ground of that person’s sex [ibid. 5. (9)].

The use of the phrase te kawa o te marae, literally, the customs of the marae, was a notable concession to Maori customary practice. This section was interpreted as hearing the claim at a location of the claimants’ choice, and usually claimants chose to have their claims heard in their tribal territory and on their own marae. This meant that claimants could be heard, not only in their own language and in the surroundings in which they were familiar and comfortable, but, even more importantly, under their customary protocols. This operation had a tremendous effect on the perceptions of the balance of power. The local people were at home and could manage proceedings. Legal professionals, who were very comfortable in the courtroom with all its trappings of power, found themselves in a situation where they were the strangers and were expected to accept the rituals of the local people, the reverse of the normal situation. All of this was achieved without the due process of law being adversely affected.

The Tribunal was ritually welcomed onto the marae, a ceremony that culminated with a shared meal. Just prior to the commencement of the hearing, the kaumatua, elders, of the marae formally passed the mana, prestige, of the marae to the presiding officer of the Tribunal. This means that s/he has full control of the marae for the purposes of the hearing, but the local elders still maintained the right to ensure the adherence to that all customary courtesies. This acknowledgment of custom was not just a token gesture. The influence of the Maori members meant that the Tribunal took cognisance of custom in its deliberations. In other words, the messages given by the claimant group in its oratory, songs, and ritual were observed and taken into account as part of the people’s story, and therefore constituted evidence in their claim. The overall effect of this was to soften the more formal legalistic and adversarial aspects of legal culture. Another largely unheralded factor was the presence of a respected elder on the panel. His or her presence was noted and often commented on by the claimants. Because of the high esteem in which they were held, they were able to quickly establish a rapport with the claimant community, thus
giving the Tribunal acceptability and credibility. As one of the objectives of a claim hearing was to remove the sense of grievance, this approach assisted in the claimants feeling that they had finally been heard, often after many futile attempts by earlier generations. Because the Tribunal was a commission of inquiry, it had an inquisitorial, rather than an adversarial procedure (such as a Court), and thus was able to accommodate custom.

Having a claim heard through the Tribunal lessened the remoteness of the legal process as claimants became involved at all levels in the conduct of their hearing. As well as hosting the hearing, they planned their claim, instructed their legal counsel, and participated in the research and presentation of evidence. A claim hearing provided a chance for groups to have their history researched in detail and an opportunity to participate and witness the presentation of oral and academic versions of their history and traditions in one venue and one sequence. Their tribal story was also recorded in a way that would make it accessible to future generations and thus survive into the future. In this sense, the claims process was an empowering experience.

This significant amendment was a direct result of Maori political pressure. In introducing the Bill for this amendment, the Minister for Maori Affairs, Koro Wetere, mentioned the mounting tension among Maori due to their grievances about the injustices of the early colonial period. He also noted that the proposed amendments had come from a national hui on the Treaty of Waitangi held a month earlier at Turangawaewae (NZPD, Vol 460, 2702). He was referring to the National Hui on the Treaty of Waitangi that was held at Ngaruawahia on 14-16 September 1984. The hui had been called by a wide range of organisations, including: the Maori Council of Churches, the New Zealand Maori Council; the Maori Women’s Welfare League; the Race Relations Conciliator; Maori Wardens’ Association; Maori Writers and Artists; Mana Motuhake; Maori university students; Maori Battalion; and Maori Members of Parliament. The Treaty of Waitangi was stridently reinforced as a prime document of nationhood and Maori rights, and the first recommendation was that the jurisdiction of the Tribunal be extended back to the signing of the Treaty in 1840 (Recommendations of the National Hui on the Treaty of Waitangi cited in
Levene and Vasil, 183-85). As the hui was held barely a month prior to the Hui Taumata, the sentiments expressed would have been carried over to the more public forum of the Hui Taumata.

On the introduction of the Bill, the opposition members, led by the then spokesperson on Maori Affairs, Winston Peters, expressed some disquiet on the implications of these amendments. Peters described the amendments as being of a monumental nature, and that the Bill had massive ramifications (NZPD 460, 2702.). While he was supported by other members of his party (ibid. Graham, 2704, Upton, 2708, W. R. Austin, 2710), debate never developed on what the implications or ramifications of the Bill might be. While this amendment, therefore, has had considerable implications for New Zealand, the comments made at the time by the Opposition members were probably alarmist rhetoric that reflected the conservative leaning of the Opposition.

Ngati Kahungunu tribal development in the 1980s

This section looks at Ngati Kahungunu as a case study of tribal development in the 1980s. This study looks at the origins of Te Runanganui o Ngati Kahungunu, the Ngati Kahungunu grand council. The study then moves on to consider the effects of tribalisation in the tawhenua, districts, and, finally, the attempts of Kahungunu living outside the tribal area to form tribal groups, taura here. Observations and conclusions in this section have been drawn from an ethnographical study, as well as from an examination of Runanganui, tawhenua, and taura here minutes and publications, newspaper articles, and personal interviews. Two tawhenua, Tamatea and Wairarapa, were studied in some detail, and, in the process anecdotal information on a third tawhenua, Tamaki-nui-a rua, was gathered.

Ngati Kahungunu claim descent from the ancestors Kahungunu and Rongomaiwahine, and claim the lands from the Wharerata mountains north of Wairoa to the Rimutaka mountains, a territory that encompasses the contemporary provinces of Hawkes Bay and Wairarapa. Although the majority of Maori in this vast area are of Kahungunu descent, there are other long-established tribal groups, Rongomaiwahine of Mahia, who claim the matrilineal line of descent and Rangitane.
The latter are of a totally different tribal origin and are concentrated in the districts of Tamaki-nui-a-rua (Dannevirke) and Wairarapa.

The popular perception is that Kahungunu are a homogenous group who are divided into broad regional groups: Kahungunu ki Wairoa, Kahungunu ki Heretaunga, and Kahungunu ki Wairarapa. These divisions are geographic and equate to north, central and south, respectively. Provincial boundaries and government policy, on the other hand, paid scant regard to any perception of Kahungunu homogeneity or territorial claims. Dannevirke North became part of Hawkes Bay and Wairarapa part of the Wellington province. More recently, in the 1980s, the Department of Maori Affairs had the Wairoa area under the jurisdiction of the Gisborne office. Government administration effectively divided Kahungunu into three divisions, a point made by Dr Pita Sharples during the cross-examination of his evidence to the High Court in 1998\(^2\) (XXD Mr. Wilson, 139).

Dr Sharples went on to explain that in 1980 he was summoned home from Auckland by his elders to assist in uniting Kahungunu, a development that was recorded in an article in a local newspaper:

> In the early 1980s five men wanted an organisation to unify the people of Kahungunu (which stretches from Wairoa to Wairarapa) and Te Runanganui o Ngati Kahungunu – the council for all people of Ngati Kahungunu and other tribes – was born. Dr Pita Sharples, Canon Wi Te Tau Huata, Te Okenga Huata, Moana Raureti and Tohara Mohi, the present chairman formed the runanganui (council) because many Kahungunu people felt matters such as health and education were not being adequately dealt with by organisations such as Maori and executive committees and district councils (The Daily Telegraph, 26 August 1989).\(^3\)

This desire to unify and establish a coordinated and comprehensive tribal group reflects the mood of the 1980s. It was a movement that led to, and was dominated by, the enactment of the Runanga Iwi Act. To be recognised by government and be eligible to handle public monies, the Runanganui required a legal identity. They

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\(^2\) See chapter eight for details of this court case.

\(^3\) Originally, the aim of unification was far more ambitious than explained in this article. The aim was to unify all tribes that claimed the Takiitu as their ancestral canoe. This organisation would have included the various tribes of Gisborne and Poverty Bay, Ngai Tahu of the South Island [4.] [5.]. There was strenuous
attempted to establish a legal identity through separate legislation, but, as an interim measure, envisaged operation under the Maori Trust Boards Act (Runanganui minutes, 20 August 1988). However, neither of these measures eventuated, and, in October 1988, the Runanganui became an incorporated society.

During the establishment process, a draft constitution was submitted by Kahi Harawira to a Runanganui meeting at Martinborough, 25 June 1988. This constitution claimed nation status for Ngati Kahungunu, but, strangely and somewhat ambiguously, acknowledged the government’s responsibility to administer Kahungunu’s affairs:

Knowing that the New Zealand Government has the responsibility for the administration of Kahungunu affairs must promote the realisation of the Kahungunu people’s right to self-determination, and that the New Zealand Government must respect that right, in conformity with the provisions of the Charter of the United Nations and The Treaty of Waitangi, (Harawira, Preamble to draft constitution).

The constitution was discussed at the October meeting of the Runanganui and was rejected in favour of a more conservative one drafted by Moana Jackson.

The constitution on which the Runanganui was incorporated established it as the Iwi Authority for Ngati Kahungunu, which effectively made it the official voice of the tribe, with the right to enter into contractual relationships with both the government and private organisations. Membership was given to all who claimed descent from Kahungunu and any other Maori living in Kahungunu territory.

The tribal area was divided into six autonomous regions or taiwhenua: Wairoa, Whanganui-a-Orotu (Napier), Heretaunga (Hastings), Tamatea (Central Hawkes Bay), Tamaki-nui-a-rua (Dannevirke), and Wairarapa. Although the boundaries of both the tribal area and those between taiwhenua were reported to have been surveyed (Runanganui Minutes, 14/15 May 1988), they were not clearly defined in the Constitution, but were covered in a vague catchall statement:

opposition from the other tribes and the vision was modified to include only Ngati Kahungunu (Pers Comm. Te Okenga Huata, 4 June 1987).
within the traditionally defined boundaries of the iwi named Ngati Kahungunu. Those boundaries are such limits as customarily defined by the six regions or taiwhenua (Constitution, 4).

The boundaries between taiwhenua were, in fact, drawn up arbitrarily with little consultation. In Wairoa, although there were strong hapu such as Ngati Pahauwera and Ngati Rakaipaaka, they accepted the Wairoa Taiwhenua because there was already a sense of regional identity encapsulated in the name Kahungunu ki Wairoa. The establishment of Whanganui-a-Orotu Taiwhenua was completely new, as this area, more commonly known as Ahuriri, was never considered as being a strong Maori area. The newly-imposed taiwhenua was an urban development centred on Napier city. Similar to other urban centres, it had a substantial immigrant Maori population. Heretaunga is a traditional regional name with numerous hapu living in or near the city of Hastings. Although there are well-known divisions between the hapu (6), there was an existing sense of regional identity among Kahungunu ki Heretaunga.

Tamatea (which was the name of the local district created by the 1900 Maori Councils Act) was the only taiwhenua named for an ancestor, rather than a geographic feature. The name is that of the legendary captain of the canoe Takitimu, and the people of this region had no more exclusive claim to it than did a multitude of other groups with links to the Takitimu. This notwithstanding, there is no recorded opposition to the use of the name. An unexplained and very questionable move was the drawing of the boundary line between the Heretaunga and Tamatea taiwhenua. It is a line that divides the territory of the formerly powerful hapu of Te Whatuiapiti, resulting in three Whatuiapiti marae being located in the Heretaunga Taiwhenua and two in the Tamatea Taiwhenua.

The Tamaki-nui-a-rua and Wairarapa Taiwhenua were established on existing regional entities. They were accepted by those who accepted the Kahungunu mantle and were opposed by those who claimed their tribal rights under Rangitane.

The Runanganui was run by a Board consisting of a chairperson, deputy chairperson, a representative from each taiwhenua, and representatives from each of the kaumatua (elders), wahine (women), and rangatahi (youth) runanga. The
Runanganui set up an office in Hastings and employed a full-time executive officer. The board met regularly and, along with the Kahui Kaumatua, the Council of Elders, exerted their influence on the developments of the Runanganui. The day-to-day running of the Runanganui was the responsibility of the Executive Officer.

Taiwhenua

Each taiwhenua was autonomous, but accountable to the Runanganui. The rules of the Runanganui do not define the relationship with taiwhenua, but it saw itself as the central authority:

Tribal Reunification – It is essential that initially the six Taiwhenua be unified under one boundary and a single administration. (Runanganui response to Te Tirohanga Rangapu, 26).

By including the word initially, this statement implies that there was some intention for the taiwhenua to eventually become autonomous. There is no other evidence to support this intention and the wording is probably misleading. From the taiwhenua perspective, the Runanganui filled the role of the defunct Maori Affairs Department in providing resources, but had no authority over their activities.

Tamatea Taiwhenua

The first recorded meeting of the Tamatea Taiwhenua was held at Pukehou Marae on 28 January 1989. At this meeting, the role of the Taiwhenua was explained to the people and the relationship to the district Maori council was also discussed. From the tenor of the minutes, there appears to have been a large degree of support for the establishment of the Taiwhenua. The recorded roles of the Taiwhenua were:

1. [To provide] a communication network between iwi and runanganui
2. to identify and prioritise the needs of the iwi
3. to seek resources
4. to monitor the use of resources

The direction of the Runanganui, the Taiwhenua established twelve runanga84 to cover a wide range of community concerns and activities (Tamatea minutes, 28 January 1989).

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84 Hau ora (Health) Whakapumanu mahi, Employment
Art & Culture Tangaroa, Fishing
Kohanga Reo Matauranga, Education

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The minutes of the meetings over the next six months reflect an organisation that was establishing itself. There were discussions on funding, constitutions, and ideas on how to operate. The Taiwhenua was also immediately occupied with a major project, the building of the tribal waka Tamatea Arikinui for Waitangi Day celebrations in 1990. Another item of significance was the election of the chairperson onto the United Regional Council. This body was a very influential part of local government, and the election of the Taiwhenua chairperson onto this council was public recognition of the authority of the Taiwhenua. In July, the Taiwhenua meeting passed the following motion:

[That] The Taiwhenua o Tamatea and the Executive of Maori Committees be linked by the Whatuiaipiti Economic Development Council (Tamatea Minutes 9 July 1989).

Neither the Whatuiaipiti Economic Development Council nor its role in this development is defined, but it is assumed that the effect of this motion was to merge the existing Maori Council Executive with the newly formed Taiwhenua. The same meeting also discussed a centre for the Taiwhenua, and the meeting was divided between establishing an office in the main street of Waipukurau and using a marae.85

Besides the building of the waka, which became a very major undertaking the Taiwhenua successfully staged an art exhibition, Nga Taonga o Tamatea, and a popular music concert. No constitution or certificate was sighted but, from some of the discussion in the minutes, it is assumed that the Taiwhenua eventually became an incorporated society. Funding for the Taiwhenua came from the government-sponsored Mana Enterprises via the Runanganui. A total of $250,000 was drip-fed to the Taiwhenua over a period of years. Some of the special-purpose runanga, such as Kohanga Reo and MACCESS, had access to separate funding. The Tamatea Taiwhenua was successful in establishing a network of contacts with local authorities of various types. These relationships with local authorities appeared to be cordial, productive, and lasting. As with the Runanganui, unity and commonality

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Housing
Rangatahi
Kaumatua, Elders

Maataua Whangai, Fostering Programme
Wahine
MACCESS, a government employment training programme

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of purpose were a problem for the Taiwhenua. Throughout the minutes, there are pleas for unity. There are a number of recorded incidents where people, either in groups or as individuals, walked out of meetings, as well as resignations of individuals or sub-committees. Similar to the Runanganui, and for the same reasons, was the pattern of movement from intense activity to a state of inertia.

In both the Tamatea and Wairarapa Taiwhenua, relationships between constituent marae and the Taiwhenua executive committee were strained. Special-interest, non-tribal groups, such as the Whatuiapiti Trust, Tamatea Consultants for Youth, Puawai Whanui, Te Rongo o Tahu, Nga Waka o te Whanau formed. Also, alternative tribal organisations emerged and in the Wairarapa the Runanganui o Rangitane opened an office in Masterton. Among the general public, even among those who were active in the Maori community at a local level, there was very little awareness of the activities or purpose of the Runanganui and the Taiwhenua. The executive committees were plagued by constitutional problems and personality clashes and they had trouble attracting a full representation of members to monthly meetings. They only continued to function through the dedication of a few loyal members.

**The Runanganui and Taura Here (expatriate communities)**

The developments leading to establishment of the Runanganui were watched with interest by Kahungunu people living outside the tribal area. The first chairperson, Dr Pita Sharples, was a resident of Auckland during the formation stages. At the initiative of the Te Okenga Huata, Kahungunu groups throughout the country began to organise themselves. Te Okenga’s desire was to tap the talents of Kahungunu people living away from the home territory for development of the tribe as a whole. He wanted these groups to form themselves into associations and affiliate with the Runanganui. In June 1987, Ngati Kahungunu living in Christchurch formalised their kinship links by creating a runanga called Te Runanga o Ngati Kahungunu ki Waitaha, the Ngati Kahungunu Council of Canterbury. Over the following two years, they established themselves as a publicly known tribal entity and, as a consequence, they were a very important and visible link in the social network of Christchurch Maori. They were also successful in formalising their links with other Kahungunu

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85 In May 1990, the Taiwhenua began operating from an office on the main street of Waipukurau.
groups spread throughout the South Island. In June 1988, along with Wellington and Auckland, the Runanga o Ngati Kahungunu ki Waitaha was formally recognised by the Runanganui as their taura here [6.]. Even with formal recognition being given, the links between the Runanga and the Runanganui were tenuous for a while. Kahungunu ki Waitaha routinely communicated with and sent the minutes of their meetings to, the Runanganui, which only responded sporadically.

There is no evidence that Te Okenga’s idea of linking all Kahungunu people, regardless of where they lived, was fully understood and supported by the majority of Kahungunu people living at home. Like most tribes, Kahungunu were totally immersed in developments on the local scene and had little time or energy to devote to their relations living in other parts of the country.

This indifference towards Kahungunu living away from home was witnessed at a Runanganui meeting in September 1990, when representatives from the Kahungunu groups living in Wellington, Kahungunu ki Whanganui-a-Tara, petitioned to have voting rights on the Runanganui. While their request was not rejected outright, it was stalled through inertia, and nothing conclusive was decided. The meeting showed little enthusiasm for the idea and did not know how to deal with it. Kahungunu ki Te Waipounamu’s request for support to establish a carving school in Mataura, Southland, met with a similar reaction.86 Te Okenga’s vision of connecting Kahungunu throughout the country was, in reality, an individual one, and not seriously part of any tribal strategy.

The Vision
The implementation of the Runanganui and the taiwhenua was, in effect, an attempt at tribal self-government. It was part of a nationwide phenomenon of the retribalisation of Maori society, which will be discussed fully in another section. Tribal self-government was the grand vision. For most, however, it was simply a better way of providing service. The difference between the two is pragmatism versus philosophy.

86 In 1989, a deputation of Ngati Kahungunu representatives of Te Waipounamu requested support from the Runanganui to establish a school of carving at Mataura.
There was not really a dichotomy between pragmatism and philosophy, but more a
difference of emphasis. On the extreme pragmatist side were those who only saw the
issue in terms of community improvement. At the other extreme were those who
saw the issue solely in terms of tribal sovereignty. For most Maori, the two issues
were interrelated, and there were very few people who held extreme positions. The
visionaries saw the establishment of the Runanganui as the reassertion of tribal
authority over its own territory. The vision was to establish a supra-tribal identity
under the mantle of the ancestral canoe Takitimu while not explicitly expressing an
idea of nationhood. This is not surprising when the composition of the founding
group is considered. They were all well-educated, well-travelled, articulate public
figures who were steeped in the traditions of Ngati Kahungunu. A more explicit view
of nationhood for Kahungunu was expressed in the draft constitution submitted by
Kahi Harawira:

The executive power shall be vested in the Head of the Executive ... He shall be
resident of no less than three years, a citizen of the Nation, a person of
Kahungunu descent (Harawira, Article 6, Draft constitution).

In the end, pragmatism won out, even for the visionaries. The reality of inter-tribal
politics soon quashed the wider vision, which was then modified to include only
Kahungunu. Another instance where pragmatism won out over ideals was the
acceptance of the conservative constitution drawn up by Moana Jackson, rather than
the more overtly separatist constitution submitted by Harawira. The constitution
that was accepted was aimed simply at establishing the Runanganui as the iwi
authority for Ngati Kahungunu.

The majority of people, particularly the older ones, while lamenting the loss of
language and cultural values among the young, saw the whole process as an evolution
of improved service delivery to Maori, to enable them to solve problems of
educational failure, unemployment, criminal offences and poor health. They held that
the Maori Council and Maori Affairs Department were not the best vehicles to
deliver services to Maori. The Maori Council favoured only those who lived on
marae and took no account of the contemporary situation of the majority of Maori

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[8.]. On the other hand the Maori Affairs Department was seen as friendly, but rather incompetent, and served its master the government rather than the people:

In particular, we applaud the government for outlining a broad agenda for social and economic change, admitting to the socio-economic disadvantage faced by Maori and accepting that the existing delivery system for government services has not and cannot work for Maori. (Runanganui response to Te Tirohanga Rangapu, 12 July 1988, 3).

Even with modification the vision was still flawed. Flaws prevented the universal acceptance of the Runanganui within its district and eventually affected its operation. First, the constitution of the Runanganui assumed that Kahungunu were a homogenous group who held sovereignty over the area that lay between the Wharerata and Rimutaka ranges. The claim to tino rangatiratanga was based on notions of traditional tribal boundaries and ignored the tribal rights of Rongomaiwahine and Rangitane. The Runanganui minutes record expressions of concern from these groups:

Rongomaiwahine, Waikaremoana Trust Board Hui called by Ned Ihaka: – L. Manuel, D. Fox on Waitangi Tribunal [were] concerned that mana may be taken from Rongomaiwahine (Runanganui minutes, 20 August 1988).

Against the trend of resistance to Kahungunu attempting to impose authority over other groups was the request from Ngati Hine Manu and Ngati Paki of Taihape to come under the umbrella of the Runanganui (Runanganui minutes, 29 October 1988). This was a very unusual development and was a dilemma for the Runanganui as Taihape is located in the territory of the neighbouring Ngati Tuwharetoa people. Solving this dilemma must have been beyond the capabilities of the Runanganui as there is no recorded or anecdotal record of what happened regarding this request. There is no record of these tribes actually joining the Runanganui.

Another problem with the vision is that it claimed its right to existence on the notion of traditional tribal rights, but did not reflect these rights in its organisation. Traditional tribal rights claimed under the mantle of Ngati Kahungunu would have been centred on hapu. Under the runanganui system tribal rights were based on taiwhenua, regions. The establishment of the six taiwhenua was actually an
imposition with very little claim to any traditional precedent. The imposition was not a major problem in most areas. However, there was a problem in the Tamatea Taiwhenua. From the outset, the Whatuiapiti people expressed reservation about being included or having their specific identity submerged under the name Tamatea. This sentiment is illustrated in extracts from the Taiwhenua minutes:

The Taiwhenua o Tamatea and the Tamatea Executive of Maori Committees be linked by the Whatuiapiti Economic Development Council (Tamatea, minutes 9 July 1989)

We unanimously agreed that the people consider the benefits of registration as an incorporated runanga ourselves as the Taiwhenua O Tamatea. There was also strong support for us to be recognised as Whatuiapiti (Tamatea minutes, 14 November 1990).

At the Taiwhenua meeting of 27 November 1990, the suggestion that the Taiwhenua be named Whatuiapiti was raised and rejected by the meeting (Tamatea minutes, 27 November 1990). No solutions to the Whatuiapiti concerns are recorded, so their continuation must have been an underlying source of tension.

While the majority of people supported the establishment of the Runanganui, it was vigorously opposed by some. Opposition to the Runanganui came from existing groups who wielded a degree of influence in the community and were opposed to development centred solely on the tribe. Other tribal groups objected to being placed under the jurisdiction of the Runanganui and wanted their own tribal authority. Publicly recognised organisations provided executive members with status and influence, and the establishment of the Runanganui threatened to overshadow and possibly replace these organisations. Opposition came from those who did not have the confidence that any type of Maori organisation could stand alone without government support. This type of opposition was most frequently displayed by senior public servants who took a dismissive line to aspirations for sovereignty. Both of these latter two groups argued that use of tribal organisations led to tribal chauvinism and divided the community. They therefore supported the status quo.

87 The most recent overt development was the establishment of the Whatuiapiti Trust that was set up ostensibly to cater to health concerns in the region. Equally, it has been an expression of Whatuiapiti tribal autonomy.
and promised adaptations to their own operations to meet changing community needs.

Retribalisation of Ngati Kahungunu in the 1980s took the form of establishing a centralised administration, the Runanganui o Ngati Kahungunu. The development was spearheaded by respected high profile personalities and supported and encouraged by government policy. The move gained widespread support from Kahungunu within the tribal area as well as those living away from the district. It was established on some ill-defined and nebulous notion of tribal sovereignty. The implications of this non-specific philosophy were not fully explored or debated, and the implementation of the Runanganui system was regarded as tribal imperialism by other tribal groups. Also, the notion of complete tribal autonomy was not accepted by the politically conservative who wanted to hedge their bets by having autonomy as well as protection from government sources. The result was that the Runanganui opted to be a tribally operated replacement for the Maori Affairs Department.

Te Runanga o Nga Mataawaka 1987-1990

When the fourth Labour government indicated that it was about to disestablish the Maori Affairs Department, two kaumatua, Hohua Tutengaeh and Hori Brennan, approached the South Island Manager of Maori Affairs, Bill Edwards, to call a hui to discuss the implications of the change for Maori living in Christchurch.88

The meeting was held Sunday 12 July 1987, and all tribal groups in the city with the exception of Ngai Tahu, were invited. The apparent reason for not inviting any Ngai Tahu representation was that it was thought by Maori Affairs staff that Ngai Tahu would automatically be catered by their own Trust Board. This assumption was wrong, and demonstrated the lack of understanding that the department staff had about the policies that they were being asked to implement.

88 The kaumatua asked the manager to call the meeting because they were without any resources to finance a meeting.
About 200 people attended, representing most of the tribes, except, of course, Ngai Tahu. The meeting was told that the Maori Affairs Department was going to go out of existence and that its programmes would be taken over by Maori groups capable of doing so. Representatives were to report back to their own tribal groups and discuss their willingness to join a multi-tribal group that would, in effect, replace the Maori Affairs Department.

The representatives met again a month later and agreed to establish a multi-tribal group. The name chosen for this new group was Te Runanga o Nga Mataawaka, the Mataawaka Council. It is an expression used in oratory, a non-partisan honorific which includes all Maori, regardless of tribal affiliation. However in Christchurch, from the establishment of the runanga came to signify all Maori who were not of Ngai Tahu descent.

At the first meeting, the group decided that it needed a constitution from which to operate. A working party was set up to draft an appropriate constitution. Although the working party worked hard, the task proved a long and laborious one. It was not until August 1989, over a year later, that Mataawaka actually met under the constitution. The difficulty of the task was due to several reasons, some practical and others philosophical.

There was a great variation of experience and talent among the tribal delegates, and a vast amount of time was expended on debating minor points rather than issues of substance. Another reason for the delay in producing the constitution was a lack of confidence. Various delegates kept wanting outside agencies to vet the draft before accepting it. On top of these practical reasons, there was the problem of varying perceptions.

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89 One Ngai Tahu kaumatua did attend, and early in the proceedings he stood up, publicly berated the organisers for not formally inviting Ngai Tahu, and then promptly left.

90 Mataawaka is defined in the dictionary as tribe, clan, race (Williams, p192). Its literal meaning is ‘the faces of the canoes’ (Nga Mata-a-waka), but has been contracted into one word Mataawaka. Local spelling has rendered Matawaka as Mataawaka, but is often pronounced by runanga staff as Matawaka.
For probably the majority of Maori, the whole development was simply that of a new community group consisting of tribal representatives and kaumatua replacing the Maori Affairs Department. This point of view reflected a misunderstanding of the government policy promoting iwi development. The only form in which this group could be recognised by government was as an Urban Authority that restricted its area of influence to within the boundaries of metropolitan Christchurch. That the working party did not fully understand this aspect of the policy was reflected in a clause in the draft constitution defining the area over which the Runanga claimed jurisdiction:

3. JURISDICTION
The area over which the Runanga has exclusive control shall be the whole of TE WAIPOUNAMU (the South Island) and including REKOHU (Chatham Islands) and RAKIURA (Stewart Island). (Draft constitution attached to Mataawaka Minutes 25 September 1988).\(^{(92)}\)

Membership
Some of the elders saw traditional representation on Mataawaka in terms of waka affiliation, and over and above that of tribal affiliation.\(^{(93)}\) For some tribal groups coming under the umbrella of their ancestral canoe was unacceptable. Ngati Kahungunu, in particular, were vocal on this point as they felt that it was inappropriate for them to represent the whole of Takitimu given the wide number of tribes that claimed descent from this canoe. After considerable discussion, tribal representation was acknowledged and an additional was clause added to the constitution:

(iii) Iwi groups that choose not to be represented on the basis of descent from a waka may appoint up to two delegates who shall be members of the Runanga (Mataawaka constitution, 1).

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\(^{(91)}\) The following is an extract from an article that I wrote earlier, and explains the role of kaumatua, elders in this situation:

With their current status [that of kaumatua] they will probably exercise their rights to attend any community committee meeting that they feel is important, even though they have no constitutional authority to do so ... No self-respecting Maori organisation can operate effectively without its tuara (backbone) – its supporting kaumatua (Maaka, 1993).

\(^{(92)}\) This clause was deleted from the constitution after being considered by a full meeting of the runanga.

\(^{(93)}\) The rationale behind this thinking was that, by limiting Maori to waka affiliation, they would not splinter into tribal factions.
The concept of Mataawaka received support, albeit in some cases cautious support, from all of the tribal groups. There were, however, some individuals who opposed the formation of Mataawaka. What Mataawaka provided was a forum for tribes (understood as iwi in this context) to present their views and enable them to speak with a united voice. Its strength was in its unity, so when the influential Ngati Porou Runanga withdrew, it was a severe blow to the credibility of Mataawaka. A group of Ngati Porou who held a very strong ideological position on tribal sovereignty persuaded their runanga to withdraw from Mataawaka. They maintained that affiliation to Mataawaka impinged on their sovereignty, and that Mataawaka’s very existence was a challenge to the sovereignty of Ngai Tahu. Besides holding a narrow ideological position, a number of these people were closely associated with Ngai Tahu through descent and employment.

Development
There were a number of factors influencing the development of Mataawaka, some internal and some external. The internal ones included the question of how to work together. A committee consisting of delegates from a variety of tribes had an inherent problem: how did a tribe both maintain its independence and operate collectively with others? Tribal representatives could see the advantage and need to act collectively and yet were fearful of losing their tribal autonomy in a multi-tribal forum.\(^{94}\) This issue was discussed but never clearly resolved, except that each tribe had some, but not total, control over its own representation. The tribe had the right to withdraw their delegate but this had to be approved by the Mataawaka Runanga, thereby giving the ultimate control to Mataawaka, not the tribe:

\[\text{d A waka or iwi group may withdraw or replace their delegate by [a] motion to that effect at a meeting of the Runanga. Prior notice of such [a] motion stating clear reasons for such withdrawal or replacement must be received by the secretary one calendar month prior to the said meeting. such withdrawal or replacement must be confirmed be an ordinary majority of the Runanga in a general meeting (Constitution, clause 3 d).}\]

Another issue was the role of elders. What kind of power did they command, advisory or executive? This issue was also discussed, but not in depth as there was

\(^{94}\text{This issue is discussed fully elsewhere.}\)
an assumption based on customary practices that kaumatua just fit in somewhere as advisers. However, in this case, a problem arose when two kaumatua went beyond the limits of being just advisers and took it upon themselves to communicate directly with the head office of Maori Affairs in Wellington without consulting any of the committee. The kaumatua in question sent an ambitious development to the Chief Executive of the Maori Affairs, plan consisting of the Mataawaka constitution and papers expressing their own ideas on how Mataawaka would operate. It was a bold plan that was based on the takeover of the Maori Affairs offices and staff in Christchurch, and requiring a budget of $1,545,811.00 annually (Brennan, Submission to ITA, 11 September 1989).

There is no recorded response to the request, but the incident embarrassed the Mataawaka executive. When the two kaumatua were asked why they had not consulted with others they claimed that it was their right, as elders, to act unilaterally. They also felt that executive members, being committed to their full-time employment, were not moving fast enough in getting established and that they, as pensioners, had more time to pursue these matters.95

Early in its development Mataawaka realised that, because its concerns were wide-ranging and enveloped everything that affected the Maori community there needed to be division of responsibilities. By 1990, Mataawaka had evolved a system of portfolios covering the areas of concern. There were seven portfolios: education, employment, health, housing, justice, welfare, and economic development. The idea was for a subcommittee to run a portfolio and take full responsibility for everything to do with that area of concern. The function of the executive committee was to coordinate all activities and act as a coordination base for them.

The aims therefore were wide-ranging and ambitious, the agenda being determined by the needs of the Maori community not by the aspirations of the members. A reality that they had to face was that they had no resources. The Maori Affairs Department and later the Iwi Transition Agency (I.T.A.) made much of the need for the people to

95This rationale did not account for them not informing the executive of their actions. An underlying reason was the uneasy transfer of power from the old to the younger group of leaders that were emerging.
get themselves organised, but gave very little in the way of material support. In the opinion of the current chairman, the I.T.A. not only gave no support, they were actually an obstacle to the progress of Mataawaka (N.D. pers comms. 7/2/95).

While still in its very formative stages, there was a growing expectation from Maori that Mataawaka could provide the kinds of social services that were once provided by the Maori Affairs Department. Consequently, much of the meetings’ agendas were taken up with requests for assistance from various groups and individuals. Each request was discussed fully, usually resulting in the conclusion that Mataawaka were unable to assist. The process was energy-sapping and depressing, and resulting in a loss of self-confidence that Mataawaka were able to achieve anything.

Thus after an initial period of intense activity and achieving very few tangible results the commitment of delegates began to wane. There were problems getting a quorum at meetings and, eventually, at the A.G.M. in June 1990, the chairperson resigned out of frustration. Under succeeding committees, very little happened and the organisation eventually became moribund.

External Influences
An organisation that had come into being because of proposed changes to government policy would always be affected by political developments on the wider scene. A call to become involved in the wider scene came from Wellington. Te Runanga o Nga Taura Here o Whanganui-a-Tara, an equivalent group to Mataawaka based in Wellington, invited urban Maori groups to a meeting. Representatives from Auckland, Hamilton, Wellington, and Christchurch attended. Each group explained the situation in their particular city, with the common thread being that iwi development favoured the tangata whenua of the city areas and taking little account of the needs of the immigrant Maori groups who were the majority in the urban situation.

The meeting was marred by blatant politicking by some senior public servants to gain support for one of their members to be chief executive of the proposed new

96 A small seeding grant of $3000 was made by the Maori Affairs Department.
replacement organisation for the Maori Affairs Department, the Iwi Transition Agency. This notwithstanding, the meeting ended positively and with an understanding that the groups would keep in touch The intention was to form a national organisation of taura here. As far as can be established, no further meetings between these groups were ever held.

During the early years of development, the other major national event that Mataawaka representatives took part in was the national hui at Ratana Pa (14 August 1989). Over 2000 people, representing all major tribes and Maori organisations, attended, and they agreed to form the National Maori Congress.

**Relationships with Ngai Tahu**

The establishment of Te Runanga o Nga Mataawaka brought to the surface tensions between Ngai Tahu and other Maori resident in Christchurch. While the two groups had lived together amicably for many years, there were always tensions, as this extract from an interview recorded by Levene and Vasil in their book, *Maori Political Perspectives* illustrates:

> Whakaaro: [whose husband came from a different tribal group and was fluent in Maori, in contrast to her own difficulties with the language, and whose knowledge of Maoritanga was superior not merely to her own but to that of the people of her tribe]: A lot of the local people don’t really know anything at all and are inclined to put North Islanders down. It takes them years to get involved in anything down here because of this attitude ... My husband would drive me to my marae and just wait in the car for me till I was finished. He never used to go in. It took him years to unwind and go into anything down here because of these situations, because of the local people making the difference between North and South, and yet there’s so much they can offer, really (Levene & Vasil, 151).

The failure to invite Ngai Tahu representation to the inaugural meeting of Mataawaka was an unfortunate mistake, and the fallout was to bedevil inter-tribal negotiations in the years to follow. It precluded any possibility of a unified organisation of Christchurch-based Ngai Tahu and Mataawaka peoples. The lack of an invitation to the first meeting was provocative and offensive to Ngai Tahu, regardless of the

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97 The tensions that existed were a common feature of the Maori migration to the cities and are discussed elsewhere.
reasoning behind it. A number of the Mataawaka delegates were uncomfortable with the slight that had inadvertently been offered, and they strove to partially redress the balance by stating that Ngai Tahu were part of Mataawaka as of right.\footnote{This stance is still strongly maintained by Mataawaka (Interview with current chairperson, 7 February 1995).}

s5. – Bill Edwards said Ngai Tahu should have representation on the same basis as all other waka. Hapi Winiata said that Ngai Tahu is separate with its authority in the trust board ... Gina Maaka: Honorary membership gives the right to speak at meetings. Ngai Tahu has representation and voting rights through Takitimu or clause 4 ... Hohua preferred to handle his own iwi’s problems without burdening Ngai Tahu. We are not trampling on the Mana of Ngai Tahu. Ngai Tahu is represented through the presence of the Upoko Runanga, Waha Stirling. When our constitution is finalised we [will] hui with Ngai Tahu Kaumatua. First, we must firm ourselves. (Mataawaka minutes, 25 September 1988, 2).

This extract from the minutes of a meeting discussing the proposed constitution illustrates a mixed approach to the relationship with Ngai Tahu. On one hand, some delegates were suggesting that Ngai Tahu already had the right to membership, while others were saying that Ngai Tahu had an alternative organisation of their own. The presence of the Waha Stirling, the head of the Christchurch, Ngai Tahu runanga, Te Runanga o Otaitahi, and the fact that he contributed to the discussion was enough for delegates to consider that they were consulting with Ngai Tahu.

Waha Stirling said Ngai Tahu has rights through their waka, Takitimu (Mataawaka minutes 25 September 1988, 2).

However, there was really only a token attempt at any reconciliation. To satisfy delegates’ notions of respect, the following clauses were inserted in the constitution:

The following shall be Honorary members of the Runanga:
(i) Te Upoko Runanga o Otaitahi \footnote{Te Upoko Runanga o Otaitahi, the head of the Christchurch runanga. Throughout Ngai Tahu, runanga are presided over by an Upoko Runanga.}

Objects
(c) to foster a relationship of mutual respect with Ngai Tahu (Mataawaka minutes, 25 September 1988, 2).

On 31 May 1989, tribal leaders were invited to a meeting at Te Waipounamu House, the headquarters of the Ngai Tahu Maori Trust Board, to be informed of the Ngai
Tahu development plan. The meeting was addressed by the chairman of the Ngai Tahu Trust Board, Steven (later Sir Tipene), O'Regan. In his opening remarks, the chairman told tribal delegates that Ngai Tahu would not countenance the presence of an urban authority in Christchurch. He went on to state, that if Mataawaka was recognised as an urban authority, Ngai Tahu would take the Crown to the Appellate Court for a breach of the Treaty of Waitangi.\(^{100}\)

The Ngai Tahu development plan was explained. As could be expected, the plan was primarily concerned with management of Ngai Tahu resources. Almost as an afterthought, there was some discussion on the delivery of social services, the essence being that Ngai Tahu within its territory would replace the government in service delivery to Maori. Under this plan, Mataawaka people would have the same rights as they had under the existing system, that is, as recipients of benefits (Ngai Tahu Development Plan). These sentiments, that Mataawaka people would fit in somewhere and that Ngai Tahu were opposed to any other group establishing an iwi authority, were repeated publicly by the Board Chairperson in an interview in December 1989:

> We have a heavy representation of other tribes in the decision making process on MANA and MACCESS. We intend to extend that consideration, right across the whole social equity sector. But what we are utterly opposed to is having two iwi authorities, or other iwi authorities on our patch. We see the power culture using that to create a competitive situation among Maori, a standard technique of control. (Race Gender Class, Nos 9/10 December 1989, 100).

The various tribal representatives had two major concerns with this proposal:

> Brief comments were requested from the respective tribal representatives. The general consensus was that there were points of agreement but two key components needed to be taken back to the iwi for further consideration:
> a The concern that Mataawaka who were numerically stronger were denied representation at top level in any decision making.
> b Generally the structural model focussed on their [Mataawaka] needs and aspirations being determined by the Tangata Whenua [Ngai Tahu] (Minutes of the Ngai Tahu and Mataawaka meeting, 31 May 1989).

\(^{100}\) There is no record of these opening remarks in the official minutes. This information comes from a personal record of the proceedings.
Throughout the next couple of years, Mataawaka representatives attempted to establish a working relationship with Ngai Tahu. In 1989, at least five separate meetings were held, each one ending inconclusively. The difficulty for Mataawaka was that they were talking to different Ngai Tahu voices. There was Te Runanga o Otautahi, the runanga who represented Ngai Tahu who lived within the metropolitan boundaries of Christchurch, Nga Upoko o Waitaha, a committee of Upoko Runanga covering the whole of Canterbury, and the Ngai Tahu Trust Board. In the initial stages, the Trust Board clearly was the dominant voice but, as time went on, the Otautahi Runanga became more influential in local affairs. From time to time contact has been initiated by Te Runanga o Otautahi, and, in more recent times, Te Runanga o Ngai Tuahuriri.101 These discussions did not result in any conclusive plan of action to work together. A clear focus of the political role of Mataawaka did not emerge in this period. It played host to representatives of the Maori Congress and the Leader of the Alliance Party, Sandra Lee. At the local level, it gained some recognition by local government and government departments throughout Christchurch. In the absence of any other, it held the position of being a voice if not the voice of non-Ngai Tahu Maori in Christchurch.

The vigorous interaction between Maori and government dominated the years 1980 to 1989. It was a period that was characterised by Maori political activism demanding Treaty rights and the government’s acceptance and adoption of biculturalism as New Zealand prepared itself for the sesquicentennial of the signing of the Treaty of Waitangi. Maori demands to control welfare services for their own communities coincided with the fourth Labour government’s intentions to devolve government services to the community. The resultant iwi development policies had the effect of giving the tribe a legal identity. The forms and explanations of the tribe contained in these policies continues to influence contemporary notions of the tribe.

Efforts to reestablish the tribe as the primary vehicle for development of Maori society were not fully realized in this period. The level of success in gaining acceptance of tribally centred social development also could not be gauged at this

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101 The runanga centred at Tuahiwi, North Canterbury, claimed Christchurch as part of their traditional territory.
stage. It would take a retrospective perspective to fully understand the extent of its success, and to consider that the thrust by various Maori leaders to reestablish the tribe was actually a retribalisation movement that would eventually enjoy widespread popular support. The full effects of these events in the 1980s and a retrospective and wider historical perspective can be found in chapters nine and ten of this thesis.
Chapter Eight

The 1990s – Consolidation and New Challenges

In the decade 1990-1999, the tribe was widely understood as the primary form of Maori social organisation and became an accepted feature of New Zealand society. Understandings, definitions, and notions of its status were articulated through the Treaty claims and settlement process. However, this process also highlighted the fact that understandings of the tribe are not identical among Maori and that tribal formations did not represent all them.\textsuperscript{102} The process of re-tribalisation had been affected, and, to a degree countered, by, the transition from a rural society to an urban society.\textsuperscript{103} Those who newly fell outside the tribal network formed new collective identities or social formations that challenged foundational understandings of the tribe.

Understandings of the tribe in the 1990s had to contend with several major questions that earlier would not have been necessary. The issue of membership (who belongs?) is one example. Membership consists two fundamental elements, descent from the founding ancestor, whakapapa, and occupation of the tribal territory, ahi ka. Because all tribes had sizable percentages of their membership living outside the tribal territory, the status of the expatriate members came to the fore. Their tribal status was still far from clear. Another major issue was that many tribal territories had large numbers of Maori with distant, or no tribal affiliations residing in them. In large urban centres, the immigrant communities were often a majority. Such inclusions have become so numerous and have such potential for increase that their very presence has become a threat to the identity and sovereignty of local tribes. Due to the combined effects of the pressure of social problems, the desire to express their Maoriness and their exclusion from decision-making, at a national and local level, on Maori issues, urban-based groups have organised and become politicised. The result has been that multi-tribal groups behave like tribes - owning assets, seeking public

\textsuperscript{102} Even though there has been an increase in the number of Maori claiming membership of an iwi, there are still 19% of Maori who did not claim affiliation to any iwi (1996 census).

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contracts, setting up offices, placing claims before the Waitangi Tribunal – are demanding a share of the fishing settlement money, building marae, and following a full range of customary practices.

The major data for this decade is drawn from evidence presented to the 1998 High Court hearing on allocation of fisheries assets. There were several reasons for analysing this particular body of information: (1) the status of the Maori witnesses who represented a wide spectrum of opinion; (2) the combination of community and academic expertise (as well as the focus); for defining the traditional tribe and (3) the volume of evidence\textsuperscript{104} available. As would be expected, a wide range of argument and counterargument was presented to justify and challenge the respective positions of the plaintiffs and defendants. However, given the nature of the preliminary question, which the court was required to consider, much of the evidence presented pertained to understandings of iwi and tribe. Over the course of the hearing, a considerable number of academics and Maori leaders were called on to give evidence. As current understandings of the tribe, both popular and academic, were presented in evidence, the case offered an excellent opportunity to study contemporary perceptions of the tribe. The analysis is complemented by a summary of the information obtained from a series of interviews, information from focus groups, and ethnographic studies. The opinions expressed in the interviews and other sources give balance to those given in the context of court evidence, which, it could be argued, only expressed opinions that would strengthen their respective cases before the court.

The other event studied for this chapter was the claim by the Urban Maori Authority, Te Whanau o Waipareira, to the Waitangi Tribunal (Wai 414). As with the High Court hearing, the claim demonstrates that the 1990s perceptions of the iwi as the only way of understanding the tribe were being challenged and tested.

\textsuperscript{103} Some 80\% of Maori live outside their acknowledged tribal territory (1996 census).
\textsuperscript{104} The evidence comprised some 79 affidavits, the opening and closing statements of the ten parties, several hundred pages of cross examination transcript and notes of evidence, and numerous documents filed as exhibits.
The Fisheries Case

The recognition of Maori fishing rights was formally acknowledged with the passing of the Maori Fisheries Act 1989. This Act was an interim settlement and provided Maori with 10% of the national fisheries quota and $10 million. These assets formed the pre-settlement assets (PRESA). In 1992, a final settlement was agreed on and given legislative power through the passing of the Treaty of Waitangi (Fisheries Claims) Settlement Act. The Crown provided Maori with $150 million to purchase a 50% share in Sealers Products Limited, and Maori were also given full rights of access to 20% of any new species brought into the Quota Management System. These were the post-settlement assets (POSA). The Maori Fisheries Commission, established to negotiate the settlement under the 1992 Settlement Act, became the Treaty of Waitangi Fisheries Commission, Te Ohu Kaimoana. As well as managing the assets, from its inception the Commission, has been working to develop a method of distributing the PRESA to Maori. The Commission considered its responsibilities to be the management of the assets on behalf of iwi (W. Dewes, exhibit C).

The commission’s task raised the contentious issue of how to allocate assets proportionally to iwi. Some iwi had argued that distribution should be made in proportion to the number of people who were affiliated to an iwi, while other iwi argued for distribution to be made in proportion to the amount of coastline considered to be part of a tribe’s territory. During this debate, a further challenge was made, Urban Maori groups demanded a share of the cash settlement on the grounds that the assets distributed to iwi were unlikely to benefit those Maori who

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105 As no material external to this case has been referred to in this study, and as some of the titles of the documents are extremely long and tend to confuse, the formal titles are not always used in referencing. With first affidavits or in the case where only one affidavit was presented, only the witness’s surname is used (e.g. Mead, paragraph 2.1, 4). Subsequent affidavits are noted as such, as are court transcriptions (where used). When statements from cross-examination are referred to, the court abbreviation XXN (e.g. Walker, XXN, 204) is used. Judge Paterson’s decision is referenced as ‘The Decision.’

106 In October 1999 the PRESA consist of: 60,182 tonnes of quota, 98% of the shares in New Zealand’s largest inshore fishing company, Moana Pacific Fisheries Limited, and approximately $50 million in cash (Te Ohu Kaimoana, 2000).

107 The understanding of iwi was central to this case. However, in the section of this chapter that describes the Fisheries case the iwi referred to are the constituted iwi that were party to this case.

108 In August 2000, the Commission was subject to a major reshuffle and several of the key strongly pro-iwi protagonists were replaced by people who were likely to be sympathetic towards the aspirations of urban groups. Therefore, the rigid iwi-only approach in vogue at the time of the hearing may soften as the policies of the new-look Commission take effect.
lived in the cities. They also argued that most of the social problems confronting Maori occurred in the cities, and that urban groups in the form of Urban Maori Authorities (UMAs) carried the responsibility for these problems, not iwi. The result of these challenges has been a saga of litigation, with the Commission being the defendant in all cases (CP 395/93 (Wgtm), CP122/95, CP 27/95, M.734/95).

In June 1995, Judge J. Anderson ruled that with regard to the allocation of the fisheries assets, this preliminary question needed to be determined. This order was appealed. In their decision of 30 April 1996 the Court of Appeal found that any distribution of the assets had to include equitable and separate provisions for urban Maori. It also determined that iwi meant the people of the tribe as opposed to the tribe. Certain parties, unhappy with this finding, took the case to the Privy Council. In December 1996, the Privy Council referred the matter back to the High Court in New Zealand to consider the preliminary question:

1 Does the Maori Fisheries Act 1989 (as amended by the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992) require that any scheme providing for the distribution of the assets held by the commission before the settlement date, which the commission includes in a report furnished to the Minister under s6 (e)(iv) of the 1989 Act, should provide for allocation of such assets solely to “iwi” and/or bodies representing “iwi”?

2 If the answer to question 1 is Yes, in the context of such a scheme does “iwi” mean only “traditional Maori tribes?” (The High Court Hearing Treaty Tribes Coalition, Te Runanga o Ngati Porou and Tainui Maori Trust Board v Urban Maori Authorities & others [1997] 1 NZLR 513, 522-533.)

The High Court in Auckland heard the case, and, in August 1998, Judge Paterson ruled that the Commission should allocate “solely to iwi” and that “iwi does mean only traditional tribes” (The Decision). This was then appealed and subsequently dismissed by the Court of Appeal in October 1999 (Judgement, CA208/98).

The study
This study concerns only the evidence presented to the High Court in 1998, with a focus on ascertaining the prevailing understandings of the tribe at the end of the second millennium. Although the opinions were presented in support of the vested interests of the parties involved, it is possible to see through the obvious bias and to
ascertain the basic perceptions that underpin the evidence presented. This is not a
coment on justice. Other than noting that the evidence was given in support of a
particular party, the legal argument is of little consequence to this analysis.

Ten separate parties were represented at the hearing, nine of whom, while having
different positions on the substantive issues, fell into two groups in regard to the
preliminary question. The Treaty of Waitangi Fisheries Commission, and those who
supported the position of the Commission, argued for the questions to be answered
in the affirmative, while the parties that challenged the commission’s non-acceptance
of iwi collectives and the urban groups argued for a negative response to the
questions. The tenth party, the Crown, adopted a neutral stance in relation to the
question.

Witnesses described the role, function, and status of iwi, hapu and urban groups in
relation to the proposition that *iwi were the traditional tribe*. Consequently, the
following lines of argument were presented:

1. that the iwi was the tribe
2. that the hapu was the tribe
3. that UMAs function as iwi in looking after Maori concerns in the cities

1. The case for iwi

The understanding that iwi and tribe are identical was central to the Commission’s
rationale for its allocation method and to its approach to the task of managing the
fisheries assets:

From the time of the establishment of the Commission in February 1990
through until the Commission’s *hui-a-tau* on 25 July 1992, the terms “iwi”
and ‘tribe’ were used interchangeably by the Commission in its various
communications with iwi, the Crown and the public at large. There was never
any doubt in the mind of the Commission the term iwi as used by it meant
tribe (W. Dewes, paragraph 17).

This position was supported by considerable linguistic evidence that iwi meant tribe:

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109 Annual General Meeting
In our view there is no doubt as to the meaning of the word iwi, it has one true or correct meaning, that is a group which takes its source from the mana of a single ancestor to whom the group is genealogically connected – a tribe. (Translation of Affidavit of Professors Milroy and Karetu, para 9. cited in the Opening Submissions of the first Defendant)

Another strong line of argument was that the understanding of iwi as tribe was validated by whakapapa, kinship links. Iwi as tribe is a model of social organisation that positions iwi as the central group identity that comprises subordinate groups, hapu (Karetu, Kawharu, Mahuika, Mahuta, Mead, Milroy, Reedy, Tau).

2. The case for hapu

There were no parties representing hapu as such and the argument for hapu being the tribe was presented to counter the proposition that iwi were the tribe. It was argued that the hapu functioned (and always has functioned) as an autonomous, social, and political organisation, and therefore was the tribe (Paul, 9/15, 16, also see: Ballara 2-4, Metge, R. Walker, XXN 101-2, Webster, 4, Winitana). Claiming that the hapu was autonomous required a denial that the iwi had authority over the hapu. To do this, it was argued that the notion of the iwi as the tribe and the hapu a sub-tribe originated from the application of an entrenched, but flawed, theoretical model of Maori social organisation.

3. The case of UMAs

The urban groups claimed that in the cities they fulfilled the function of the iwi in caring for the needs of Maori living in the city, and therefore they should have the same Treaty rights as iwi:

Alternatively, although UMA are not traditional Maori tribes, they represent communities of Maori people (i.e. iwi) for the purposes of the relevant legislation (Opening submissions, the Second-Fourth Plaintiffs, paragraph 6.6).

While not claiming that UMAs were tribes, it was argued that they were a valid form of contemporary Maori social organisation and, by inference, therefore, a new form of tribalisation:
Urban Maori Authorities represent part of the evolution of Maori society. They are modern Maori collectives (Hopu, paragraph 5.1 (c), 6, also see: Metge, Paul, Sharples, R. Walker, Winitana).

4. Ancillary arguments

a) The translation of iwi and hapu as tribe

No one mounted an argument against translating iwi as tribe. It was argued, however, that tribe was merely one of several possible translations of the term iwi. The argument that hapu translated as tribe was based on the fact that hapu was used as the translation of tribe in the Maori version of the Treaty of Waitangi (Te Runanga o Muriwhenua, Te Arawa Maori Trust Board and Te Kotahitanga o Te Arawa Waka Closing Submission, 16, para 1.39). Neither argument negated the other, and therefore the only conclusion that could be drawn was that both words could be translated as tribe,\(^{110}\) as noted by one of the principal witnesses for the Commission:

The largest politico-economic group that recognised descent from common ancestor was the tribe or iwi. Such a group would probably consist of a number of semi-autonomous subgroups ... Such subgroups might also be called tribes (Kawharu).

As both hapu and iwi could mean tribe, the actual point of disagreement was the status and nature of the entity called the tribe\(^{111}\).

b) The validation by tradition argument

Tradition (sometimes referred to as tikanga, custom) was seen as the only valid basis for the allocation of assets (W. Dewes, Exhibit ‘M’, para 5, 11). Thus, if the allocation had to reflect tikanga then the tikanga had to be validated by whakapapa. It was maintained that descent from a specific ancestor was integral to being an iwi.

Iwi were and remain social groups primarily defined by descent from a single revered ancestor. Removal of this element from the equation creates an entity of entirely different order – but any group whose membership is defined by some factor other than descent cannot properly be called an iwi (Mead).

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\(^{110}\) The Court accepted that “The hapu became, and was in 1840, the corporate and politically effective group of society” (The Decision, 26), but in consideration of the preliminary question found that iwi were the ‘traditional tribe’ (ibid., 82).

\(^{111}\) This line of thought is developed further in the summary.
Such an argument, however, did not counter the proposition that hapu was the tribe, as hapu are also defined by descent from a specific ancestor: *hapu on the other hand can only mean* tribal group, *whose members must be able to trace their descent from a common tipuna (ancestor)*. (Sharples, paragraph 26, 9, also, see Ballara, 2-4, Webster paragraph 11, 4). This line of argument did, however, counter the idea that urban groups could be regarded as iwi, illustrated by this statement from one tribal leader:

The eponymous ancestor of each iwi (traditional Maori tribe) involves the selection of a specific ancestor ... At the end of the day the issue is one of context and as hard as the UMA's may try to stretch the facts, they do not possess the basic characteristics of an iwi as far as whakapapa or shared descent from a tipuna is concerned (Mahuika, paragraph 124).

It was an argument certainly accepted by the Court:

If iwi requires a whakapapa base then UMAs are not iwi (Decision, 81)

c) The flawed model argument

The academic witnesses argued that the notions of the iwi being the tribe and the hapu being a sub-tribe were based on the acceptance of a flawed model of Maori social organisation (Ballara, Metge, R. Walker, Webster). It was argued that early ethnographers, those of the nineteenth and early twentieth centuries, had constructed a flawed model of Maori social organisation:

Europeans were served by the ethnographers of the time – S Percy Smith, Elsdon Best, James Cowan and many others, who wrote as though change had not occurred, and as if the late nineteenth early twentieth century system, in spite of all its continuing anomalies, reflected ‘traditional Maori society’. In this way, a tribal system constructed in the late nineteenth century continued in the twentieth century to be built into both the government’s administrative system and Maori power structures (Ballara, para 27, 8).

Webster argued that hapu and iwi served different purposes and should not be considered in the same light: “*Iwi, hapuu and whaangau are in practice very different things sociologically, and cannot be clearly understood if assumed to form three different levels of a kinship or a whakapapa hierarchy*” (para 16, 5). Along with others (Ballara, Metge, Sharples, para 25, R. Walker), Webster argued that it was
because nineteenth century colonisation had forced an emphasis towards larger social units that the iwi became accepted as the tribe:

There is increasing evidence and agreement among scholars that prior to the late 1700’s, there were no ‘iwi’ in the sense of tribes composed of hapuu as ‘sub-tribes’ and holding contiguous territory. Iwi in this sense have formed (and declined) since then as an inseparable part of capitalism, settlement, and colonisation (ibid. para 9, 3).

Considering iwi as the tribe did not refer solely to the effects of nineteenth century colonisation but also to the policies imposed by various governments throughout the twentieth century. The affects of the iwi development policies of the fourth Labour government came in for particular mention (Ballara, Durie, XXN, 204-5, Latimer, Paul, Webster, Winitana).\textsuperscript{112}

Understandings of the tribe
The examination of evidence and an analysis of the arguments presented identified and highlighted a number of contemporary perceptions held about the tribe. The tribe was seen variously as:

\begin{itemize}
  \item[i)] an autonomous and traditional group
  \item[ii)] a community
  \item[iii)] a nation-like organisation
  \item[iv)] an adaptation to colonisation
  \item[v)] a construct of colonisation
\end{itemize}

None of these categories were mutually exclusive from the other forms, and they indicate various perceptions that could be considered either together or as different aspects of the tribe, but at times were also in tension and appear to be contradictory.

a) The tribe as an autonomous and traditional group
There was a universal understanding that the tribe was an autonomous group, and this gave the designation tribe a desirable status. Autonomy meant being autonomous from any other grouping within Maori society, as well as in relation to the Crown. The desire to be regarded as autonomous explains the contest for the control of definitions—which understanding of the tribe would prevail and be accepted by the

\textsuperscript{112} These policies are fully discussed in chapter seven.
court? This contest was illustrated not only in the case of the sub-iwi groups (the iwi versus hapu debate), but also in the case of the supra-iwi groups who argued that they had the right to administer their assets as confederations of iwi (CP395/93 [Wgt]). While autonomy was considered the essential attribute, the group had to be deemed *traditional* to be considered valid.

*Traditional* was understood by the court as the group having been in existence and autonomous at the time of the signing of the Treaty (Decision, 70-1). Many of the witnesses, however, asserted that traditional was equated with being existent prior to the arrival of Europeans. Whakapapa, descent from common ancestor, it was argued, was the prime way to validate a group in tradition. It was the litmus test for groups as a long-standing marker of validation, and its importance was highlighted throughout the debate. One of the fears expressed during the hearing was that the status of Maori could be irreparably damaged if the non-descent groups were recognised as tribes:

“*Iwi*” can only be defined by Whakapapa. *Iwi* act in a corporate capacity and protect and enhance *Hapuu*, and *whanau* ... To think or act otherwise is to further the process of colonisation against our people and to commit the act of cultural genocide against the very essence of Maori society (Tomoana).

It was also argued that the very act of bringing this matter to a court to decide was an attack on tradition:

There is, however, a much deeper issue which the contending groups have to face. I have always felt, and still feel, that the matters concerning Maori which come from within Maori society should be settled by Maori using Maori systems of arbitration involving consensus seeking. When the High Court is asked to define for us what ‘*iwi*’ means, or what our own processes and customs are, we are indeed in dire straits (Hohepa, para 10, 2).\(^{113}\)

**b) The tribe as community**

The important thing was that Maori made decisions according to the communities in which they lived (Winitana, para 19, 6).

\(^{113}\) As well as being an attack on tradition, having the courts decide who or which is the traditional tribe also brings into question the notion of autonomy from the Crown.
The view of the tribe as the local community also defined the tribe as the group that made its own decisions, has autonomy, and had total control over local resources. It was therefore not a tiered organisational structure; constituent groups, whanau, were not subordinate as is implicit in the nation-like model.

c) The tribe as a nation-like organisation

The iwi acts like an independent tribal nation that was jealous of its mana and was prepared to fight even its neighbours to main its political standing (Mead).

Being nation-like not only incorporates the notion of autonomy but also the idea that the tribe consists of subordinate groups:

The largest politico-economic group that recognised descent from a common ancestor was the tribe or iwi. Such a group would probably consist of a number of semi-autonomous subgroups (Kawharu).

Giving the tribe a tiered organisation allows for centralised control or governance of assets, and includes the incorporation of the rights of the constituent subgroups:

The Commission determined that the rights in fisheries and addressed by way of the interim settlement were collective rights in fisheries held by descent groupings, namely, iwi, hapu and whanau. We knew from our own experiences that distributing assets to hapu would be impractical. The Commission therefore determined that the tribe or iwi, as the greater social group, incorporated the rights of the lesser groups (namely, hapu and whanau) (W. Dewes, para 15).

In addition to centralising rights, Dewes’ statement also argues that, as a matter of pragmatism, the iwi is the group most suited to manage the assets. This line of argument implies that a tribe has to be certain size, a point that was raised in the closing submissions of the Commission:

Larger hapu may well seek recognition as an iwi. Whether they achieve that status will depend on recognition by their peers. That is entirely in accordance with Maori custom (56-7).

As a nation-like formation, the tribe is extraneous to, and over-arching, of the local community, a perception illustrated in Paul’s affidavit:
I doubted that the forebears of those young people would be happy if they knew that their individual and family rights to fish were all to be taken over by the tribe (Paul, 10).

The same idea is implicit in the notion that the tribe was obliged to look after its sub-groups:

assets should be to iwi, but iwi must ensure that they cater for the needs of the constituent hapu and whanau (W. Dewes, para 15).

It assumes, then, that the tribe is a conceptual community, a nation, and that the sub-tribes are the physical or local community. Charles Crofts, in presenting a Ngai Tahu (his iwi) perspective, used the metaphor of a house: the iwi, tribe, being the house and the constituent groups, papatipu runanga, the supporting pillars, poupou (Crofts, 2). The Judge, in his decision adopted, this model when he noted that:

Iwi only existed because of continuing support from hapu. In respect of the larger groupings such as Ngati Porou and Ngati Kahungunu it was said that they were a conceptualisation of common kinship at a high level of genealogy rather than functioning social structures (The Decision, 29). 114

**d) The tribe as an adaptation to colonisation**

One colonization argument understands the changes to Maori social formations in terms of the Maori reaction to Pakeha settlement, and suggests that although the tribe has been changed as a result of the colonial experience, it has survived intact. The sole task here would be to restore to the tribe its tino rangatiratanga115 and to allow it to develop as a vehicle for future development. This understanding sits comfortably with the perception that the tribe is a nation. It explains the differences between the past and the present formation without forfeiting the validity of tradition (Kawharu, Mead).

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114 See also, Webster, para 15, 5.
115 The phrase tino rangatiratanga is understood as the right to tribal self-determination. It is used here in preference to sovereignty because within the discourse on Treaty rights many Maori leaders considered tino rangatiratanga and sovereignty as different concepts (see section on terms in chapter one).
e) The tribe as a product of colonisation

Another interpretation of the colonial past argues that the tribe was an imposition upon Maori society. There are two separate propositions within this understanding. First the iwi as a tribe is the colonial construct:

Ethnologists and anthropologists have used the iwi to mean tribe or tribal nation, in their various attempts to explain Maori society structures in terms of clearly defined structures. It is this perception of reality, which has narrowed the meaning of the term iwi to mean tribe or tribal nation (Hohepa, para 8, 2).

Kawharu paints a simplistic and classic picture of the iwi as a neat institution composed of the related district hapu and so concludes that iwi can only refer to people who are related. This has the convenience of making iwi look more like a settled western state and therefore I can see it has attraction for academics (Paul, 9/15, 16).

Second, the designation tribe is the colonial construct:

Europeans arrived expecting to find Maori organised in ‘tribes’, earlier visitors such as explorers and missionaries tended to so define the following of the chief; (Ballara, 7).

I also learnt later that Pakeha writers recorded, as a result that there were three layers to Maori society: the whanau or family, the hapu or subtribe, and the tribe or iwi. But they were wrong...There is no such thing as tribes and subtribes. That is Pakeha talk (Winitana, para 35, 11).

Summary

One of the purposes of this study has been to ascertain 1990 perspectives on the tribe and to identify and describe the categories into which these perceptions may be placed. This can only be done provisionally. While an interaction between Maori perceptions of their traditional social organisation and that of both the government (through its policies) and scholars (through their imperatives to describe Maori societies in the context of their professions) can be identified, there has been no attempt to draw conclusions from this phenomenon.

The characteristics of being traditional and autonomous were seen as integral to any understanding of tribe, even by the Crown. In the evidence traditional was not described in any detail - it was accepted simply as having existed prior to the advent
of colonisation\(^{116}\) (for example *Thus the traditional (late 1700s) Maori social organisation* (Webster, paragraph 12, 4). The defence of tradition is entirely understandable as it was the legal basis for the claim in the first place. There was also the perceived need to protect the traditional from attacks of modernity:

> These UMAs have entrenched attitudes to iwi, that is they regard traditional iwi as fossils, jurassic and no longer appropriate for modern Maori...I feel strongly that the UMAs have become the new colonisers of iwi (Tomoana, Response to affidavits of Sharples, R. Walker, J. Jackson, Tamihere, N. Dewes, paragraph 5.2).

There was also a fear of losing the status of indigeneity\(^{117}\) and being regarded as simply another ethnic minority among other minorities:

> If the decision destroys, as far as Ngati Porou is concerned, that genealogical basis, the system that defines iwi, hapu and whanau, then to me the whole of the Maori race suffers, not only Ngati Porou, but everybody suffers. It will be like we become like travellers, there was a time when we used to see travellers, swaggers, wandering round the country with no place and no kin and what I fear if the question of whakapapa is destroyed we will be like that and lose our kin structures and our relationship with one another (K. Walker, 317:6, XXN Sykes).

Although not clearly defined, the powerful influence of perceptions of tradition was undeniable. The emotive charges about denial of whakapapa and the almost apologetic stance of the protagonists for urban groups for not being traditional (i.e. for not having a whakapapa), even while challenging the rights of iwi, bears witness to the power of the notion of tradition:

> UMA accept that Maori living within the rohe of their traditional tribe are similarly if not equally affected by these factors. Indeed, it is important to emphasise from the outset:

1. UMA accept the whanau/hapu/iwi paradigm is a dominant feature in the lives of many Maori.
2. UMA applaud the efforts of many leaders of the traditional tribes who have worked tirelessly to advance the interests of their people (Closing Submissions Second to Fourth plaintiffs, para 2.5, 4).

\(^{116}\) Judge Patterson, in his Decision notes that he is obliged to define a ‘traditional tribe’ and refers to the New Shorter Oxford English Dictionary (1993), which would indicate that there was not enough information in the evidence to articulate an acceptable meaning of the term.

\(^{117}\) The descendants of the first occupants.
These comments by their counsel also indicate that urban groups, while challenging for what they perceive as their rights, also adhere to, and agree with, the legitimacy of the notion of traditional tribes living in traditional territories.

The characteristics of being \textit{nation-like} and a \textit{community}, while not necessarily mutually exclusive, are oppositional views of the nature of the tribe. The nation-like view sees the tribe as some centralised organisation that looks after its constituent groups or communities, whereas the community view understands the communities themselves as being the tribe, and therefore in control of their own resources. The arguments on the effects of colonisation on the tribe were not well defended, nor were the understandings of the contemporary manifestations of the tribe. None of the arguments presented proved conclusively which form of social organisation, hapu or iwi, was the tribe. Indeed, a rigorous reading of the linguistic/traditional arguments only demonstrated that both could be understood as tribe. The hapu/iwi debate was, in many ways a red herring, as the actual disagreement is about the structure of the tribe. That is, the key is whether a tribe is understood as a self-contained community with only one level of organisation or whether it is understood as a multi-tiered organisation where local communities allow their autonomy to be incorporated with an overarching identity that holds executive power. The one-level organisation is to a degree analogous with the term hapu. However, this does not always hold true as some groups that are considered hapu consist of a number of groups. Hence the phrase \textit{aggregations of hapu} describes multi-tribal, non-iwi formations. The iwi as a social organisation, is by definition, a tiered social structure. Thus, certain groups that are known as hapu are, for all intents and purposes, iwi in every sense except name. Therefore, the debate is not about whether or not a group should be called a hapu or an iwi, but whether the social organisation being described as a tribe is a single or multi-level organisation. The ideological arguments clearly pointed to the fact that it was the understanding of the structure of the tribe that was being contested, not the translation of the terms iwi and hapu.

As the court case was focussed on the meaning and understandings of the traditional tribe, it provided an excellent opportunity to gain insight into contemporary
perceptions. However, as it was a court case, the discussion was limited because of the restrictive nature and the framing of the legal question: considering what the tribe may be only in the context of the Fisheries Settlement Act with evidence only being presented to support the respective positions of the parties concerned, and, therefore, with little room for expansive discussion. Academics, for example, were advocates rather than solely expert witnesses. Probably because it was part of a court hearing, the arguments were simplistically dichotomous (either for or against). Arguments that the tribe is a colonial construct did not explain any pre-colonial alternatives. The opposing arguments denied any cause and effect of colonisation on the tribe, and simply argued that the tribe was, is, and always will be.

Interviews and Ethnographic studies

1. The interviews
Sixteen individual and two focus group interviews were conducted in 1997. The individual interviewees included a wide variety of people, all of those interviewed were Maori who could all lay claim to some leadership role, either locally or nationally (see chapter one for details). The objective of these interviews was to complement the archival research with contemporary perspectives.

Q1. What is the relationship between your tribal affiliation and your life situation?
For all but four of the interviewees their tribal affiliation was personal and family-oriented. It was considered part and parcel of their being, or their personalities (my hapu are the pillars, the pou of my personality, my whole being is Tuhoe). They understood their tribal affiliation instinctively as a result of their upbringing, and, for most, it was not until adulthood that they thought of themselves in relation to it. For the two interviewees that could be described as apolitical their tribal affiliation was still a personal and instinctive part of their personality. It was the only way they understood being Maori. Although very clear on the importance of their separate tribal identities most did not see this as being exclusive from being Maori. The more politically aware expressed concerns that tribal fundamentalism was becoming prevalent
and felt that this development endangered a more personal and informal association with the tribe. One informant saw his tribal affiliation in terms of his iwi while three others saw the tribe in terms of both hapu and iwi. The rest understood their tribal affiliation primarily in terms of their hapu. Of the other four, all felt that their tribal identity was important but it was only one of their identities. One of them stated that while he was proud of his tribal identity it had no relevance to his daily life. This entire group grew up outside their tribal areas and only three of these had only been in close contact with their tribe as adults. One of these people described themselves as being an outsider or a particular type of insider in relation to the tribe.

Q2. **What do you think is the most crucial event for your tribe over the last ten years?**

Four of the group could not recall single specific events: they tended instead to talk in terms of the development of their tribe in recent years. The remainder singled out the establishment of runanga and the return or acquisition of a substantial resource. The establishment of runanga was seen by most in a negative light a 1930s model on a 1990s highway. It was seen as divisive in that it excluded sections of Maori society and gave rise to a social elite who were poor leaders. The return or proposed acquisition of a major resource was a result of either a Treaty settlement or a tribal initiative. This development was seen as a mixed blessing. On one hand it gave the tribe a tremendous sense of pride and solidarity, boosting its in confidence and providing potential for development, but on the other hand it created management challenges that the tribe might not be able to meet. It also provided fertile ground for the competition between vested interests. One person felt that the loss of kaumatua was the major tribal phenomenon as this had left a vacuum that had been filled by a new type of leadership that was remote from the people.

Q3. **Have/will the Treaty settlements change your tribe?**

Most agreed that settlements would change the tribe. Three saw settlements as a continuation of their tribe’s development with all expressing concern
about the tribe not having the structures to manage any substantial new assets and two believing that, as settlements were made strictly on a tribal basis, many Maori would miss out on any benefits. Two others theorised that the settlements were a continuation of colonisation. Four people noted that settlements raised the level of awareness of tribal identity – that is being conscious of belonging to a specific tribe. The settlement process also tended to highlight the different roles of iwi and hapu. Several felt that the proceeds from any settlement should support and enhance all customary institutions of the tribe and one person saw the need to reconstruct their tribal identity. Others felt that settlements should provide an economic base from which a tribe could practise tino rangatiratanga.

Q4. What is the role/relationship between non-tribal groupings and your tribe?
Most of the interviewees interpreted non-tribal groupings as urban groupings and responded to the question from that perspective. With the exception of one person, tribal identity was seen as an essential factor of Maori identity. They commented that an individual could be Maori without being associated with a tribe. Another person noted that urban groups were not just an aggregation of individuals but acted as whanau coming together for mutual support in all matters. Yet another person observed that all groups were tribal and the conflicting views were simply the products of arguments of convenience. Three people held diametrically opposed points of view. They did not see non-tribal groups as relevant, arguing that such groups were only voluntary associations and all development should be centred on the tribe. One of these people felt that urban-based Maori were tribal members who needed support to become re-associated with their tribal links via re-ascription to their iwi and that the tribe needed them as much as they needed their tribe. Those who understood urban groups as a vital development in Maori forms of association felt that the role and status of these groups was uncertain. These people felt that it was vital for tribes to develop their relationships with the non-tribal groups.
2. The Focus groups

Group One

The first focus group consisted of eleven young adults from a provincial town in the North Island. With the exception of one person, they were all approximately thirty years of age. They were all affiliated to a kohanga reo and could be described as active members of the local Maori community. Six of the group claimed tangata whenua status, and the rest had tribal affiliations from other places.

Q1 What is the relationship between your tribal affiliation and your life situation?

Claiming affiliation to a particular tribe was seen as problematic as most of the group had multiple tribal affiliations. The choice seemed to depend on the influence of the home. In a number of cases only one parent had any interest in their tribal affiliation so that the family would associate themselves more strongly with that group. It appeared that, in this situation, it was the influence of the mother or grandmother that was most dominant. Another factor influencing choice was area of residence. The entire group had been negatively influenced by conflict between local tribal groups. They blamed the conflict on a combination of the egos of leaders and the quest for money and power. It was also argued that the resurgence of things Maori had produced people who thought it trendy to be Maori but had little knowledge about what it meant to be Maori and that these people caused a lot of trouble.

Q2 What do you think is the most crucial event for your tribe over the last ten years?

The Polynesian Festival of 1984 was singled out as the most important event in recent times. Kohanga reo and its flow-on effects in Maori language television, kura kaupapa and other developments in Maori language education were seen as extremely positive and essential for the raising of self-esteem among Maori.
Q3. Have/will the Treaty settlements change your tribe?
Concern was expressed about the increase in internal rivalries and the entrenching of vested interests. They saw that there was a need to be proactive in defusing any problems before they develop. The group was adamant that within Treaty settlements - the rights of taura here, non-tangata whenua groups, needed acknowledgment and protection.

Q4. What is the role/relationship between non-tribal groupings and your tribe?
The group felt that too much emphasis on iwi affiliation was divisive and that it could split families. This led to most just wanting to associate as Maori and participate in activities such as kapa haka rather than associate with groups that were exclusively tribal. It was noted that these groups became whanau.

Group Two
The second group consisted of four university students, all of whom were non-tangata whenua. They were of the same age range as those in group one.

Q1 What is the relationship between your tribal affiliation and your life situation?
They had not thought of their tribe affiliation/s in relationship to their social situation. There had been a growing awareness of the need to understand and identify with their tribal heritage since attending university. This awareness had been brought to the fore by the need to identify their tribal affiliation to be eligible for certain scholarships and by students from the local tribe publicly asserting their rights as tangata whenua.

Q2. What do you think is the most crucial event for your tribe over the last ten years?
Initially the group had trouble responding to this question but, after much discussion, it was decided that the settling of Treaty claims was the most important thing that had been experienced by tribes in recent times. It was reasoned that settlements gave substance to tribes. That is, the tribe was not just the result of whakapapa but that the owning of assets made the tribe real,
creating a legacy that could be handed on to future generations. It was noted that the recent Tainui settlement had engendered interest among Maori from as far away as Australia.

**Q3. Have/will the Treaty settlements change your tribe?**

They felt that settlements gave the tribe political power and the need for the management of assets meant that the tribe needed expertise to meet these challenges. These developments meant that there could be employment opportunities with the tribe. It was also noted that this development meant that the tribe had be more precisely defined and that the process of defining the tribe created tensions. It was agreed that the two essential attributes of being a tribe were having a whakapapa and owning land. Therefore it was reasoned that, for example, groups such as Black Power could not be considered tribes. The group also felt that the tribe would have come to the fore as a principal form of association among Maori without any settlements: the settlements simply accelerated the process.

**Q4. What is the role/relationship between non-tribal groupings and your tribe?**

The group determined that the relationship between the tribe and Maori special-interest groups was symbiotic. They also felt that a person could be both a tribal and an urban Maori and that it was not divisive, but, inclusive - an *either/or* but a *both/and* situation.

**Tribal hui**

This research included attendance at a series of tribal gatherings, hui, with different tribal gatherings being observed in a variety of locations and involving eight different tribal groupings. The common factor was that the purpose of all of these gatherings was to discuss, debate, and parade their tribal folklore, histories, and affiliations with other groups. Apart from one meeting, which was held in an urban setting (a runanga hall), all rest were held on marae. The tribal groups were consciously presenting their tribe's traditional history, their experience of colonisation, and their present situation.
Points of note from the observations of these hui;

• The majority of people attending the hui were no longer resident in the area.

• While the hui were held under the mantle of locally resident kaumatua, much of the leadership and expertise came from those no longer living in the area.

• All communities have suffered, and continue to suffer, from out-migration. Three of the groups are undergoing extensive and intensive efforts to re-establish their communities.

• One of the groups considered themselves an iwi, while the remainder could be considered multi-hapu communities. Regardless of whether they considered themselves an iwi or a multi-hapu community, they all identified as one community.

• Organisation at this level was through committee (or runanga). In one case, the committee had been imposed by an order of the Maori Land Court.

The interviews revealed, or, more precisely, highlighted, an extra dimension to the perceptions revealed in the analysis of the evidence presented to the High Court - the interrelationship between personal and group identity. For many, their tribe is an extension of themselves, and they, in turn, are a manifestation of their tribe. For others, their tribal affiliation was seen as extra to their normal daily lives. The quantification of these two positions as to which is the majority view was not possible from this study, if it is measurable at all. Furthermore neither of these two positions should be linked to any specific understanding of the tribe as a political formation. A person can see their personal identity solely in terms of their tribal whakapapa and be either an avid supporter of the Treaty rights of urban groups or hold a rigid view that the iwi is the tribe. The converse is also common. Those who consider their tribal affiliation as irrelevant to their daily reality can either be supporters of pan-Maori development or advocates of the iwi being the tribe.

Te Whanau o Waipareira Claim

Another critical historical event of this decade was a Treaty claim by an Urban Maori Authority. It was not the first time that a non-tribal group had lodged a claim but other claims, such as the Maori language claim, could be described as generic claims in that they pertained to all Maori. What is different about this claim
is that it is a non-tribal group claiming tino rangatiratanga, sovereignty, expressed through chiefly authority. Te Whanau o Waipareira Trust is the Urban Maori Authority (UMA) of West Auckland. It came into existence on the initiative of the Department of Maori Affairs, which, as part of their Tu Tangata programme, wanted Maori to take control of programmes that delivered services to their communities - in this case, the establishment of the Kokiri unit. A meeting to consider the formation of a Kokiri unit was held on 2 June 1982 and sixty people representing twenty-three Maori organisations throughout West Auckland attended.

At a subsequent meeting in July, the name Te Whanau o Waipareira was adopted, membership being largely informal, and, while unquestionably a Maori organisation, not exclusive to Maori (Wai 414, xxi). By 1984, the Whanau had shed the influence of the Department by becoming more formally established and setting itself up as a charitable trust.

The Trust continued as an informal association with assorted programmes and services until 1996, when all activities were brought under centralised control and the Te Whanau o Waipareira Group of Companies was formed. The Trust had progressed from an organisation with nil funding in 1990 to a net worth of approximately $8 million in 1997 (Turoa, 125). It describes itself in this manner:

Te Whanau o Waipareira is a charitable Trust that services predominantly but not exclusively Maori people in the west Auckland region. This region stretches from the Blockhouse Bay ridgeline through to Point Chevalier and encompasses all of the territory to the east and west and as far north as Helensville. The Maori population in this geopolitical area numbers 28,800 people from the 1991 Census. (Second Statement of Claim Wai 414, para 3)

In December 1993, Waipareira lodged a claim with the Waitangi Tribunal (Wai 414). They claimed that by being excluded from Community Funding Agency (CFA) funding, the Crown was in breach of the Treaty (Statement of Claim, 2.1). The Trust alleged:

(a) that the Crown has failed to recognise the fact that Te Whanau o Waipareira represents the West Auckland Maori community;

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118 The Maori language claim is an example of a non-tribal group lodging a claim.
(b) that the Crown has failed to consult with Waipareira so as to ascertain the needs of the West Auckland Maori community;

(c) that the Crown, in discharging its obligation properly to fund welfare programmes targeted at the Maori community of West Auckland, has failed to deliver in accordance with Maori needs and cultural preferences; and

(d) that the Crown has failed to provide an equitable share of funding to properly targeted welfare service programmes for the West Auckland Maori community, whether by way of contracts with Waipareira or otherwise (Wai 414 Report, I).

The nature of this claim required the Tribunal to consider implications much wider than the specifics of the claim. It raised the question of who was the Crown’s Treaty partner. In the letter introducing their report, the Tribunal noted that both parties had difficulties articulating how the Treaty relationship should work in this case (ibid. xviii). From the evidence, however, the claimants were quite clear on their position that they were Treaty partners:

The Crown has failed to recognise the representative status of Waipareira and has failed to recognise that Waipareira is a Treaty partner (Wihongi second amended statement of claim 22 August 1994, para 34).

Indeed, in the same passage of the introductory letter, the Tribunal only notes the Crown’s difficulties:

In most historical land claims, the Crown knows the identity of the Maori group it has to deal with, even though it is not always clear who are its proper representatives. In this case, Waipareira’s organisation was clear and strong, but the Crown believed the community itself was so different from a traditional tribe that the guarantees in the Treaty did not apply to it (Wai 414, xviii).

In their closing submissions, the Crown agreed that their service-delivery model had an emphasis towards tribal development:

The committee was concerned about the social problems in urban areas such as Auckland, and saw some role for urban organisations, it is clear that its whole emphasis was on reassertion of tribal links and identity wherever that was possible (para 15, 7).
They saw this as their mandate, to deliver services via kin-groups, whanau, hapu and iwi, and argued that they were simply following the direction that had come from an earlier Social Welfare Department initiative, Puao-te-Ata-Tu (E7, 15). A former chief executive of the Department of Internal Affairs, PW Boag, was called by the Tribunal. He stated that the Crown had not deliberately sought to exclude non-kin groups. It was just that only kin-groups had been considered in the Puao-Te-Ata-Tu report. He did note, though, that the CFA saw Te Waipareira Trust as a government initiative, implying that non-kin groups were not their responsibility. He also stated that the role and standing of non-tribal groups required a “great deal of clarification” (E1, 1). His observations were central to the Crown’s argument that the whole claim was an article three,\(^{119}\) rather than an article two, case. While both articles were concerned with group rights, article two was specifically concerned with descent-based rights (closing submissions for the Crown, para 9, 4, para 44, 17).

The Waitangi Tribunal findings and recommendations

The Waitangi Tribunal’s Te Whanau o Waipareira report (Wai 414) was released on 6 July 1998. It recognised that this Maori Urban Authority had tino rangatiratanga, and rejected the argument that only traditional iwi are the Crown’s Treaty partners. They considered that:

- first, that the Treaty was directed to all Maori, not just to tribes;
- secondly, that, as a living document, the Treaty speaks to Maori according to their circumstances from time to time irrespective of their original tribal structures;
- thirdly, that the Treaty was directed to the protection of Maori interests generally and not merely as the Crown contended to the classes of property interests specified in article 2;
- fourthly, that application of the principle of rangatiratanga, in the sense of admitting rights of autonomous action and management, is not limited to tribes but applies in a variety of situations, and the exercise of rangatiratanga by particular Maori groups or within particular Maori communities, tribally based or not, is an indicator of whether that group deserves special recognition; and
- fifthly, that the cession of kawanatanga and the acknowledgement of rangatiratanga give rise to the concept of partnership, a concept that serves to define how Maori and the Crown should relate to each other (ibid. xxiv).

\(^{119}\) This argument is posited in the discourse on Treaty rights. It refers to the articles of the Treaty of Waitangi: article two represents tino rangatiratanga or tribal rights and article three represents Maori rights as citizens.
The Tribunal made eight recommendations, two [(a) and (d)] of which referred specifically to the exercise of tino rangatiratanga by non-īwi groups:

(a) We recommend that, in developing and applying policy for the delivery or funding of social services to Maori, the Department of Social Welfare and the Community Funding Agency deal with any Maori community which has demonstrated its capacity to exercise rangatiratanga in welfare matters, so that all interaction between Crown and community should enhance the exercise of that rangatiratanga. This necessitates appropriate changes to the policies and practices of the department and its agencies as they apply to non-kin-based communities in particular. Such consultation with Te Whanau o Waipareira would demonstrate acceptance of Waipareira’s rangatiratanga and do much to ensure the effectiveness of its welfare programmes in future.

(d) We recommend that the Government, in its policies, practices, and protocols, should aim to apply the principles of the Treaty of Waitangi to protect the rangatiratanga of all Maori in contemporary situations, kin-based or non-kin-based, where the facts of any particular case reveal the exercise of rangatiratanga. The Waipareira claim has shown that Crown policy guidelines for non-kin-based groups are yet to be formulated. For the present, therefore, only free and open consultation between Maori and the Crown will minimise the risk of misconceptions about tikanga Maori, Crown policy, and the effects of each on the other (Wai 414, 8.4(a), (d), 237).

Morrie Love, the Director of the Waitangi Tribunal, in the Tribunal’s magazine in an editorial entitled “The Iwi Thesis and Rangatiratanga” stated that:

The notion that Maori are the Crown’s Treaty partner, and that Maori are not simply described or represented by īwi, hapu and whanau, could mean a shift in all Treaty analysis (Te Manutukutuku, Number 45, August 1998, 2).

While this pronouncement by the Director is couched in terms of tino rangatiratanga, the underlying, largely unvoiced,120 issue central to this claim was the consideration of a UMA as a tribe. This is central because tino rangatiratanga is a notion of sovereignty or self-determination that flows on from chiefly rights. By determining that the Trust possessed tino rangatiratanga rights, the Tribunal gave a formal recognition of this status. It is of note that, while the Tribunal acknowledged the tino rangatiratanga rights of the Trust, they studiously avoided calling it an īwi. Te

120 It was addressed by the claimants (E6, 3.12 – 3.14) but only in the form of a denial that claimed that the Trust was not an īwi. However they did not address the issue of claiming īwi-like characteristics.
Runanga o Ngati Whatua, the local iwi organisation, however, had no qualms about raising the issue:

We do have reservations about any other iwi claiming mana whenua in our rohe. We wonder how their own iwi would respond if Ngati Whatua living in their rohe sought to claim such a status (E4). 121

While Te Whanau o Waipareira did not claim to be an iwi, they claimed to have what is central to an iwi, people, and marae (A19, 1.2, E6, 3.12). Their counsel expressed it in this way:

Waipareira is not an iwi but it is a courageous attempt to recreate an iwi environment for those who cannot trace to another iwi and for those who can but seek the comfort and solace of that environment in the urban context where they live (ibid., 3.13).

In a more philosophical vein, the claimant’s counsel addressed the issue of the Trust, claiming iwi-like rights as opposed to Treaty rights:

Waipareira was created as a contemporary manifestation of traditional Maori structures and patterns in an urban context in an attempt to deal with the problems faced by West Auckland Maori and referred to at paragraph 9 hereof (Second amended Statement of Claim 22 August 1994).

In his evidence the chief executive officer of the Trust, John Tamihere, (A19) made several statements on this subject. He argued that, while the Trust was not an iwi, it was an organisation that was conceived in a Maori way - “It was born out of Maori protocol” (ibid. 3.5). Furthermore a third generation of city dwellers understood being Maori in terms of pan-tribal organisations (ibid. 8.12). As he acknowledged the rights of the local iwi, Ngati Whatua, and Tainui, he also maintained that non-iwi Maori groups also had rights to organise:

It is about our right as a pan tribal whanau in the urban area to be acknowledged as a Treaty partner and our right as urban Maori to organise ourselves in accordance with our own tikanga to address our own problems our own way (ibid. 1.2)

121 An interesting point is illustrated in this statement in that Ngati Whatua did not recognise the Trust as a collective, but as a group of Maori individually belonging to other iwi.
He justified their right to organise, as non-iwi groups were not being catered for, he claimed, by either iwi or mainstream service delivery agencies:

Under no circumstances however can we be deigned to be second class type of Maori in the city. We cannot be caught in “no mans” land in our own land (ibid. 8.13).

Te Whanau o Waipareira Trust’s claim signified that non-tribal groups had the capability and confidence to make public claims to the self-determination rights that were previously the preserve of iwi and hapu. The fact that the Tribunal found in favour of the Trust demonstrated, as the Director of the Tribunal observed, that the public and official understandings and perceptions of Treaty rights, and, therefore, by implication of tribal rights, was expanded considerably to acknowledge that non-kin groups held similar rights to that of tribes.

Perceptions and realities: the tribe in the nineties

As the High Court hearing demonstrated, the predominant understanding of the tribe is that of a tiered social organisation consisting of whanau, hapu, and iwi. While considerable expert evidence was produced to challenge the validity of this model, it still remained a deeply-entrenched understanding. As Judge Paterson noted:

The waka/iwi/hapu/whanau paradigm is said to be at the centre of Maori society … While the paradigm may well be simplistic and incomplete, it does form part of tikanga for many Maori (The Decision, 25).

Counter arguments to the effect that this is a flawed and imposed model were not widely accepted, in part because the whanau/hapu/iwi model is a deeply-entrenched stereotype, but also because the counter-arguments lack consistency and do not offer a creditable alternative. Since these arguments are not convincing, they are more open to the charge that they are politically-motivated, rather than evidence-based arguments.

Ironically, the dominance of the Firth model was illustrated not only by those who defended the position that iwi were the tribe but also by the arguments for hapu being the tribe. The only difference between the two lines of argument was where
autonomy, tino rangatiratanga, was site, priority where the label tribe was placed, or, finally in terms of the case, who should receive the assets of the settlement. All arguments were phrased in the same paradigm. Hapu and iwi, then, were both regarded as forms of tribe within the whanau/hapu/iwi model, the debate being a difference in emphasis. The pro-iwi argument understood hapu as a sub-section of an iwi, whereas the pro-hapu argument regards hapu as being loosely affiliated through common ancestry, an iwi.

The quest for the status of tribe was for tino rangatiratanga, understood as autonomy from any other grouping within Maori society and as a consequence being considered the Crown’s Treaty partner. It was implicit, not only in the case of the sub-iwi groups (the iwi versus hapu debate), but also in the case of the supra-iwi groups (Te Runanga o Muriwhenua and Te Arawa). To be a tribe, validation by whakapapa and, therefore, tradition was required. Many can only understand the tribe in terms of long established kin-groups. The inability of UMAs to explicitly claim to be tribes, or even conceive of themselves as tribes, attests to the power of tradition. The Maori understanding of traditional entailed a pre-European origin. For the Crown, on the other hand, traditional is considered a group being operative in 1840, at the time of the signing of the Treaty of Waitangi.

While non-tribal groups in the form of UMAs are beginning to exhibit tribe-like characteristics and there is an emerging awareness of this phenomenon, to consider them as a form of tribe is an idea slightly before its time. It is also a proposition that is vehemently opposed by iwi leaders, who not only regarded it as a challenge to their Treaty rights, but also see it as a challenge to the very essence of Maori identity:

I am afraid that these latest comments by Professor Sharples on the status of iwi could be used against all Maori, to the point where tribal structures are disestablished and Maori would become an ethnic minority in their own country. This is the fear of Ngati Kahungunu. This is tribal genocide we are talking about. We would be just an ethnic population at the whim of a democratic majority with no inherent rights as iwi/tangata whenua (Tomoana, Response to affidavits of Sharples, R. Walker, J. Jackson, Tamihere and N. Dewes, paragraph 5.4, 17).
While the Crown counsel adopted a neutral stance in the court hearing, its agencies have illustrated this ambiguous understanding of the status of UMAs. The Waitangi Tribunal’s Te Whanau o Waipareira report (Wai 414), which was released on 6 July 1998, recognised that Waipareira possessed tino rangatiratanga and rejected the argument that only traditional iwi are the Crown’s Treaty partners (Wai 414, 8.4(d), 237). In contrast to this report, Judge Paterson’s decision that UMAs were not iwi and that iwi were the traditional tribes came a month later (The Decision, 81). Judge Paterson came to this conclusion in spite of recommendations of the Waitangi Tribunal report, Wai 414. In his resume, presented in delivering his findings, Paterson explained that the report had been considered, and he had come to the conclusion that:

The claim by the Te Whanau o Waipareira under which it contended that as a non-tribal group of Maori, it has rights under the Treaty of Waitangi, is, in my view, not relevant to determining Parliament’s intention when it passed the Act in 1992. As I saw no reason to alter the conclusions which I have already come to, counsel were not invited to make further submissions (J. Paterson, Resume of Maori Fisheries Case Decision, 4 August 1998).

These two contemporaneous and contrasting findings of two influential organs of state (the Waitangi Tribunal and the High Court) demonstrate mixed and uncertain views on the rights of non kin-centred Maori collectives.\(^{122}\)

The tribe in the 1990s continued to exist as both concept and social reality. The interviews showed that tribal affiliation was understood by many through personal experience. It was an approach that leads to a bottom-up perception—from the personal, to the family, to close kin, to those more distantly related, all of whom make up the tribe. The tribe was therefore an extension of the individual and, conversely, the individual member, and groups of members were manifestations of the tribe. At the court hearing, on the other hand, the emphasis was on the tribe as a political organisation. This approach was very much a top-down process, creating a need to establish at which level the status of tribe should be bestowed. The perceptions and realities of the tribe intermingled in a mosaic of contradictory

\(^{122}\) The rationale given by Judge Paterson for not taking the Wai 414 report was: “It is premature to comment on whether or not some of the findings in the Waitangi Tribunal report are relevant to the
understandings. The tribe, then, continued to exist as the fundamental social group of Maori society. It existed as both an ideological concept and as a functional social grouping. Within these two general parameters, there were a variety of forms - some were communities, some ideologies, and some others commercial enterprises - as constitutional entities, and some totally new and largely yet unexplored forms.
Chapter Nine

The tribe in the twentieth century

The composition and location of Maori communities and subsequent tribal identities at the beginning of the twentieth century were a direct result of the social upheaval that Maori experienced during nineteenth century British colonisation. In the sixty years from the signing of the Treaty of Waitangi, Maori had experienced the colonial wars, a substantial drop in population, and loss of an economic basis for their communities and their customary way of life.¹²³ These processes did not integrate them into the mainstream economy or social life of New Zealand. The result was that the majority of Maori lived a transient life style that was, in part, subsistence and in part, dependent on the wage economy, small villages or tribal reserves. Some were in very remote areas and others adjacent to railheads and other settler towns and villages. It was these communities and identities that underpinned the tribe. To be Maori was to belong to a tribe. The tribe was both the functioning community and source of personal and group identity. While founded on the social constructions of the pre-European past, the tribal formations were, at this stage, a product of nineteenth century colonisation and, as such, defined by the tribal labels of the nineteenth century. The juxtaposition between iwi and hapu remained the same: the hapu was regarded as the local expression of tribal identity and convened as iwi for purposes of solidarity in their external relationships.

For the first eighty years of the twentieth century, Maori society was shaped by the forces of integration into mainstream New Zealand society. The most influential of these were the social circumstances of its communities that had a direct relationship to, and with, the political and economic agendas of the state. The forces of cultural conservatism (which favoured the retention of a former way of life) gradually gave way to the forces of modernity, and as a consequence the centrality of the tribe as the sole organising paradigm of Maori life was eroded. The formally acknowledged

¹²³ Through confiscations and sales, Maori land ownership declined from 66.5 million acres to 7.1 million acres, while the population declined from an estimated 150,000 in 1800 to 46,000 in 1900.
structures and forms of the tribe diminished in importance. As many marae fell into disuse, tribal committees were dissolved and very few iwi or hapu maintained a tangible presence outside of their people. The formal structures that did remain were in the form of Trust Boards and Land Incorporations. However, the tribe as a source of identity and concept continued. As a concept, the tribe continued to be the focus of academic enquiry. Non-affiliation to a tribe was considered in terms of identity loss with two outcomes: assimilation into Pakeha society or, because of the lack of stability that cultural roots provided, social disadvantage and the formation of an underclass (Keesing 1928, Ngata and Pomare 1928, NZPD 1928 G8). Although most Maori began to live outside their tribal territories, the tribe for most remained the primary source of personal and group identity. Tribalisation in the form of kinship obligations of reciprocal support continued as a significant aspect of Maori life, but, in pan-Maori situations, was expanded to include non-kin Maori, as well as kinsfolk.

The introduction of the Maori Councils Act in 1900 saw a government bureaucratic infrastructure being superimposed over these tribal organisations. It effectively incorporated Maori society into the state bureaucracy. The Act empowered marae committees (that is local hapu control) to a degree. However, as the committees were elected, the electoral procedures would not necessarily have accorded with any customary forms of leadership. This point is also demonstrated in the establishment of council districts. They were given ancestral names such as Rongokako, Tamatea, and Takitimu, but they did not take into account tribal territorial boundaries. What this demonstrated was that political representation was centred on the tangible expression, the marae, rather than the intangible expression, the whakapapa, of the tribe. This initiative produced a duality between an informal customary social organisation and a formal bureaucratic one. The former was a societal organisation centred on genealogical links and ties, with its notions of ascribed roles and responsibilities, while the latter was a government-created elected committee system centred on the local community.

This duality within the tribe became further entrenched as the executive powers of the tribal committees diminished and the focus shifted to the management of tribal
assets. The Royal Commission of 1926, which investigated confiscated and other lands lost in the nineteenth century, resulted in the establishment of Trust Boards to administer the returned land or the monies received in compensation for lost land (see chapter four). The exercise of presenting petitions to the commission and justifying their case through the historical claims to these lands and the Judgements that were expressed in terms of tribal ownership, and therefore ongoing rights and benefits, strengthened the conceptualisation of the tribe as it was understood in the mid-nineteenth century. This understanding that was perpetuated by these settlements and the establishment of Trust Boards as statutory tribal entities. The non-kinship aspect of the duality was reflected in the multi-hapu and increasingly multi-iwi, composition of communities that was, in part, a result of the transient lifestyle of many Maori (required by the pursuit of seasonal labour). This situation was reinforced by the Ratana church,¹²⁵ where adherents, known as Nga Morehu, *the faithful remnant*, were to forego tribalism to become members of the faith. Such a development can be understood as a political imperative, a shift from politics centred on the tribe to that of politics centred on the concerns of impoverished communities and rationalised through theology. It laid the foundation for Ratana to embrace the ideals of the then-fledgling Labour Party.¹²⁶

Tribal identity came to the fore in World War II, and tribal affiliation was still sufficiently influential for leaders to be able to mobilise community support for the raising of a Maori infantry battalion established and recruited along tribal lines. However, this much-heralded epitome of tribal organisation was a collection of regionally-recruited companies, which included a multiplicity of tribes, some that were allied through dialect, history and genealogy while others had little in common with each other.¹²⁷ Notwithstanding this reality, the esprit-de-corps and the ongoing recruiting effort for the battalion was predicated on tribal pride. The Maori war effort was supported domestically through a network of community committees

¹²⁴ See chapter three for a more detailed consideration of this Act and its influence.
¹²⁵ See comment in the 1940s case study by the MP for Southern Maori Sir Enua Tirikatene to this effect.
¹²⁶ See chapter four for further discussion on this matter.
¹²⁷ B Company was recruited from the Bay of Plenty where the tribal confederation of Te Arawa lived as did the Mataatua tribes, two quite different descent groups. D Company was recruited from the lower half of the North Island, as well as the South Island and the Chatham Islands, a large portion of the country that encompassed a wide array of different tribes.
known collectively as the Maori War Effort Organisation (MWEO). These committees were spoken of as tribal committees, but they were most often comprised of community members, regardless of tribal affiliation. Certainly the welfare role that evolved from the work of these committees was not tribally specific.

Any impact caused by the overt tribalisation of the war years was counter-balanced by the rapid urbanisation\(^\text{128}\) that took place from around 1955 to 1975. A major change in demography took place after World War Two\(^\text{129}\) with the out-migration of Maori from their rural settlements and communities to provincial towns and cities. This demographic shift was most commonly characterised as urbanisation,\(^\text{130}\) although it was as much relocation to provincial centres of employment as it was to urban centres (Metge, 1964, Kawharu, 1975).

Many of the Maori communities suffered from severe depopulation during the post-war years. Maori communities that had remained intact were often composite ones consisting of those who could claim to be tangata whenua groups and others who had migrated from other tribal areas. The influence of tradition was such that Maori in these communities accepted the mantle of the tangata whenua regardless of their tribal origins. During this period many of the community-specific variations and differences of custom and traditional practice were gradually submerged under a more general tribal identity and culture. The tribe as community in this era (circa 1955-75) ranged from those groups that remained predominantly of a single tribal descent through to those that could be described as pan-Maori – that is, they identified primarily as Maori, as opposed to claiming affiliation to a tribe. Identifying as Maori was not a denial of being tribal. In fact, the two forms of identity existed in an essential symbiotic relationship.\(^\text{131}\)

\(^\text{128}\) The out-migration experienced by Maori communities after World War II is most commonly described as urbanisation.
\(^\text{129}\) The major shifts took place over a twenty-five year period, 1950 to 1975 (Poulsen et al, 1975, 309-323).
\(^\text{130}\) Introducing a book on urban anthropology, Aidan Southall (1973) discusses the difficulties of defining urban and urbanisation. He concludes that, although it is difficult to come up with precise definitions that will cover all situations, an explanation on how these words are being used is necessary, for meaningful scholarly.
\(^\text{131}\) There is a further line of thought that sees a distinct evolutionary move from tribe to ethnic group (Cornell 1988). This explanation is drawn from the African and Native American experiences, which link
An increasing number of Maori formed part of multicultural societies in a completely detribalised situation. This newer form of Maori community emerged as a direct result of the out-migration from customary communities. With the separation from home communities and the need to adjust to new life styles, tribal identity became a private concern of the individual: hapu and iwi identities became exclusive to the Maori world with very little currency in the wider world. On the other hand, these people were often not readily absorbed into non-Maori society or, as numbers increased, into the local tangata whenua. These migrants formed communities where the influence of the original tangata whenua was minimal or where, by force of numbers, they were unable to be absorbed by local tangata whenua communities. By the 1980s distinguishable communities of non-local Maori became a feature of Maori society. While this movement of people was taking place within New Zealand, and because these individuals and groups were establishing residence in the territory of another tribe, they were effectively immigrants. It is from this majority and their descendants that a new social cleavage emerged, a new form of Maori social collectivity, the urban Maori.

The first major official report that considered Maori in the cities, the Hunn Report, was released in 1961. It considered city-dwelling Maori in terms of their social problems and needs. Academics analysed these groups in terms such as social adjustment, acculturation, and assimilation (Ausubel, 1960, Metge, 1964, Collette and O’Malley, 1974). Maori were referred to only in terms of their problems of maladjustment and regarded as relocated rural tribespeople. However, Maori did not acculturate to life outside the tribe by assimilation. Instead in many ways the urbanisation process strengthened their resolve to cling to their unique identity. The appearance of urban marae was tangible evidence of both this resolve and that Maori culture had begun to adapt to city life. Urban marae first appeared as early as 1960 and signalled an adjustment of the culture to its new environment.

the rising predominance of what they understand as supra-tribalism with urbanisation. For Maori, both the supra-tribal identity and a tribal identity have co-existed for around two hundred years. This means that both forms of identity have evolved symbiotically, and while, in certain circumstances, there is a tension between the two, they are also mutually interdependent.

132 Te Whatumanawa o Rehua marae, Springfield Road, Christchurch was opened in 1960. Salmond (1975) records six established marae in Auckland and seven others planned in 1975.
Additionally, there were other changes taking place than just the building of marae. Metge (1964) in her study of Maori migration from Northland to Auckland (ibid. 250), and Kawharu in a later work (1992), identified the evolving tensions between host tribes and the migrant Maori populations. What was initially an adaptation of culture had become a transformation of culture, a change hinted at by the anthropologist Salmond when writing about urban marae in 1975:

The real effects of urbanisation on the marae will not be felt until urban-born generations come into positions of influence. They have no rural background to draw on, and one might expect their activities to be governed by different priorities (82).

Salmond’s predictions were realised by the 1990s as the fourth generation of urban-born Maori reached school age. As Maori society entered its third decade of urbanisation, and Maori had adapted to life in the cities, a new level of confidence and sophistication became apparent. The influences of the protest movements as well as those of a range of young professionals, began to take effect. These influences combined and culminated in the return to pre-eminence of the tribe.

While societal pressures favoured the use of the overarching term Maori as Maori began to reassert themselves in the latter part of the twentieth century, a resistance developed to this trend. One of the first public pronouncements of this opposition came from a respected Tuhoe elder and public servant, the late John Rangihau. In his essay Being Maori (1975, 221), he defined his identity in terms of his Tuhoetanga, Tuhoe-ness, and rejected, in this context, Maoritanga, Maori-ness, as meaningless. He went on to suggest that the Crown’s insistence on identifying all Maori as one was an intention to control Maori.\(^\text{133}\)

Retribalisation as an ideology required a denial of pan-tribal-ness. Rangihau’s statement was indicative of this developing line of thought. Some twenty years after

\(^{133}\) The position taken by Rangihau was typical of an argument of the time, that governments have always been opposed to tribes. It is argued in this thesis that governments have always found tribes and dealing with kin-based collectivities problematic, but Rangihau’s interpretation that government adherence to the pan-tribal appellation Maori was a measure of control is considered simplistic. It ignores Maori acceptance of the notion of a pan-tribal identity and does not consider various governments in a historical and political context.
Rangihau’s essay, a prominent, former public servant, Hekia Parata, when being interviewed about Maori sovereignty, stated:

I think that our culture and our dialects and all things that make us unique and different as tribal entities are at severe risk. I’m having my own backlash against the label ‘Maori’ ... For me the problem is about how we save our tribes. If we save them we save Maoridom. There is no Maoridom without tribes (Hekia Parata in Melbourne, 1995, 38).

In yet a further development, a younger generation of tribal advocates warned that if the generic Maori identity did not exclusively focus on their tribal distinctiveness, then they would go it alone:

Ngai Tahu are still Maori, but we are Ngai Tahu first. If the broader Maori identity is unable to accommodate the differences in history, colour, protocol, linguistic competence, and political aspirations which make us Ngai Tahu, then membership in that wider collective is not conducive to the development of a positive sense of cultural self esteem (H. O’Regan, 1999, 205).

Although these statements are clearly pro-tribal rhetoric, they also demonstrate an inability to divorce the concept of tribe from the overarching concept of a pan-tribal idea of Maori. This is because tribalisation was not a matter of being either Maori or belonging to a tribe. Most Maori were tribal within a cultural framework of understanding themselves as Maori. An understanding was demonstrated by Professor Pat Hohepa at the High Court (1998) hearing on the Fisheries settlement: “I am proud to belong to Nga Puhi Iwi but ... also to Te Iwi Maori.” Hekia Parata (1998), at a conference at Waikato University, explained the relationship: “All Maori are tangata whenua to some iwi or another. I think we have two personalities ... as Maori and as iwi.” Her statement is all the more revealing in light of her previously cited statement for it demonstrates that the overarching ethnic label of Maori was a social reality that could not be politicised out of existence. While tribes were politicised to relate to the outside world as tribes, it was within the understanding that they were Maori tribes or tribes who were Maori. The argument that being a tribal person was the antithesis of being Maori was not a logical one. For most, being Maori meant being affiliated to a tribe.
It was through government policy that Maori leadership made the first step towards re-tribalisation. In 1978 the Maori Affairs Department implemented the policy Tu Tangata, *Stand Tall*, which exemplified this newfound confidence. The underlying philosophy of Tu Tangata was community control of community service programmes. The very moderate form of self-determination promoted by the Tu Tangata programme rapidly developed into autonomous tribal development by the mid 1980s. This time, through the conscious agency of Maori, the tribe was successfully promoted as the vehicle for social and political progress. This was a socially-constructed change that was overtly imposed through political agitation. This type of change can be traced to an era dominated by the mobilisation of ethnicity, which, in turn, evolved into indigeneity as the dominant discourse for indigenous minorities in a post-colonial[^134] global society. In Aotearoa/New Zealand, the effects of this became first apparent in the late 1960s and, after a period of very public political agitation, materialised as an overt type of tribalisation in the 1980s.

The catalyst for explicit calls to recognise the tribe was the Maori Economic Conference, the Hui Taumata, of 1984. It demanded was that Maori must have control over their own destiny: "we understand our needs best, give us the resources and we will provide the most appropriate and effective programmes." The unvoiced but, in retrospect, inevitable consequence of this suggestion was the establishment of constitutionalised tribal voices. It was a logical progression because Maori control of their own programmes meant that there had to be Maori institutions capable of administering these programmes. The Maori Affairs Department had been inextricably identified with government control, and the larger pan-Maori organisations were also tainted with flavours of a paternalism that had its roots in the colonial past. Since these organisations included religious, service, and political groups, it was argued that their denominational and political party differences and the notion of pan-Maori-ness, which accompanied them, were artificial, divisive, and served the interests of their Pakeha parent bodies, rather than Maori. For the university educated and politically aware leadership, the obvious remedy was the return to the dormant but deep-rooted concept of tribe. It was a major change when

[^134]: Post-colonial, in this context, refers to the global trend for societies to purge themselves of the most overt signs of colonisation, not that colonialism does not exist.
the government of the time accepted these demands and adopted what came to be known as "**iwi development**". It was a major turnaround because, as noted earlier, official policies had previously worked against tribalisation.

The passing of the Maori Social and Economic Advancement Act in 1945 bypassed tribal organisations and empowered a state agency, the Department of Native Affairs, to deliver services to all Maori.\(^{135}\) In 1962 the Maori Welfare Act continued and consolidated the approach of the 1945 Act.\(^ {136}\) Kawharu (1992), citing the 1960 Hunn Report, explained that Maori urbanisation gave rise to the government’s policies of integration. There was no place for the tribe in the policies of integration and this was reflected in the 1962 Act, which changed the name **tribal committees** to **Maori committees** (235). In the passing of these Acts, the government demonstrated that it would use the tribal system to effect its policies, but would not empower tribes to any degree. Maori in this period were a relatively powerless minority politically and always had to operate within the parameters of government policies that were both paternalistic and dependency-centred. Within, these policies (intentionally or otherwise) diminished the influence of the tribe.

A common strategy used by successive governments to bypass the tribe was to create pan-Māori organisations. These organisations were established to represent Maori nationwide. Most, such as the Maori Women’s Welfare League and the Federation of Maori Authorities, were established to represent a certain sector of the Maori population. The New Zealand Maori Council (NZMC) is different in that it has responsibility for all Maori throughout New Zealand. The NZMC is a statutory body established in law by the Maori Community Development Act 1962. While the NZMC had influence, it was limited as a politically representative body because it owed its existence to government patronage, as did all pan-Maori organisations. Because of this, their effectiveness as political representation was dependent on the political goodwill of the government in power. In spite of these limitations, pan-Maori organisations served Maori well over the years by being able to effectively lobby government to achieve Maori political aspirations. Their strength was that

\(^{135}\) See chapter five for a more detailed consideration of this Act and its influence.

\(^{136}\) See chapter six for a more detailed consideration of this Act and its influence.
they were well-established, nationwide organisations that were recognised by
government. They were the respectable and safe face of Maori politics to the Pakeha
world.

The government reaction to the Hui Taumata of 1984 took several years to
materialise into overt support for tribalisation. The intention of government to move
towards recognising the mana of tribal organisations was clearly signalled in a
discussion paper, He Tirohanga Rangapu: he whakawhitihiti whakaaro -
Partnership Perspectives: a discussion paper, 1988:

Maori signatories to the Treaty of Waitangi represented a specific iwi or hapu.
The strength of the traditional iwi structure is reflected in their continuing
existence today. They are strong, enduring, sophisticated systems of co-
operation and community effort and as such it has been advocated that they
provide an appropriate means of delivering government programmes to Maori
people. (ibid. 13)

This intention was eventually enshrined in the Runanga Iwi Act, which was to give
the tribe a legal identity and enable it to enter into formal contracts under its own
name. This right had not existed prior to the Act. However, the government remained
in control, because the Act detailed the essential characteristics of the tribe (section
5). Iwi was the accepted form of tribe (section 6) and iwi who wanted to be
recognised by the government were obliged to become incorporated (section 26).

Although not stated in the Act, a supplementary document published by the
Ministry that explained the Act sent clear messages of the need to conform to
government criteria (Runanga Iwi Act: He Whakamaramatanga, 5). Even though the
aim of the Act was pragmatic, the result was legislative social engineering, for it did
not simply identify and promote the tribe as the primary social formation for Maori,
it regulated the acceptable shape, form, and mandate of the tribe. Although the
Runanga Iwi legislation was short-lived (it was repealed in 1991), the political and
social processes that gave rise to it continued to dominate government thinking on
the tribe from that time onwards. The Resource Management Act 1991 was passed
with the Runanga Iwi model in mind, and it included a requirement for consultation
with Maori before resource consent could be granted. Whether this was a genuine
attempt to acknowledge the special status of Maori in the form of iwi or just
tokenism (or, as Greenland (1984) puts it, kowhaiwhai biculturalism, a sop to Maori
lobbyists) is a matter for conjecture.

With the repeal of the Runanga Iwi Act, the iwi development policies appeared to
have been put on hold. However, a new set of circumstances, Treaty claims and
settlements, took over. The first major settlements, the Fisheries, the Tainui, and
Ngai Tahu settlements,\textsuperscript{137} were made with tribal representatives as opposed to
individual Maori, and the various pieces of legislation that accompanied these
settlements encased tribal rights in law, as these excerpts from the Ngai Tahu Claims
Settlement Act 1998 illustrate:

the Crown recognises Ngai Tahu as the tangata whenua of, and as holding
rangatiratanga within, the takiwa of Ngai Tahu whanui. (paragraph 7).

the Crown seeks ... to enter a new age of co-operation with Ngai Tahu,
(paragraph 8).

While the settling of Treaty claims was an acknowledgement of tribal authority,
there was no overt acceptance of this position by government. The Minister of
Treaty Settlements who had oversight over these first settlements, Sir Douglas
Graham, did not acknowledge that there was any promise of partnership in the
Treaty.\textsuperscript{138} He also held the ambiguous position of accepting that Maori had the right
to determine who was, or was not, an iwi, yet at the same time insisting that the
government would only deal with mandated tribal leaders and with iwi, not hapu.
(1997)

An example from a report on the Taranaki claims illustrated how the government
directed tribes through the settlement negotiating process and ultimately how its
requirements had been accepted:

The Team was required [my emphasis] by OTS [Office of Treaty Settlements]
to impress upon iwi the importance of establishing and maintaining an iwi
register ... Even among iwi with established registers there were factions who

\textsuperscript{137} In 1995, along with Tainui and Ngai Tahu, a settlement offer was made to Te Whakatohea, which was
rejected.

\textsuperscript{138} An acknowledgement of partnership is a precursor to any formal development of self-determination.
thought registers were unnecessary and even subversive. They argued that Maori already had their own form of register in the form of tribal whakapapa and that was all that they required. Eventually, however all the iwi accepted in principle the need for registration, and the Team was able to distribute iwi registration forms at the various consultation hui (Report on the readiness of the Iwi of Taranaki to negotiate a settlement of the Taranaki Land Claim, 22 April 1996).

The government preferred to deal with Maori in terms of tribe as iwi:

The Crown also strongly prefers to negotiate settlements with large natural (customary) groupings of tribal interests (usually ‘iwi’ in the traditional sense of a whakapapa-based grouping), rather than with individual hapu within a tribe (Office of Treaty Settlements, 52).

It was a strategy that proved problematic as almost every initiative made to settle a grievance or provide a service was met with criticism and a call to recognise rights by some aggrieved sector of the Maori community. This situation led to mounting frustration among Crown negotiators and an insistent call for mandated voices (ibid.). While the frustration is understandable, especially among the individual negotiators directly involved, the government itself has to take a large degree of responsibility for this situation. The tribe was never allowed to evolve as a social system to meet the needs of Maori in the contemporary situation. After over a century of producing policy that, at best, ignored the tribe and certainly diminished its influence, it was not surprising that the tribe could not meet the unrealistic expectations that were suddenly thrust upon it by both Maori and Pakeha. Becoming a highly efficient social organisation that was required to deal with the complexities of contemporary New Zealand society and the situations of Maori within it was an unrealistic proposition that ignored history.

Initially by neglect the Crown exerted an influence on the status of the tribe. In the latter part of the century, this was done by shaping the form of the tribe through direct interventionist policies, first through the Runanga Iwi Act 1990 and then through the policies of Treaty settlements. This was in spite of assurances by the former Minister of Treaty Settlements, the Honourable Douglas Graham, that “What seems clear is that whether tribalism is to remain the fundamental structure of Maori is a matter for Maori and Maori alone. It is not for the government to try to impose
its own view – however well intentioned that may be” (1997, 3). This was from a minister whose own office had adopted a principle of comprehensiveness, which means that it desired for all claims from one geographic area be settled under a single settlement (Office of Treaty Settlements, 52). The effect of these policies was to pressure Maori into centralised tribal formations that were designed to meet a government agenda rather than reinforce more traditional and localised formations. Even though the aim of these policies was pragmatic, the result was legislative social engineering. That resulted in the acceptance of the stereotype of the hierarchical model described elsewhere.

Even during times when the tribe had little status and recognition, the notion of belonging to a tribe remained the core of Maori identity. The foundational idea of belonging to a kin-group was so fundamental to being Maori that the tribe was able to be recreated even as it lost relevance as the means of organising their society. That tribal affiliation was the central tenet of Maori identity was a proposition that was never challenge, during the twentieth century. Tribalism was regularly challenged but not the tribe as identity. In times when the tribe was of diminished importance, there were people who more readily identified as Maori rather than as a particular tribe. However, to not identify with one’s tribe was primarily a matter of choice as only a very small minority at any one time could not trace their tribal roots. Through the Maori kinship system, family kept themselves informed of all of their relatives, even those who had become estranged from them. For a person to be unable to trace their family, they would have had to have lost complete contact with their birth parents. In the latter part of the century, opponents of tribal development pointed to the fact that 27% of the total Maori population did not claim any tribal affiliation (1996 census).139

139 There are, however, plausible reasons why a person may not claim or choose not to designate a tribal affiliation on a census form:

1. Apathy or hostility towards filling in the census
Apathy is related to social disadvantage and there is a correlation between socio-economic status and low census returns. Hostility or aversion is often politically motivated. In his evidence to the Waitangi Tribunal the veteran political activist the Reverend Eru Potaka-Dewes argued that the census was a tool of colonisation (Ngati Porou evidence Wai 262).

2. Ignorance of or apathy towards tribal association
These factors are also often associated with social disadvantage: that is, a person’s socio-economic status has so completely alienated them from tribal life that it holds no relevance for them. Te Ohu Kaimoana (TOKM), The Treaty of Waitangi Fisheries Commission, claims that very few people cannot
Retribalisation as a movement would probably not have materialised if the notion of tribe as central to identity had dissipated. Conversely, given the politics of identity that Maori had embraced, because the tribe remained fundamental to being Maori, some form of retribalisation was inevitable. In the quest to shake off the effects, namely the welfare dependency and indignity of a prolonged period of paternal government, Maori opted for self-determining development. As tribal affiliation was central to a Maori sense of identity, it is inconceivable that in the era of post-colonial ethnic mobility, where indigeneity had become the dominant discourse, that the notion of tribe would have been allowed to continue to atrophy, and that a revivalist movement would not have taken place. The only option, therefore, was for Maori to focus on the centrality of the tribe for community and social development. Any other type of social organisation did not have either popular appeal or the authenticity of the pre-colonial past.

For those who continued to live, or maintained close association, in customary locations and communities, tribal affiliation was taken for granted, and the tribe was considered the obvious vehicle for social development. Retribalisation for these people was a movement to formalise what was already in exist, if tenuous - kin and community networks, which were an attempt to protect and better manage tribal assets. To the expatriate tribal members and communities, renewing and strengthening tribal ties had a strong nostalgic appeal as well as a sense of excitement at the developments taking place in the tribal homelands. For local and dispersed younger generations the consequent formation of tribal runanga and taura here

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3. Having to choose which of their tribal affiliations is the primary one.

Through genealogical links Maori connect to a variety of tribes but a system of primary association exists, normally understood in terms of place of birth and upbringing. For those Maori who adhere to this dictum of tradition, primary association is a clear-cut choice. For others, particularly those who were born and raised away from the tribal territory, the choice is more complex as it can entail considerations of the primary tribal affiliation of one parent to that of the other. There is also the reaction against what may be considered the bureaucratisation of tradition, in this case whakapapa (Robson and Reid (2001) Royal Commission on Social Polcy, Vol 1, 620-625).

The point is that this substantial percentage can be explained by the limitations of the census and it does not provide any convincing counter argument that the tribe is not central to Maori identity.
organisations strengthened their sense of identity by giving their tribal affiliations tangible shape and form.

The political argument championed by Maori leaders was predicated on the continued existence of the tribe. The reality was that the tribe existed as concept and identity, not as structures capable of administering and delivering social services. The imperative to meet the political aspirations led to the frenetic activity of the 1980s in creating and implementing management infrastructures for the conceptual communities of interest, that is, the tribes. The result was the superimposition of a prescribed tribal infrastructure, modelled on a stereotype of pre-European tribes, onto existing forms of Maori social organisation, tribal or otherwise.

Retribalisation was an ideological, political movement founded on the notion that Maori society was organised tribally. However, because of the actions—and inaction—of governments over the years, tribes were no longer able to provide for their membership. It was also argued that government-sponsored alternatives to the tribe had created a culture of dependency. As a result, Maori occupied all the negative social statistics in health, education, imprisonment and the like. To be able to provide for its membership and break the dependency cycle, government acceptance of the tribe was required. To gain government (and in time the wider society), acceptance one model for the tribe needed to be promoted. Verification was required that this model of the tribe actually existed, such a model had to be simple and structural, and easily understood by an outsider. A nebulous model of complex inter-personal and inter-group relationships that required competence in the Maori language would not suffice. The structural model first described by Best, and later promoted by Firth and others (see chapter two for details), that positioned iwi as the tribe and hapu as sub-tribe fitted the bill on all counts. It was a simple structural model that was supported by scholarship recognised by governments from colonial times, and long been internalised by Maori as traditional.

140 Gaining government contracts to deliver services to their communities and having the authority to manage assets were not possible without government acceptance that the tribe was a capable and accountable institution.
Once the idea, if not total acceptance, of development centred on the tribe was implanted in government thinking, it had to be given substance among Maori. To implement a formal tribal infrastructure quickly and effectively, the model had to be not only simple structurally but also had to be prescriptive enough to override or incorporate existing social formations, both tribal and pan-Maori. Too much variety would make the idea seem too vague and therefore unsuitable for community development. Explanations of the tribe were reduced to simplistic stereotypes that characterised it as a kin-group descended from a common ancestor, occupying self-designated territory, and sharing a common history. It was a simple stereotype that could appeal to those who wanted or needed to interact with Maori society, as well as those Maori seeking to establish their ancestral antecedents. In the climate of post-war anti-colonialism, and in reaction to Maori political agitation, it became widely accepted that Maori had certain Treaty and indigenous rights. To articulate these rights in government policy, a simplistic and narrow definition of the tribe was adopted, primarily for pragmatic reasons.

Iwi were positioned as the tribe, with hapu as sub-tribes, and components of an iwi, and whanau having only informal status. Iwi were represented and administered by runanga, tribal councils, or trust boards. In some cases, iwi territories were divided into sub-districts (taiwahuna in Ngati Kahungunu, rohe in Ngati Porou, papatipu marae in Ngai Tahu). They formed an electoral-administration infrastructure for the iwi. Marae located within these districts had the right of representation on the district committee with the chair of the committee representing the district at runanga level.

Being politically, rather than socially determined, the new tribal structures had to be deliberately implemented by Maori communities. The implementation was rapid with the major thrust coming in the period 1987-1990 and before many in the communities had time to understand and adjust to the new way of organisation. This

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141 Trust Boards were created by government to administer tribal assets and operated under the Maori Trust Boards Act 1955, which was very restrictive and gave them very limited powers. Consequently, they could not easily fill the role of tribal government. Tribal councils, runanga, were formed to fulfill this function, and in one case, Ngai Tahu, the Trust Board, was dissolved and a runanga created to take over its governance functions under its own Act, the Runanga o Ngai Tahu Act 1996.

142 Twenty new iwi runanga were registered in 1987.
process was an imposition, regardless of the fact that it might have been enticingly promoted as modernising reform to the conservative elements of the tribe or the reassertion of tino rangatiratanga to the more politically radical. With a new form of social organisation being imposed on existing social formations and alliances, tensions were created. Because of the erratic nature in which the new form of tribe and tribalisation was implemented, some tribal groups, such as Ngai Tahu and Ngati Kahungunu were in a position to proceed comparatively quickly. This ability placed them in a position of advantage in relation to neighbouring groups or those tribes that shared their territory. By being established first, and in some cases years ahead of the others, those groups acquired considerable influence, having their understanding of tribal boundaries accepted and able to establish influential relationships with local and central government, as well as the general population of the district. This development placed the less well-organised groups in a disadvantaged position from which they had to contest their position on all fronts, and which made them reactionary.

The centralisation of influence that is a characteristic of this type of organisation also created tension as earlier forms of Maori tribalisation tended towards local control of local resources. The concentration of tribal power in a centralised form, such as trust boards or runanga, was effective for some, notably Ngai Tahu, Taihui and Ngati Tuwharetoa. For others, local interest by far out-stripped any notion of centralised control as is illustrated in the difficulties with the settlement processes in Taranaki, Muriwaihenua, and Te Whakatoa. For the majority of Maori, tino rangatiratanga as self-determination meant a major emphasis on local control of local resources.

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143 Tensions arose with the establishment of the Runanganui o Kahungunu, between the supporters of the Runanganui and those of the District Maori Council and the Waikaremoana Trust Board (see chapter eight).
144 As in the case of the tribes of the northern part of the South Island (Te Taiwhenua o te Waka).
145 As in the case of Rangitane of southern Hawkes Bay and the Wairarapa who co-reside in those districts with Ngati Kahungunu.
146 The tribal boundaries detailed in the Runanga o Ngai Tahu Act 1996 are an example of this advantage. See chapter eight for further discussion on this point.
147 The rejection of the settlement by Te Whakatoa is an example of this (Ratima 1999).
148 Even with these well-established iwi, considerable disquiet from various quarters was expressed at the time of their respective settlements, as noted in an article in the Christchurch Press, 28 August 1998, "Ngai Tahu bill intact so far."
149 In an attempt to explain the relationship between iwi and hapu, Moana Jackson expanded the notion of first nation by suggesting that Ngati Kahungunu was not so much a 'Nation' but more analogous to the
In spite of the fact that Maori society was still essentially, although not exclusively, tribal, there was reservation about development centred solely on the tribe. The sentiment was not an anti-iwi movement (in the form of either pro-urban, pro-hapu, or anti-corporatisation development). It can be explained, in part, by the fact that iwi were not sufficiently geared up to act as an operational base for their membership in contemporary New Zealand society, and there was a lack of confidence or self-belief in their own organisations. The major source of reservation, however, was that tribalisation was potentially divisive. This concern was the catalyst for the series of hui that led to the establishment of the National Maori Congress in 1990. The Congress was formed in response to the government’s iwi development policies 1984-90. Three of the most prominent Maori leaders, Te Atai-Rangi-Kahu (the Maori Queen), Sir Hepi Te Heuheu (hereditary chief of Ngati Tuwharetoa) and Mrs. Te Reo Hura (Tumuaki of the Ratana), called hui out of concern that the government’s policies might revive tribal rivalries and pit iwi against iwi in contesting for limited resources (Cox, 1993). Reservations about tribalisation as tribalism was not only a concern in the 1980s, it had also been a major concern of Maori politicians, as well as the Ratana Church, in the 1920s.

As tribal membership was contingent on descent from the founding ancestor/s, whakapapa, and residence or recent linkage to the tribe territory, ahi ka, expatriates and the diasporic tribal groups created difficulties, both conceptual and practical, for iwi. The approach by iwi was to court their expatriates and diasporic communities, taura here, although, as the Ngati Kahungunu taura here experience demonstrated, the practice did not match the rhetoric. Iwi recognised that among taura here, there was a pool of talent, which, if utilised, could be of immense benefit to them. Family linkages also played their part, as most iwi members had family living outside tribal

United Nations, with the hapu being the member nations (see the Ngati Kahungunu case study in chapter eight).

Considering it thus is part and parcel of the politicisation of the argument that is used in defence of the iwi-is-the-tribe argument and forestalls attempts to explore any expansive and innovative thinking. It is also fundamentally a different argument. What is being discussed here are the reservations from within the pro-iwi section of Maori society.

In the build-up to the devolution of the Department of Maori Affairs, an article in the Listener discussed these concerns (NZ Listener, 10 October 1987, 24-26).

Sir James Henare (Nga Puhu rangatira and former commander of the 28th Maori battalion) was also one of the instigators of these hui, but he passed away before they eventuated.
territories. There were also strong political incentives to claim these people as members. The greater the numbers of publicly affiliated members, the more political influence an iwi was likely to command. There was also pressure from the Crown to ensure that iwi catered to all their members.\textsuperscript{153}

As tribal administration in this model was centralised, the tribe was cast in the mould of a First Nation.\textsuperscript{154} Its territorial claims to tribal jurisdiction were based on perceived notions of tribal territories at, and around, the signing of the Treaty of Waitangi in 1840. Iwi did not claim ownership in terms of having title over the land but in establishing the iwi as being the Crown’s Treaty partner in that particular district and having the rights of the host people over all other Maori. It was a form of cultural hegemony that was expressed in terms of Article Two of the Treaty of Waitangi, rights of \textit{mana whenua}.\textsuperscript{155}

Iwi experienced difficulty in catering for the considerable percentage of their affiliates who lived outside tribal territory, in particular their diasporic communities spread throughout New Zealand and Australia. Not only were there difficulties for the iwi in being meaningful to the membership that lived outside their territories, the presence of large groups of Maori from other tribes was also problematic. The problems were both practical (distance, communications, and life-style) and conceptual (what tribal assets could be used for, immigrant groups under custom could only have the status of manuhiri, visitors). For iwi to ignore their expatriate affiliates or be inclusive of resident non-iwi Maori put them at odds with the founding traditional concepts on which any conscious formation of the tribe was based.

The urbanisation and ethnic mobilisation (sometimes referred to as the Maori renaissance) that the Maori experienced in this period led to a revitalisation of the tribe. As a result of pressure from Maori, the tribe became the medium by which

\textsuperscript{153} The 1998 High Court decision on the allocation of the Fisheries settlement is an example for the Crown’s concern (see chapter nine).
\textsuperscript{154} In the case of North America, the term is used in relation to single Reserves and Reservations and, with the exception of recent developments, is applied to single geographic and political units. Where there are neighbouring Reserves, even if they are of the same language group, each Reserve regards itself as an autonomous First Nation.
both central and local government addressed Maori concerns. The first piece of legislation that reflected this trend was the Runanga Iwi Act 1990, which promoted the delivery of state services to Maori via constitutionalised tribal groups. Even though this Act was repealed by the National government in 1991, its legacy lived on as the government increasingly referred and deferred to tribal authorities in its dealings with Maori.\textsuperscript{156} The enactment and subsequent amendments of the Treaty of Waitangi Act recognised in law that Maori have Treaty rights, confirmed and indeed obligated the government to recognise the existence and rights of the tribe. The settlement of large tribally centred Treaty claims\textsuperscript{157} that began in 1995 served to consolidate and strengthen the status of tribes in New Zealand society.

Retribalisation had been successful. By the close of the twentieth century, the notion that iwi was the tribe and hapu the sub-tribe was accepted and firmly entrenched in public consciousness. The specific rights of iwi were being recognised in legislation and government policy. Well-established iwi had become formidable economic and social organisations owning assets worth millions of dollars and, as a consequence, were major players in regional economies. They were formally-constituted tribal organisations that managed assets and distributed benefits to members. Retribalisation was a major social change. It did not, nor was it ever designed to, arrest the modernisation of Maori society. It was a largely successful attempt to place the future modernisation of Maori society in Maori hands.

While the centripetal forces of self-determination, sovereignty, customary social organisation and a post-colonial drive to express a unique ethnic identity worked to reinforce the tribalisation of Maori society, there have been centrifugal forces that have challenged this process. The latter included the demographic reality of a majority of Maori living outside their tribal territory\textsuperscript{158} and the existence and necessity for pan-Maori ethnicity. Maori society, of course, did not exist in a

\textsuperscript{155} The term mana whenua is a status that implies that a group has mana, control, over its tribal lands.
\textsuperscript{156} The Resource Management Act 1991 is a prime example of this legislative requirement to consult with iwi and hapu.
\textsuperscript{157} The first set of major claims, the Fisheries, Ngai Tahu and Tainui, were all worth $170 million in cash and assets and also included ongoing rights.
\textsuperscript{158} Eighty percent of Maori live outside their tribal areas, and Twenty seven and a half percent acknowledge no tribal affiliation.
vacuum, and so there were external forces that impacted on the state of tribalisation. The international discourse on indigenous people, which favoured development, centred on traditional forms of association, and therefore supported tribally-centred development. The government, on the other hand, while supporting local development, had considerable difficulty with any notion of tribal autonomy, an ambiguity that was reflected in the contradictory nature of their policies.

Concomitantly and over the same period of social upheaval that spawned overt retribalisation, another form of Maori social collective developed. A general public awareness slowly emerged concerning the urban Maori groups that had evolved as social entities in their own right (Walker, 1975, Hopa, 1977). The first official recognition that Maori who lived in the city were not simply an amorphous group of tribespeople, but were cohesively organised social groups in their own right, was expressed in the preliminaries prior to the passage of the Runanga Iwi Act 1990. The out-migration of Maori from rural areas to provincial and urban centres had not resulted in Maori becoming acculturated and losing their identity. It had created a situation where many Maori, either consciously or unconsciously, began to express their Maori-ness, ethnicity, through affiliation to their community of residence, rather than their distant tribe. The affiliation to a local organisation was not a denial of the genealogical tribe but a reflection of their actual domestic and occupational circumstances.

Through the combined effects of the pressure of social problems, the desire to express their Maori-ness and their exclusion from the decision-making on Maori issues at a national and local level urban groups have organised and become politicised. Urban Maori Authorities came into public prominence with Te Whanau o Waipareira’s claim to the Waitangi Tribunal contesting Social Welfare funding (Wai 414160) and the litigation over the distribution of the fishing quota. Both of these events demonstrated a growing confidence and resolve of urban Maori to be publicly recognised. They also signalled that the time of the urban Maori groups had arrived,

159 An example of this trend is the ILO manual (2000) on their Convention on Indigenous and Tribal Peoples (No 169) that promotes development along tribal lines.
160 In this claim, the Waitangi Tribunal found that Te Whanau o Waipareira, a UMA, possessed tino rangatiratanga, and therefore could claim Treaty rights.
that they operated as social entities in their own right not by permission of any external authority, traditional or Crown. There were now urban Maori groups demonstrating all of the characteristics of tribal First Nations by owning assets (including offices); seeking public contracts; establishing a legal identity; placing claims before the Waitangi Tribunal, demanding a share of the fishing settlement money; building marae; and creating a register of members. More importantly, these groups, and there were a greater variety than the UMAs, became a tangible expression of Maori identity and Maori community organisation, and arguably were evolutionary forms of the tribe.

A deep-rooted idea that was not openly articulated was the notion that overt expression of whakapapa, affiliation to a tribe, validated a person as Maori. Therefore, acknowledgement by Maori that an urban group could be a tribe was not conceivable, even by supporters of urban Maori: "Urban Maori authorities are the equivalent of a tribe in function, except that they are pan-tribal" (Ranginui Walker, 1998, evidence to High Court hearing, see chapter eight). Urban Maori Authorities are the most public manifestation of evolutionary tribal formations and attention has been drawn to them because they were publicly defined\textsuperscript{162} as an alternative to the tribe,\textsuperscript{163} and subsequently they have increasingly become more assertive in taking on the persona of a tribe.

A consequence of the regulation of the shape, form, and name of the tribe was that any evolutionary process had been thwarted. In other words, all levels of tribal organisation have become codified and solidified, a kin-group designated whanau regardless of size and attributes has been permanently cast as a domestic and largely informal group, the hapu as a section of a tribe unless it could find a means of being designated an iwi. Acknowledging only one social form as the tribe ignored the social reality for a majority of Maori.

\textsuperscript{161} See the case study of the 1990s for details of this case.
\textsuperscript{162} The Rungitu Iwi Act.
\textsuperscript{163} This dichotomous position of being an alternative to iwi as the focus of development for Maori is becoming more entrenched as time goes on (see chapter eight).
For local iwi, these resident groups of immigrant Maori created a conundrum. In terms of customary relationships, these outsider groups were manuhiri. Therefore, their responsibility, and their protracted stay, permanent residence with the accompanying accumulating status and natural increase in population presented a political and demographic challenge to the iwi. The political challenge was a twofold contest for resources and status. Iwi claims of tino rangatiratanga explicitly placed them as the representation for Maori in their area and required a denial that non-iwi groups were in any way representative of Maori.

Active denial included the highlighting of past failures (Cox, 1993, 199) and charges of being inauthentic (Coates and McHugh, 1998, and T. O’Regan, 1998):

If the Crown creates a pot of money, a committee will be formed somewhere to assist in the spending of it. In recent years we have had a proliferation of such competing committees. These people I call ‘Ngati Putea’ or ‘add water, instant iwi’ (O’Regan).

Denial was also implicit in the dominant ideological discourse on the Treaty of Waitangi that articulated Maori/Crown relationships only in terms of the articles of the Treaty. Article One gives legitimacy to the Crown to govern in return for the protection, tino rangatiratanga, promised in Article Two. Tino rangatiratanga was interpreted as the rights of Maori as autonomous tribes to self-determination (Melbourne, 1995). Article Three, which promised Maori the rights of citizens, was seen as obliging the government to be responsible for Maori social concerns, employment, housing, health, and the like. It was also offered as the paradigm in which the evolutionary forms of Maori collectivities such as urban groups and pan-Maori organisations, should be understood and treated.

The notion of tribal affiliation had been irrevocably changed through the acceptance and adoption of formal tribal infrastructure. The formalisation of iwi as tribe required the setting of criteria for membership to belong, and criteria to give the status of iwi.

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164 With the initial wave of urbanisation occurring in the 1950s, there are fourth and fifth generation urban-born Maori.
165 In his work, Kaitiataua the search for political unity, Cox (1993) argues that government-sponsored Maori initiatives have not worked, but when the initiatives come from Maori, they will succeed.
The latter created a situation where the status of iwi has increasing value and is therefore sought after. The codifying of membership obliged Maori to choose their primary affiliation.\textsuperscript{167} Not only had the tribe itself become codified, but membership was also being formalised,\textsuperscript{168} as this statement from the Runanganui o Ngati Kahungunu illustrates:

‘Iwi members CAN ONLY vote if they are signed up to the NKII [Ngati Kahungunu Iwi Incorporated] register, of Kahungunu descent, and over 18 years of age’ (\textit{Tu Mai}, October 2000, 23).

There was, however, ambivalence towards formalisation of membership as illustrated in the quotation from the “Report on the readiness of the Iwi of Taranaki to negotiate a settlement of the Taranaki Land Claim, 22 April 1996,” as noted earlier 227).

The implementation of the tribe as a state-acknowledged social formation gave rise to a range of complicated and vexing questions. For instance, which was the real tribe: the hapu, the iwi, the whanau, or was it something entirely new? The Runanga Iwi Act codified the iwi as the tribe and hapu as sub-tribes, and entrenched this understanding in government thinking. Vesting the control of all tribal rights in iwi brought a reaction from those groups that did not readily fit into this model. It led to groups formally considered hapu claiming iwi status or claiming their Treaty rights separate from their iwi organisations. The notion that iwi was the dominant form of social organisation and that hapu are somehow subordinate to iwi, was both challenged and strengthened in the latter years of the twentieth century.

After the initial thrust to accept the tribe as the Treaty partner, the government’s enthusiastic acknowledgement of the status of the tribe was tempered with a realisation that not all Maori problems could be addressed through large centralised

\textsuperscript{166} The implication being that these types of collectivities are products of government action, representing social concerns not ‘customary rights’ concerns.

\textsuperscript{167} Through genealogical links, Maori connect to a variety of tribes, although a system of primary association exists, normally understood in terms of place of birth and upbringing. For those Maori who adhere to this dictum of tradition, primary association is a clear-cut choice. For others, particularly those who were born and raised away from the tribal territory, the choice is more complex as it can entail notions of loyalty to one parent or the other.

\textsuperscript{168} See Te Runanga o Ngai Tahu Act 1996 (7) for details of the most formalised example of tribal membership.
tribal organisations. McHugh (1998), in a government-commissioned essay, asserted, that the government relationship with Maori was *structuralist* because they relate to Maori as tribes. He also argued that this type of relationship was inequitable to many Maori, and, therefore, the government should relate to Maori as a people, an ethnic group, rather than as tribes.

As well as the dialectical and taxonomic dilemmas that the acknowledgement of tribes caused governments, there were practical concerns. All shades of the political spectrum professed concern about the adverse social statistics that affect Maori, and all appeared to accept that Maori claims for the alleged breaches of the Treaty are justified. Because of this, governments have had to engage with Maori, which has meant acknowledging tribes and talking with tribal leaders and representatives. In considering the tribe as a representative voice for Maori, there were two major difficulties. The first was that there was internal disagreement among Maori as to which were the valid tribal groups, and second, the tribe as iwi did not represent a social reality for many Maori. The fifth Labour government’s initiatives in offering to Maori the fourth cell phone channel and the *Closing the Gaps* policies were publicly expressed, in the language of the Treaty, as Article Three, rights of citizenship, and not Article Two, rights of tino rangatiratanga, or tribal rights\(^{169}\) issues.

The nineteenth-century tribal configuration of iwi being the primary form by which Maori interacted with outside agencies and hapu the vehicle through which Maori conducted their local affairs continued into the twentieth century. As Maori struggled to overcome their marginalisation, the tribe lessened in relevance as a vehicle for external communications, and pan-Maori organisations gained in influence. Although Maori society remained essentially a tribal society, as integration with the wider society intensified it obviously could not remain exclusively tribal. Consequently in addition to the tribal formations of hapu and iwi, Maori society came to be understood as consisting of Maori individuals, Maori

\(^{169}\) These terms refer to the articles of the Treaty of Waitangi. Article Two rights are those acquired through tribal affiliation, rangatiratanga, and Article Three rights are those of citizenship. To express another popular and widespread understanding, Article Two rights are property rights, and Article Three rights are concerned with issues of social equity.
communities, and pan-Maori collectivities. Maori tribal-ness remained a fundamental, but latent, social influence, rather than an overt and dominant organising paradigm. The influence of pan-Maori organisations continued to increase until it was countered by the resurgence of tribalisation that came with the public assertion of Maori political rights. While contemporary retribalisation consolidated the iwi as the tribe, it also sparked a counter movement from those groups, which did not readily conform to the iwi-as-tribe formations. Claims were initiated by groups formerly regarded as hapu to become iwi, for hapu to dissociate themselves from iwi, and for completely new forms of tribal collectivities such as those represented by UMAs. From this cauldron of social change, a mix and match of perceptions, expectations and social realities emerged, creating tensions that were unresolved by the end of the century.

**Maori social formations in the twentieth century**

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<td>Supra-tribal groupings</td>
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<td>Non-tribal groupings</td>
<td>(Pan-Maori)</td>
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Chapter Ten

Theorising the tribe:
Social change, perceptions and conceptions

Conceptions of the tribe encompassed two fundamental elements, identity and social organisation. The relationship between these two element identity, and the organisation of Maori communities and society, is the key to understanding the varying perceptions and conceptions of the tribe in the twentieth century. This relationship is considered through an exposition of tribalisation, followed by an examination of the tribe and social change. Two forms of social change, adaptational and introduced, have been identified. Introduced social change was an attempt by Maori to arrest the detribalising effects of adaptational social change. The introduced change to Maori society was the retrabalisation movement that emerged in the 1980s, and which had consequences on the perceptions of the tribe of retrabalisation. One of these consequences was the emergence of organised urban collectivities. What also became apparent from this study was that perceptions of the tribe were formed from three sets of interlocking agencies: those of Maori, the Crown, and scholarship. This phenomenon is discussed, followed by a concluding commentary, and includes observations on the tribe of the future.

Tribalisation

What became patently obvious at the outset of this study was that to consider the tribe solely as a social structure was extremely limiting approach and, consequently, inadequate. Social formations or structures are single elements of social organization. Other factors, such as socialisation and the interrelationships between groups and individuals, are what make these formations operate. Socialisation, in particular, was very important here. This is why throughout the thesis the phrase tribe and tribalisation is often used. It was only in abstract situations (such as in government policy, academic discourse, and political action) that the tribe was regarded as a social structure. In all other (real life) settings, the tribe was a product of
socialization, which can be characterised as tribalisation. Therefore, before further consideration is given to social change, it is necessary to deliberate on the usages of the term tribalisation.

Broadly speaking, tribalisation describes two different social processes in the changes of perception of the tribe over the course of the twentieth century. One was the understanding that Maori society was organised tribally. The other was the extent to which individuals and groups could be considered tribal. In the first understanding tribalisation was conceptualised from understandings of tribal societies of the eighteenth century. Tribalisation in these periods was understood in the cycles of progress of groups that were designated tribes, from their creation to their zenith, and to their decline or ongoing existence. This process has been most commonly articulated in tribal histories, studies of the life cycle/s of tribes as a named group/s, such as McEwen’s work on Rangitane (1986), in terms of social organisation, as in Buck (1950), in a combination of both where, for example, tribal history is used to validate certain types of tribal formations, as in Ballara’s study *Iwi* (1998). Conclusions drawn from these, and from the studies reviewed in chapter two, conclude that the public validation of new named tribes effectively ceased during the nineteenth century. Consequently, from then on, there was no social mechanism for recognising the continuous cycle of ascending and diminishing status of kin-groups that was integral to the pre-European\(^{170}\) tribalised Maori society. Although the public validation of new groups had stopped, the process of group forming and reforming did not end. The centre of influence within tribal groups altered in location and in personalities as circumstances changed, a process that continued throughout the twentieth century, the consequences of which will be considered later.

The second and most dominant understanding of tribalisation in the twentieth century was the varying amount of influence that the tribe had as the century proceeded. The changing character of tribalisation was understood as if sectors of the Maori population at certain periods of time were more tribal than at other times, or

\(^{170}\) Pre-European, in this case, refers to the period of time prior to the arrival of Europeans to when the forces of colonisation completely overrode the evolutionary process, circa 1900.
in comparison with other contemporaneous groups. As the knowledge or acknowledgment of tribal affiliation became increasingly a matter of social circumstances and personal choice during the twentieth century, the belief that both tribal association and tribally-organised communities were optional became widespread.

This conception of tribalisation was a measure or index of individual and group tribal-ness. In the first decade of the twentieth century, Maori not living tribally were considered to be living as Europeans. By the 1920s, sections of Maori society, although still living communally, were considered detribalised. In the absence of a set definition of detribalised, it can be ascertained from the evidence that detribalised, in this era, referred to a breakdown of what was perceived as tribal structures. Subsequently, the word did not appear in the literature, and it was a general understanding that to live in customary communities was to live tribally, and to live separately from those communities was to exist non-tribally, but still be considered Maori.

These changes in terminology from living as Europeans, to detribalised, and to non-tribal were indicative of paradigm shifts in the thinking on tribes in relation to the supra-tribal ethnic identity, Maori. The first phrase implied that Maori were those who lived in a tribal community (a continuation of nineteenth-century thinking). The second suggested a breakdown of tribal structures, and the third encompassed understandings of non-tribal that ranged from Maori who did not reside in tribal communities through to those who did not have any knowledge of their tribal affiliations. Yet, in this last understanding both sets of circumstances that the populations referred to were clearly and identifiably Maori. This not only referred to socialising and organising as Maori, but it was also indicative that tribal affiliation was becoming more a matter of identity than of the community in which they lived.

**Social change**

The narrative of the tribe in the twentieth century is a story of social change. The overall pattern of change that the tribe experienced was the change in status from being the sole form of social organisation for Maori at the beginning of the twentieth
century, then a long period of diminishing importance, to regaining a position of pre-eminence in the latter part of the century. As with all the social change observed in this study, newer movements or trends did not replace existing social processes, but coexisted with them. For example, the trend towards the overarching ethnic identity, Maori, affected but did not supplant, the notion of personal identity created by tribal affiliation. The two different types of social change, evolutionary and introduced, were fundamentally different, both in origin and in effect.

The most obvious type was the change that resulted from the adaptation of Maori society to changing circumstances, a phenomenon that can be understood in terms of integration and modernisation. This type of social change has already been articulated here as adaptational. The other type, introduced change, was deliberately constructed and describes the introduction (rather than evolution) of a tribal formation. The most public forms of tribe evident by the close of the twentieth century were primarily constructed and introduced, rather than social formations that were an evolutionary product of social adaptation. The two types of change differed in these ways. Social forces exogenous to Maori society by the changing circumstances in which Maori found themselves generated adaptational change. Maori society had undergone adaptation in response to government policies of integration and land alienation, and the consequent socio-economic circumstances of their population. It was a reaction-driven type of change in which Maori agency was limited to making the best of externally prescribed situations. Introduced change, on the other hand, was driven by Maori political and social aspirations, with Maori agency being foremost.\textsuperscript{171} The other fundamental difference between the two was that introduced change was a one-off endeavour, whereas adaptational change was ongoing.

As previously noted, a newer type of social change did not replace former types. The introduced form of tribalisation imposed on Maori society coexisted with

\textsuperscript{171} This position is taken notwithstanding the ideological counter argument that the process was subverted or engulfed by global capitalism (Ruta, 2000). Regardless of the merits or otherwise of this argument, there was no evidence that Maori society was aware, or even cared about, such a consequence. With very few exceptions [the only Maori political activist to publicly espouse any form of economic determinism was the veteran politico Dun Mihaka (1989)], most Maori leaders embraced the opportunities that retribalisation presented.
evolutionary tribal forms that were products of adaptational change. The two types of change symbiotically exerted influence on the perceptions and conceptions of the tribe. They also became entwined, and once the constructed social organisation (the vehicle of introduced change) was established as a social entity, it took on a life of its own, and, in turn, became subject to evolutionary change. The end result was that there were two types of tribe and tribalisation, merging and competing, and often in a state of tension.

**The tribe, tribalisation, and social change**

Through these changes, the understandings of the tribe and Maori society were surreptitiously reconfigured. At the start of the twentieth century, Maori society was perceived as being composed of tribes, whereas by the close of the century, tribes were considered components of a perceived whole, Maori society. To express this another way, in 1900 the tribes were Maori society; by 1999, the tribes were but one feature of Maori society, undisputedly an essential one, but one of a number of competing identities and social formations. That is, Maori society could be accurately understood apart from its tribal components, a proposition that was neither accurate nor conceivable at the beginning of the century.

Along with the changes of status the tribe changed in form and function. This was an obvious development understood in adaptational terms with tribal organisations adjusting to the circumstances of the time, and with causes that can be traced in a historical sequence. What is less obvious was the change to the very fundamental nature of the tribe. As the century progressed, and Maori increasingly embraced modernisation, their society could not remain exclusively tribal. Consequently, the tribe as the fundamental paradigm for community organisation, and the tribe as identity diverged. Tribal affiliation remained the central, though not exclusive, tenet, of Maori identity. The tribe as the basis for community organisation, however, became progressively less influential, a trend that rapidly accelerated as Maori society was reconfigured from predominantly rural to predominantly urban. The tribe became primarily a conceptual community of interest.

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The notion of the tribe as a conceptual community of interest was an amalgam of parochialism, nostalgic romanticism, the common ownership of assets, and the power of tradition. All of these factors had the greatest effect on those who had spent their formative years in their tribal areas or those who, through family influence, had retained close links with their home communities. Therefore, with successive generations losing personal experience of the home communities, there was a strong possibility that, if the forces of adaptation had continued unabated, the tribe would have diminished in importance to the extent that it was not considered an essential part of Maori identity. This did not happen because the retribalisation movement disrupted this trend.

The divergence of the tribe as identity and community, as noted earlier, was effectively a breakdown of tribalisation. In reaction to this perceived diminishing of identity, the self-determining identity politics among Maori in the 1970s and 80s produced a counter movement of retribalisation. It was a concerted effort by the Maori leadership of the time to reinstate the primacy of the tribe as the prime vehicle for Maori social development. Retribalisation was the revitalisation of a latent concept. The rhetoric was couched in revivialist terms: it was argued that the tribes, iwi, were those enduring institutions that embodied the most natural, and therefore the most productive, form of Maori collective effort. It was also argued that if these attributes were widely recognised, acknowledged, and encouraged, then the tribe would be functional again as a focus of local self-determination. Tribal identity was taken for granted and it was considered that all that was required was a refashioning of tribal structures. This position proved simplistic. The reality was that, while there were vestiges of tribal structures in some communities, tribal structures were primarily conceptual, and a material form of tribe was required if these initiatives were to be successful. Government policy, and reaction to government policy, was used to revitalise the concept of tribal affiliation by promoting the use of kinship networks. It was also argued that tribal structures were more effective than government agencies at delivering services. To enable tribal structures to fulfill the promises and expectations of service delivery and social development, the concept had to be given substance. Retribalisation, consequently, entailed a combination of the revitalisation of the existing social entities and the
construction of new forms of sociality. The establishment of a conceptual customary social formation as a contemporary social entity irrevocably changed some of the foundational understandings of tribes and tribalisation. With the creation of a new form of tribe and new forms of tribalisation, a demarcation between the societal, political, and economic attributes of the tribe emerged.

The retrabilisation movement did not simply revitalise a diminishing form of socialisation. It created a new conception of the tribe, one that coexisted symbiotically with earlier conceptions. The interaction between the two was most evident as the introduced form of tribalisation that resulted from retrabilisation subsumed community organisation in rural tribal heartlands. The rural communities at that stage had been subject to, and were products of, adaptational change. In these locations, tribal identity was taken for granted and differences in the perceptions of the tribe were matters of private opinion that if debated at all, were debated or challenged in the context of marae oratory, discussion, and practices. With the formalisation of what were largely informal tribal structures, different perceptions had tangible and material consequences. It entrenched prescribed forms of tribe, which solidified all levels of social organisation. A group popularly understood as a whanau, regardless of size and attributes, could only ever be a domestic group. Similarly, and more contentiously, a group commonly understood as a hapu could only ever be a section of, but never the tribe.  

Retribalisation was designed to install the tribe as the vehicle for self-determination. It was a conception that positioned the tribe as an autonomous polity. It was an exercise in the centralisation of power at the level of tribe, iwi, with limited power delegated to sub-tribes, hapu. Adopting the terminology from the North American Native experience, this model understood the tribe as a First Nation. The locus of autonomy was therefore important and became a contested site. While the hapu had the same Treaty rights as an iwi, the iwi level was the preferred site of autonomy for government as well as for many Maori leaders. In a system based on prescription, a change of status could only come about through a group meeting prescribed criteria.

\footnote{172 This was the position at the end of the twentieth century. Future possibilities are discussed later.}
With very few exceptions, kin-groups had to operate within the status given their public designation.

Signs of dramatic change to the nature of membership became apparent as a consequence of the static nature of the introduced form of tribalisation. The two key elements of tribal membership, ahi ka and whakapapa, became distinctively separate, as opposed to conjoint elements of a whole. With the formalising of tribalisation (that is, retribalisation), membership became prescribed, and the conjoint elements of ahi ka and whakapapa had to be considered in isolation from each other. Prior to retribalisation, notions of tribal membership were tied to living within a tribally organised community in a tribal territory. With retribalisation, tribal formations became static rather than dynamic, with a resultant prescribed social structure. Tribal membership became prescribed, whereas formerly it was ascribed. Originally, a person was acculturated from birth into a tribal community, but, with the introduction of a prescribed form of tribalisation, a person, whether they lived in a tribal community, or not, was a member by virtue of descent. This meant, for example, that a person who met the genealogical requirements for membership of an iwi, but born and acculturated into, say an Australian city, was a fully privileged member of the tribe. This was a situation that was conceptually understandable with first generation expatriates but far more difficult to conceptualise with the second and third generation expatriates, especially when accompanied by marriage outside both tribal and Maori societies. However, with retribalisation, these people did not lose their rights to tribal property and identity as through non-residence in the tribal territory (loss of ahi ka). The formal establishment and recognition of these groups effectively created a perpetual form of tribal membership. Without the need to maintain residential connections with the tribal territory, tribal membership tended towards becoming akin to a property right, a shareholding in an inheritance of property and rights.

In describing this trend, it would be misleading to give the impression that the principle of ahi ka, claim to tribal territory through residence, somehow diminished

\[173\] A case could be made that a number of tribes of the Taiokerau once regarded as Nga Puhi became regarded as autonomous iwi, for example Ngati Wai and Ngai Takoto.
in importance or centrality to the concept, or the self-perception of the tribe. What has been argued here is that the nature of the membership of a tribe changed as a result of a prescriptive form of tribalisation being adopted, and, as a consequence, membership became contingent primarily on whakapapa. This qualification requires further amplification. First, it is a challenge to the nature of whakapapa, the conventional understanding of which incorporates kinship lateral links to living generations of relatives as well as to ancestral figures, both of equal importance. The pressure of prescriptive membership and the inevitable diminishing emphasis on any residential requirement for membership placed the dominant focus on descent from a founding ancestor. Second, an individual’s right to tribal membership is being considered in this section, not the tribe’s identity. For the tribe, somewhat ironically, the opposite focus has resulted from retribalisation. That was, a tribe could not be understood without a territory in the paradigm of retribalisation, but in pre-colonial and colonial times a tribe was a social entity that could exist in a state of dispossession for a limited time, a situation that is inconceivable in a retribalised society.

Retribalisation, with its imperative to understand Maori society solely in terms of the tribe, formalised and reinforced a static form of tribalisation. The attempt to conceptualise the groups that lived outside their tribal territories in tribal terms (as the term taura here denotes) ensured that expatriate groups would become diasporic groups of conceptually existing, established tribal formations, rather than new tribes. As such, these diasporic groups were manuhiri to the iwi of their place of residence. In terms of customary relationships, these outsider groups were manuhiri, and their protracted stay\textsuperscript{174} (permanent residence), with its accompanying accumulating status and natural increase, presented a political and demographic challenge to the tangata whenua, the local iwi. The entrenchment and formalisation of their diasporic/immigrant status presented a major challenge to the conception of the tribe.

The inadequacy of this type of conceptualisation was demonstrated not only through the difficulties of established tribal groups, (as well as of scholars and

\textsuperscript{174} Since the initial wave of urbanisation occurring in the 1950s, there are now fourth and fifth generation urban-born Maori.
governments) to categorise and interact with these groups, but because these did not conform solely to taura here status, they formed dynamic social entities in their own right. As noted earlier, tribalisation as the process of forming and reforming of social groupings continued in an unabated modified form until it was disrupted by the post-War out-migration. This dominating demographic trend had two contradictory effects on tribalisation. The depopulation of remote rural communities with the accompanying decline of customary communal practices happened at the same time as new groupings formed around centres of mass employment, first in provincial towns and then in the cities. After a period of social and cultural dislocation, this process resulted in the emergence of formalised, urban Maori collectivities.

In relation to tribal affiliation, there were two understandings of urban Maori groups. The first understanding positioned them as tribal members living outside their own tribal territory, and, as the whole landmass of Aotearoa/New Zealand was conceptually claimed as tribal territory, Maori who lived outside their tribal territory were residing in someone else's tribal territory. In any discourse on tribes and tribalisation, there was no tribally neutral ground or status for all Maori in every part of the country. One was either manuhiri or tangata whenua (see section on tribal membership in chapter one for a fuller explanation). It was a situation that cast urban Maori as both expatriates (for which there is no customary concept) and immigrants (see sections in chapters six, seven, eight, and nine for historical considerations of urban groups). The only other way of understanding expatriate Maori living in pan-Maori situations was to posit them in dichotomy to tribalised Maori, as non-tribal Maori.

Classification aside, collectivities emerged, that were identifiably Maori in membership and practice, a product of adaptational change. That is, they were a form of Maori collective socialisation that emerged in a non-tribal environment, an unwitting and instinctive tribalisation movement. It was also an informal movement that had no cohesion and simply consisted of scattered groups within the environs of the city. The introduced change of retribalisation affected this dynamic: the move to establish iwi as the vehicle for Maori social development drew attention to those Maori collectivities who did not readily fit into the recognised forms of iwi. The
most potent form of non-iwi collectivity to emerge from this era was the Urban Maori Authorities (UMAs) (see chapters seven, eight, nine).

To what extent could UMAs be considered tribes?

UMAs were not groups fundamental to understandings of Maori identity (as were iwi), but they were manifestations of Maori forms of tribalisation. Organisationally, however, UMAs fulfilled the same role as iwi in that they provided a centralised bureaucracy for the provision of services and asset management. They also provided a collective voice to the wider community for their constituent groups. The most developed and clearly defined example of this was Te Whanau o Waipareira Trust and Hone Waititi Marae (see chapter eight). The Waipareira Trust exemplified the administrative and conceptual form of collectivity or tribe, and the Hone Waititi Marae community was an independent, yet constituent, part of the West Auckland collectivity (see the evidence of Dr Peter Sharples in chapter eight).

UMAs were analogous to iwi not only in function, but in other ways as well. While UMAs were a product of government policy, they are also a clear example of Maori political aspirations taking control of government initiatives in order to produce a form of independence. Notwithstanding the historical conception of iwi, a similar explanation can be made of the retribalised form of iwi. In the context of the 1998 High Court Fisheries case (chapter eight), the telling difference between UMAs and iwi was whakapapa or genealogical descent. This obvious difference was, however, primarily a conceptual difference rather than a tangible difference. The only actual difference in genealogy was that UMAs could not\textsuperscript{175} claim descent from a founding ancestor. Yet in every other way, they displayed all the attributes of customary kin group collectivities or tribes. After fifty years of urbanisation, kinship interrelationships in the city were as complex and binding as those in tribal homelands.

\textsuperscript{175} They could not because most individuals (particularly the rural born generation) still perceived that they belonged to their iwi of birth. There was therefore very little desire to establish themselves as an iwi, at least in name. Not only was there little desire for this, there was no social mechanism for creating new tribes.
While the emergence of urban Maori groups could be explained in terms of social adjustment to urban environments, the uniquely Maori ambience and style of socialisation was symptomatic of urban groups being manifestations of evolutionary forms of tribalisation. It was a form of socialisation that was as informal as it was unwitting until the advent of retribalisation. The sudden introduction of the formalised tribalisation that entrenched iwi as the tribe also crystallised UMAs as tribal forms. They managed communally owned assets on behalf of their constituent groups, they delivered social services to their members, demanded Treaty rights, maintained membership registers, and followed customary practices. All in all, they were a visible and tangible expression of Maori communalism in cities. They were, for all intensive purposes, tribes in every way except in name and perception.

From the consideration of retribalisation, it was evident that conceptualisations of the tribe have been dominated by a structuralism that focused almost exclusively on the tribe as a social structure. Communities, as well as individuals, had to meet, or were measured against, constructed norms. These stereotypical static tribal forms and functions were imposed on a dynamically changing society. Ideally, retribalisation would create strong and vibrant tribal communities giving substance to and keeping alive the tribal spirit (bringing the two divergent aspects—identity and community-of tribalisation together). However, by the end of the century, the tribe as identity and the tribe as community were not the realities for the majority of Maori. Retribalisation had not provided a single form of tribe for Maori. Rather, it introduced an additional form of tribalisation. Through retribalisation the tribe as identity was strengthened in the sense of being simplified and consolidated. However, as there was an increased incentive for individuals to register their membership and declare their primary tribal affiliation, the individuals' right to tribal membership tended to lose its fluidity. While tangible signs of tribalisation in the form of tribal headquarters, tribal newspapers, and the like appeared, communities were no more cohesively organised as a result of retribalisation than they were prior to it. Maori land ownership and usage was still in the hands of individuals, and was still subject to the directions of the Maori Land Court. Marae trusteeship was still administered by Te Puni Kokiri, the Ministry of Maori Development, and many Maori continued to express their collective identities through pan-Maori
organisations. The real effect of retribalisation was to entrench one certain form of tribe and retribalisation to such an extent that it permanently supplanted all others in the public perception. It is improbable that these entrenched forms will be replaced or superseded by any other alternative form in the foreseeable future.

A point that should be made at this juncture is that the examination of retribalisation has not been an exercise to invalidate the process or the resultant tribal formations. However, what is challenged here is any argument that the validity of these formations was predicated on their replication of the past or in their inheritance as evolutionary adaptations of past formations of the tribe. It is held that the validity and strength of the introduced and prescribed forms of the tribe lay in their public recognition and acceptance.

Interlocking agencies

The twentieth-century narrative of the tribe demonstrated that the interlocking agencies of Maori society, government, and scholarship formed the perceptions and conceptions of the tribe. A detailed discussion of scholarship on the tribe is contained in chapter two. The details of Maori and the tribe are expressed both implicitly and explicitly throughout the thesis. The impact of the government on understandings of the tribe is less explicit from the text. Therefore, a summarised history of this interactive relationship is provided as a preface to the consideration of the interrelationship between these agencies.

The Crown176 and the tribe

The signing of the Treaty of Waitangi in 1840 signified an ongoing and formal relationship between Maori and the Crown. Maori at the time were, of course, considered in terms of their polities of iwi and hapu, tribes, which were personified in their chiefs, rangatira. This is reflected in the language of the Treaty. In the English version there are chiefs and tribes, but in the Maori version rangatira, iwi, and hapu. This and the fact that after its initial signing copies of the Treaty were taken around the country to be signed by as many chiefs as possible the Crown clearly recognised

176 The Crown was manifested first as the Governor and later as the government.

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tribes as autonomous polities. Although the government dealt with tribes separately, they were considered as representing sections of the aboriginal (Maori) population, and as such Maori were always regarded in a collective sense, as illustrated by the establishment of the Native Department (1873), the Native Land Court (1865), and the four Maori seats in Parliament (1897).

Ballara (1998) argues that the Native Land Court judges were very influential in entrenching the notion that the tribe was a static social formation as were theories of the tribe that were developed by early ethnographers (88-92).\textsuperscript{177} While these judges were instrumental in embedding the tribe into law, their work in individualising what was formerly communal land title had the effect of diminishing the status of the tribe. Kawharu (1992) argues that the individualisation of title led to the destruction of the tribal political system (223). This is an extreme statement in that it gives undue influence to but one of a number of factors that worked for or against tribalisation. However, individualisation operated against the communalism implicit in tribal societies. Another contemporary tribal leader, Sir Tipene O'Regan of Ngai Tahu, argued even more strongly that the Native Land Court and early nineteenth century politicians worked to destroy the tribe:

\begin{quote}
It is important that the tribal collective has a legal personality of its own ... It was that fundamental concept of a legal personality of a tribe that was attacked and in formal terms destroyed by the Crown and parliament in the 1860s. Henry Sewell the Prime Minister in his debate on that occasion said, “the first plank of public policy must be to stamp out the beastly communism of the Maori” (1997).
\end{quote}

Related to this process was parliamentary representation. Between the years 1859 and 1896, there was a property qualification for the right to vote. That is, Maori had to possess individual title to land before being eligible to vote (Sullivan, 367).

In the twentieth century, the government, regardless of the political ideologies of the party in power, found tribalisation problematic, from dealing with Rua Kenana in the 1900s to their reaction to iwi leadership in the 1990s. By their very nature, tribes

\textsuperscript{177} Ballara also notes that some of the Judges, notably Manning and Gudgeon, became writers of ethnography on Maori in their retirement.
potentially represented an alternative power base for government. The political right had problems with tribes because the collective nature of the tribe challenged the rights of the individual. Also, they found that too great an acknowledgement of the tribe could be seen as an acknowledgement of a partnership that implied shared sovereignty, autonomous control over assets, people, and territory (self-determination or tino rangatiratanga). The political left possibly had the same concerns but to a lesser degree, and these remained largely unvoiced. The ideological problem for the left was that the understanding of a class-structured society in terms of tribes with an implicit exclusive membership based on birthright was problematic.

In spite of the rhetoric of the pro-retribalisation protagonists and the ideological difficulties that governments faced with tribes, there was little evidence that they actively opposed the notion of tribes. Many Maori writers have credited the government with overt repression of the tribe Rangihau (1975), Kawharu (1992), O’Regan (1997), and Sullivan (1995). The position taken here is that these opinions overstate government’s intent and influence and underestimate Maori agency. Until the 1980s, government action can be described as discouraging tribalisation, but more often their actions were predominantly characterised by ambivalence.

Government influences on perceptions of the tribe were, for the greater part of the century, influential only to the extent to which they supported, or empowered, the tribe as local government. However, through the establishment of tribal trusts, the government (given their ambivalence) probably inadvertently entrenched collective tribal rights in law. It was in the latter part of the century, in reaction to the retribalisation movement that government had the most effect on perceptions of the tribe. The government accepted models of the tribe that were promoted by Maori leaders in the 1980s. The acceptance of certain forms of tribe had been influenced by the need to engage with Maori politically, as well as with the political agendas and philosophies of successive governments.

178 See discussion on Rata in chapter two.
Formal government acknowledgment that Maori social development centred on the tribe led to public acceptance of that institution. For example, many public bodies insisted on iwi recognition before agreeing to any Maori initiative within their jurisdiction. This reinforced the idea that tribes functioned as social and political entities. It can also be ascertained that governments found dealing with tribes problematic and continually sought to have them conduct their business and manage their assets according to government conventions. These pragmatic management requirements were accompanied by a strong imperative to dictate the shape, form and mandate of the tribe.

Maori understandings of tribe

Maori understandings of the tribe stemmed primarily from life circumstances. Being socialised into a tribalised society entailed a range of kinship relationships and obligations. While life experience resulted in intuitive understandings of kinship institutions, it did not provide the language, or even the imperative, to formally consider the formations and characteristics of the tribe. They were simply accepted as given. Quotes from the preface and conclusion of Ballara’s (1998) treatise Iwi implied that Maori knew instinctively all there is to know about iwi and hapu, the tribe:

and I am conscious that there are thousands of people out there who are greater experts than I am on Maori iwi and hapu: they are all Maori, who have first- rather than second-hand knowledge of the things I am describing (13).

Maori know what an iwi and what a hapu is (336).

This proposition requires considerable qualification, for while an influential proportion of the Maori population had been socialised into intuiting the entwined interrelationships between iwi and hapu, they were not the majority. In addition to those who did not know their tribal affiliation, many of those who grasped it only had a very rudimentary understanding of their hapu and iwi. This observation was

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179 The creation of a formal, public relationship, the Memorandum of Understanding (first mooted in 1999 and signed in 2001) between the University of Canterbury and Ngai Tahu, was an example of this trend.

180 The 2000 census is in print.
confirmed by the studies of the 1940s and 1990s, as a wide variation in tribal affiliations among Maori was revealed (see chapters five and eight).

Those who intuited their tribalisation accepted that the tribe consisted of whanau, hapu, and iwi. Intuitive understanding referred variously to whanau, hapu, or iwi according to context, but it did not necessarily mean that a stereotypical structure had been adopted or internalised. An individual was a whanau member either by adoption or birthright. The whanau was part of a village, kainga, which understood itself in terms of being a hapu or group of hapu. These hapu acknowledged an affiliation to an iwi or possibly several iwi. This understanding of the tribe was valid, even taking into account that progressively fewer Maori lived communally. Those who may have subjectively understood the interrelationships between hapu and iwi were not necessarily able to articulate the differences between the two. In fact, the intuitive nature of their understandings possibly precluded them from concerning themselves with any differences or inconsistencies between their understandings of iwi, hapu, and tribe, and their life circumstances.

Intuitive understandings were one thing, but the imperative for tribally centred development required a clear articulation of tribal functions and structure. For this, Maori adopted the terminology and understandings of academia, as evidenced in the arguments and counter-arguments on iwi and hapu presented in the Fisheries case at the High Court in 1998 (see chapter eight). Complications in definitions and understandings also arose from the constitutionalisation of the tribe process that was a side effect of the iwi development policies of the 1980s (see chapter seven), or, to describe this phenomenon another way, constitutionalised tribal structures were a by-product of retribalisation.

Maori were obliged to use terminology and explanations with which a wider society was familiar. As such, they internalised the generalised definitions with scant regard for any consideration that did not accurately depict their own communities. They also adopted scholarship that validated their promotion of the tribe and that adjusted definitions to meet the requirements of government policy. And, as a minority that was relatively powerless, politically, until the latter part of the twentieth century,
Maori had to operate within the parameters of government policies that seldom reflected their interests. Governments did not simply respond to Maori political demands, they were pursuing an agenda of their own. There was a cause and effect syndrome in the inter-relationship between government policy and Maori political aspirations. While government attempted to manipulate Maori leadership and cultural institutions, Maori leadership lobbied and manipulated scholarship and the national political system to strengthen the position of their tribes.

Scholarship on the tribe (as explained in chapter two) was dominated by the functional, structural discourse on the whanau, hapu, and iwi. Learned perception was a combination of the prevailing international ideologies of the time and of those peculiar to New Zealand. Among the latter the ideology of biculturalism was specifically important (Sissons, 1995). In addition, early seminal scholarship produced the hierarchical and pyramidal structure of iwi, hapu, and whanau that was stereotyped and used in the retribalisation discourse by both Maori and government. As noted in chapter two, because of the stereotyping of the structures, the titles (whanau, hapu and iwi) also became stereotyped and, as a consequence, inflexible. These understandings impacted on Maori social and political imperatives, including the interrelationship between Maori and the Crown. Along with scholarly publications and influence on the national education curriculum, research activities in Maori communities and consultation for government exerted considerable influence on understandings of the tribe, and were, in turn, influenced by prevailing ideological trends, as well as Maori political activism and trends in government research funding.

These three sets of agency (Maori, government, and scholarship) interacted to the point of becoming interlocking forces of influence on the conceptualisation of the tribe. The inter-relationship between government, scholars, and Maori was a multi-faceted one of opposing, and yet mutually concerned, agendas. The government did not simply respond to Maori political demands without pursuing an agenda of its own. Conversely, Maori were not simply helpless victims of government hegemony. Government notions of the tribe were derived from models produced by academics,

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181 The works of F Keesing in the 1920s, Buck in the 1940s, Schwimmer and Metge in the 1960s, and Sorensen, Walker, Kawharu in the 1970s and 1980s illustrate this interaction.
and their reactions to the tribalisation were influenced by Maori political activism and the obligation to provide responsible government for Maori. Academics, both in their scholarship and advocacy roles, created conceptions and perceptions of the tribe as much as they reported on them. The interlocking agencies of Maori, government, and scholarship is clearly evident in the retribalisation of Maori society that became evident in the 1980s and reached a level of consolidation in the 1990s.
The cycle of interacting influences that formed perceptions of the tribe

Government perceptions formed by:
  a) Electoral politics (public opinion)
  b) Political ideologies
     (conservative, liberal, Marxist)
  c) International trends -
     UN (charter of Human Rights,
     anti-colonialism, indigenous rights

Maori perceptions formed by:
  a) Tradition
  b) Life experiences
  c) Social imperatives

Scholarly perceptions formed by:
  a) Prevailing ideologies
     Marxism (neo-Marxist)
     Post-modernism
     Post-colonialism
     Social Darwinism
  b) Field research

Policy Funding

Political action
Social needs

Publications
Advocacy

Policy
Research funding

Publications
Curriculum control
Research

Political activism
Ethnographic interest
Concluding commentary

In this section, the survival and the future of the tribe is considered, followed by concluding remarks.

The tribe into the future

In both intention and substance, this thesis presents a historical examination of the conceptualisation of the tribe. Yet through this study, or because of it, it is possible to make predictions about the tribe and tribalisation into the future with a degree of confidence and certainty because there are only a limited amount of options. Choices are limited because the dominant form of tribe is a static one that was so entrenched by the end of the twentieth century that all others diminished into insignificance.

The concept of tribe in Maori society endured the forces of incorporation and modernisation in the twentieth century because it was the essence of Maori identity, rather than the way that Maori lived. All indications are that the tribe will survive into the future for the same overall reason in principle, however, with a number of differences.

The tangible forms that kept the notion of tribe viable were commercial assets (tribal trusts, land incorporations, and the like) and cultural assets (marae and associated customary practices for example). These collectively owned assets provided a physical expression of identity. Their very existence and the requirement for management sustained the notion of tribal entities. With retribalisation, the acquisition of assets has increased considerably. These include the acquisition of political assets (articulated as Treaty rights) such as customary fishing rights and government recognition, which in turn, have materialised into considerable amount of fiscal and property assets, and accompanied by considerable political influence. Through this tribes have acquired the wherewithal to be relevant in contemporary society, and thus ensure their survival into the future.

By the close of the twentieth century, the introduced form of tribe was a recognisable feature of New Zealand society. It had become integral to contemporary
Maori society and increasingly to New Zealand society,\textsuperscript{182} Casual forms of tribe, already overshadowed by the newly accepted form of tribe, will be totally subsumed by it with the passage of time. Although they are subsumed, other forms of tribalisation will continue to be potent social forces, while being largely unrecognised and unarticulated. Not only is there no social mechanism to recognise alternative collectivities as tribes, they could not, and cannot, ever be conceived as tribes in this paradigm of social organisation. The likely result is that Maori society will be further dichotomised into tribal and non-tribal individuals and tribal and non-tribal groupings.

As the tribe in its introduced form is a prescribed social formation, it can only evolve within the limits of prescription and the necessity for formal interaction with external agencies such as central and local government, and commercial interests that cause tribes to become more, rather than less, formally organised, and thus more prescriptive. Changes in status are possible in this paradigm but it will be managed change rather than evolutionary change. It is conceivable, for example, that a group presently regarded as a hapu or whanau could, given the right circumstances,\textsuperscript{183} become an iwi\textsuperscript{184}. This raises the issue of how the change would be decided. At the end of the century, it was motivated from within Maori society, but it is questionable if this internal impetus can survive into the future. The most probable eventuality is that a group will be forced to undergo a validation process to meet certain prescribed criteria including recognition by the government and established iwi. Two additional points need to be raised at this juncture. First, groups understood as hapu and whanau could conceivably become publicly understood as iwi because they exist in the prescribed form of tribe, whereas other forms cannot. The second point is that any other forms of social collectivity, such as UMAs, could conceivably gain equal status in terms of rights to that of an iwi, but never be iwi. This is because the tribe is now a reified form of social organisation, and, as such, cannot accommodate any deviation from the paradigm of prescription.

\textsuperscript{182} Without being sidetracked into a tangential argument, it is assumed here that as the tribe is relevant to Maori, it is, by implication relevant to New Zealand society as a whole.
\textsuperscript{183} Possible circumstances would probably have to include some historical precedence and a group claim to property or rights, a sizable membership, and collective desire coupled with determined leadership. In other words, while it is conceivable, it would be an extremely rare occurrence.
\textsuperscript{184} Iwi is a sought-after status as it is the locus of political autonomy.
Membership

Registration of members will become a requirement rather than remain optional. At the end of the twentieth century, there were strong political incentives to have as many members as possible. The greater the numbers of publicly affiliated members, the more political influence an iwi was likely to command. As eligibility to share in tribal assets is contingent on membership, proof of membership would have to become more formalised than it is at present, and is therefore a possible source of litigation.

There is also pressure from the Crown to ensure that iwi cater for all their members.\(^\text{185}\) While there are compelling reasons for iwi to cater for their diasporic communities the Canadian experience suggests that catering to non-resident (off-Reserve) band members results in\(^\text{186}\) contests for scarce resources, which in turn led to bitter litigation between parties. This experience suggested that when rights and benefits were distributed membership was acknowledged quite freely. Because of this, there could possibly evolve a conceptualisation of two levels of membership, full membership for those members who reside in the tribal territory and a secondary form of membership for expatriate members.

Governance

Interrelated with membership is the issue of tribal governance. In the previous section, the rights to membership were considered, but in this section the rights of members are considered. The notion of tribal government is currently in its infancy and most accurately described as management, rather than government. Tribal structures include business entities for the management of assets, claims committees for the management of Treaty claims, and iwi representative bodies in the form of runanga. There will be incentives (including government pressure) to manage

\(^{185}\) The 1998 High Court decision on the allocation of the Fisheries settlement is an example for the Crown’s concern, see (chapter nine).

\(^{186}\) In June 1985, the Canadian government in an effort to bring the Indian Act into line with their Constitution and Charter of Rights & Freedom and introduced a number of amendments, popularly known as Bill C-31, which were aimed at reinstating lost status and allowing bands to formulate their own policy on membership. The bill met with such strenuous opposition from Indian leaders it has not been yet been passed. Indian leaders that wanted to have a direct say in who was to be given status (Dempsey, pp. 26-7).
resources by following accepted business practices. As members become more familiar with the idea that they are shareholders in large commercial enterprises, there is likely to be closer scrutiny and demands by members for increased economic performance of assets. One of the imperatives underlining Treaty claims was the avoidance of fragmentation of assets through individualisation, a trend consistent with the concept of collectivism that is implicit in tribalisation and one of the pillars on which contemporary tribalisation is founded. This trend is likely to be perpetuated.

The platform on which the management of assets has been set will continue to become increasingly sophisticated,187 but what has not been addressed, at any great level of sophistication, are the rights of the membership. In accepting an introduced form of tribe in contemporary society, there is an inherent tension between the right of the individual and the collective right of the tribe. Had the tribe been a product of an evolving society, there might well have been an adaptation of customary forms of expressing individual rights within the paradigm of collectivity.

The ideal of operating for the common good falls short in practice. This is mainly because most Maori have lived non-tribally for several generations and, during this time, the notion of individual rights has become firmly entrenched. New tribalisation has not developed a mechanism to cater to the entrenched individualism within the prescriptive form of collectivity. This conundrum raises the question, can the tribe, which is fundamentally centred on collective rights and exclusivity, be democratised? It is both conceptually possible and feasible but the signs suggest that there will be ongoing contests of mana and for both political and property rights. If the present ambiguities of membership rights are not resolved, as tribes acquire more assets, an increasingly litigious environment will result. At present, most public disputes have been over property and territorial rights and have been between tribes. In the future, disputes within tribal groups are likely to become more common.

With the reinstatement of 'status' to former band members through the Bill C31 amendments, there is a constant tension between providing for the long standing Band members and the reinstated ones.

187 This observation is a comment on the level of sophistication and bears no relationship to the ability of tribal management structures to succeed.
Structure

The stereotype is that the tribe is a three-tiered social structure: iwi, the tribe, being made up of hapu, sub-tribes, and hapu consisting of whanau, families. However, in practice, there are signs of various subtle reconfigurations. One variation is that sub-units are more likely to be a group of hapu based on a geographic subdivision of a tribal territory or a customary location (often articulated as marae) than a single hapu. In smaller iwi, whanau are likely to communicate directly with the iwi rather than through a hapu. These are signs of a shift from a three-tiered system to a twotiered system, that is, individuals will express their tribal rights either through whanau directly to iwi or directly through hapu (missing out the whanau level) to iwi. The stereotype of whanau, hapu iwi will remain the ideal, but will be very rarely manifested.

The tribe survived through the twentieth century because it remained relevant to Maori society. Initially, because it was a continuity from the past, the institution was the way that Maori society was conceived and organised. It retained its relevance because it remained central to Maori identity to the extent that it could be revitalised into new forms when the political climate became suitable to tribalisation. By the end of the century, the tribe had become more relevant for Maori because it controlled access to substantial assets and political rights. The tribe also became relevant to the wider New Zealand society and the international discourse on indigenous rights. It has been concluded here that this increased acceptance combined with the reified nature of the contemporary tribe, will assure its survival into the future. It would be very difficult, if not politically impossible, for the non-Maori polity to reject the tribe in a global society increasingly concerned with human rights and indigenous rights. As a prescribed and static social form that primarily manages assets, rather than a demotic way in which Maori organise their communities, the survival of the tribe is assured regardless of how Maori society may change in the future.

This thesis has explored the perceptions, conceptions, and realities of the tribe in Maori society in the twentieth century. It has argued that during the twentieth century the tribe as identity and the tribe as the organising paradigm of Maori
society diverged, and that conceptualising this development is the key to understanding the tribe in the twentieth century. It has also maintained that failure to take this social movement into account has resulted in a-historical conceptualisations of the tribe. It has also been established that, while the retrabilisation movement successfully introduced a new form of tribe and tribalisation, it did not recreate a totally tribalised society. What it did succeed in doing, however, is entrench an ideology of tribalisation that excluded all other perceptions and conceptions of the tribe and has ensured that the tribe will be a feature of Maori and New Zealand societies into the future. Finally, it has identified that perceptions and conceptions of the tribe in the twentieth century were formed through the interacting and interlocking agencies of Maori society, scholarship, and government.
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Defendant: Treaty of Waitangi Fisheries Commission

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Plaintiff: Te Runanga O Muriwhenua, Te Arawa Maori Trust Board and Te Kotahitanga o Te Arawa Waka
Defendant: Treaty of Waitangi Fisheries Commission

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