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**Māori Issues**

In a year when tensions between Māori and the government were increasing, hosting the Rugby World Cup was a welcome albeit temporary distraction. Despite a strong Māori presence at the opening and on the New Zealand All Blacks team, displays of racism marred the event on more than one occasion. This very
destructive characteristic of New Zealand society is becoming more pronounced as Māori success is being perceived by some as a threat to the white supremacy that has thrived in New Zealand for over a century and a half. It surfaced on several occasions during the year, most notably in Pākehā (European) media, in some court decisions, in industrial disputes, in Treaty of Waitangi “settlements,” in government policy, and in the actions of several government agencies. In the November general election, the most telling result was the very low Māori voter turnout of 49 percent (New Zealand Parliament 2011). The Māori Party lost a member of Parliament, reducing its numbers to three, but once again they joined the National Party–led coalition government. The new Mana Party has only one member in the House, with the remaining three Māori seats going to the Labour Party (Electoral Commission 2011). During the year, the government pushed through “settlements” of five iwi (tribal groupings), which legally extinguished their treaty claims. A further four have had similar “settlement” legislation pending in Parliament (ots 2012). As a result of the Crown’s relentless drive to extinguish all historical claims, the Waitangi Tribunal has been inundated with claims opposing the so-called settlements, to the point that it has had to put other work on hold (Waitangi Tribunal 2012).

The Rugby World Cup riveted the nation for two months. The opening ceremony was dominated in spectacular fashion by the Māori face of the country, and twenty traditional waka (war canoes)—one for each nation represented—were out in force on the Wāitematā Harbour in Auckland. Māori appreciated the chairman of the International Rugby Board, Frenchman Bernard Lapasset, speaking Māori as he opened the tournament, even if it did highlight the fact that Prime Minister John Key chose to ignore the Māori foundation of the nation when he spoke. The country was euphoric when the All Blacks eventually won the World Cup, narrowly beating the French in a nail-biting final. There were eight Māori on the thirty-man team. Piri Weepu was named Man of the Match in the quarterfinals against Argentina, and Israel Dagg was named one of the five players of the tournament.

It was therefore disappointing that the racist underbelly of New Zealand society was in evidence against Māori and our Pacific cousins during the tournament. Members of one of the waka crews, including young women, were physically and verbally attacked when they came ashore on the overcrowded Auckland waterfront during the opening ceremony; several required hospital treatment. Meanwhile the Tongan, Samoan, and Fijian teams felt particularly disadvantaged with a draw that treated them unfairly by having only short times between their games while the opposition had a week. Then there were the International Rugby Board rules, which prevented a number of outstanding Tongan, Samoan, and Fijian players from playing for their own countries (Taonui 2011). Biased refereeing against these Pacific Island teams is common, and when the Samoan center angrily pointed out the racism of a Welsh referee and refused to back down, he was suspended.
Nowhere is racism more clearly evidenced than in Pākehā-controlled media. Totally unacceptable socioeconomic statistics for Māori (McIntosh and Mulholland 2012) are often quoted with no analysis or history of the causes provided. Yet the successes of an increasing number of Māori and Māori organizations in areas that were traditionally the preserve of Pākehā are rarely mentioned. Positive reports about Māori rising to the top of professions and about Māori organizations established to look after the economic well-being of their hapū (group of extended families) and iwi (group of hapū) making substantial gains are fully covered by Māori news media. Yet if Pākehā media cover these stories at all, there is usually no acknowledgment that the person or group is Māori. What is newsworthy for Pākehā is the chance to vilify or demonize Māori who succeed, often deliberately misreporting them. Māori academics have long been subject to such treatment, as are Māori judges and lawyers. Such reports invariably bring out the worst in Pākehā who feel threatened by Māori success.

In September, immediately before the Rugby World Cup, the Sunday Star Times, a Pākehā weekly newspaper, misreported what I, as the Professor of Māori Studies at the country’s largest university, had told their reporter when I commented in an interview on the fact that white immigration had done far more damage to Māori than Asian immigration (Hill 2011). The attacks in the Pākehā media and via e-mail started immediately, and when I corrected the misreporting, they became even more strident (Abel and Mutu 2011, 7–8). This reporting contrasted sharply with the more balanced and factually based reporting by Māori media in which commentary focused on the need for the country to recognize and address the damage that racism causes (Mutu 2012a). Similarly, the Taranaki Daily News misquoted Māori language lecturer Keri Opai, who referred to the atrocities suffered by Taranaki Māori as a holocaust (Radio New Zealand 2011). The Pākehā media vilified him, but he was in good company; the Waitangi Tribunal made the same reference in 1996 (Waitangi Tribunal 1996) and had been similarly vilified.

Yet when the Weekend Herald, the sister publication to the country’s largest daily newspaper, the New Zealand Herald, published a vitriolic diatribe against Māori written by a prominent Pākehā broadcaster, it was Māori who had to take action to have the damage repaired. Paul Holmes’s opinion piece (Holmes 2012), while initially aimed at protestors who were following a long Waitangi Day tradition of highlighting injustices against Māori, went on to attack all Māori. Taitokerau MP Hone Harawira’s response, published four days later, described the Holmes piece as “mean and nasty,” “deliberately offensive and uncaring,” and certain to “hurt a lot of people” (Harawira 2012). In the New Zealand Press Council decision upholding seven complaints filed against the article and the newspaper, Holmes’s statements of “hopeless failure of Maori to educate their children and stop them bashing their babies” and “raid a bit more kai moana [seafood] than they need for the big, and feed themselves silly, speak of the injustices heaped upon them by the greedy
Pakeha and work out new ways of bamboozling the Pakeha to come up with a few more millions” were described as “inaccurate,” “beyond what is acceptable,” and “a gratuitous offence to Māori” (New Zealand Press Council 2012). Unfazed, the Herald went on to publish equally inflammatory remarks from the right-wing ACT party’s largest donor, Louis Crimp, in an article entitled “Act Backer: We All Dislike Maori” (Fisher 2012). An emerging opinion being expressed is that racism is a Pākehā problem and it is not the responsibility of Māori to fix it (Mikaere 2011, 68).

In October, Tauranga Moana hapū were faced with an escalating environmental disaster following the grounding of the mv Rena, a 47,230-tonne container ship carrying over 350 tonnes of toxic oil. It smashed into the reef Ōtaiti (Astrolabe Reef), which is the traditional fishing ground of Te Patuwai hapū of Mōtīti, the island immediately adjacent to the reef. A storm hit the area in the following week, resulting in most of the oil being spilled into the sea and more than eighty-eight containers going overboard (Akuhata 2011). Local hapū and iwi were initially ignored by government officials struggling to cope with the disaster. The environmental impact affected the whole of the Bay of Plenty and spread some way down the East Coast region, highlighting how unprepared the country is to manage such disasters. It took some time for officials to start recognizing that the extensive knowledge held by local Māori was essential for a successful clean-up operation (Waatea News 2011).

Early in 2011, Te Whānau-ā-Apanui had authorized a flotilla of vessels to shadow the vessels of the Brazilian oil giant Petrobas, which the government had allowed to explore for oil in their sea territory (Mutu 2012b, 188). Apart from the fact that the oil belongs to the iwi, the greatest concern was the potential for a major oil spill. The mv Rena incident confirmed fears that the country could not manage such a disaster. The government had attacked Te Whānau-ā-Apanui, sending in the navy and the police to arrest the skipper of one of their boats. In July 2012, the case was thrown out of court because the New Zealand government has no jurisdiction in that part of Te Whānau-ā-Apanui’s seas (Bay of Plenty News 2012).

In another prominent case, the outcome confirmed the courts’ preference to incarcerate Māori, even for minor offenses (Webb 2012, 250–251). The long-awaited trial of the four people arrested and charged as a result of the police terrorist raids into Tūhoe country in 2007 took place in March 2012. It saw the jury hung on the more serious charges and only some of the minor firearms charges upheld. The two-and-a-half-year prison sentence handed down in May to two of those charged appeared to confirm the increasing concern that many Māori prisoners are in fact political prisoners.

Increasing anger with the newly elected National Party–led government and long-running industrial disputes saw large numbers turn out in cities around the country for the Aotearoa Is Not For Sale protest march earlier in May. Its aim was to demonstrate
public opposition to privatization and the continued selling of the country’s natural resources, land, and public services to private investors. Large blocks of land are increasingly being made available for purchase by foreign companies and individuals rather than being returned to their rightful Māori owners. The aggressive oil drilling and mining tendering process that saw such vehement protest from Te Whānau-ā-Apanui is being extended throughout the country. Major industrial disputes were taking place at the Ports of Auckland and in AFFCO meat-processing plants around New Zealand where the overwhelming majority of the workers are Māori. Treaty “settlements” were continuing to divide Māori communities, and Māori were leaving the country in the thousands, heading mainly for Australia, looking for work and respite from the increasingly oppressive racism in New Zealand.

In the Ports of Auckland dispute, an injunction issued by the Employment Tribunal in March ensured that striking workers were not made redundant and that collective bargaining continued over their work conditions (Anglican Diocese of Auckland 2012). In the AFFCO disputes, which saw large numbers of workers locked out around the country, iwi leaders who had been meat workers themselves broke the deadlock by bringing the company owners and the workers together in one room in May and not allowing them to leave until a resolution was reached (National Iwi Chairs’ Forum 2012, 9–10). On the treaty “settlements” front, the Waitangi Tribunal issued a memorandum stating that the unprecedented increase in applications against pending settlements was having an impact on the tribunal’s other inquiries and report writing, causing unavoidable delays (Waitangi Tribunal 2012).

Despite the growing opposition to these so-called settlements, the government continued to push ahead with them, convincing claimants that they had no alternative but to accept the very mean and unfair terms it had unilaterally decided. Legislation was passed extinguishing all the historical claims of Ngāti Manawa and Ngāti Whare (of the Central North Island); Ngāti Pāhauwera (Hawkes Bay); and Ngāti Porou (East Coast); and legislation was introduced into the House for Ngāti Manuhiri (Northland); Ngāti Whātua o Ōrākei (Auckland); Ngāi Tāmanuhiri (East Coast); Maraeoa Block (Central North Island); and Rongowhakaata (East Coast) (OTS 2012). While the names of the settling bodies would be entered onto the titles of some of the sacred sites that had been stolen from them, the settlements do not allow full authority and control or even privacy with respect to the lands to be returned to those iwi. Those settling must maintain public access to almost all of these sites, effectively guaranteeing their continued desecration. Small monetary provisions ranging from NZ$1.6 million to NZ$110 million [NZ$1 = ~US$0.82] are also made in the legislation (OTS website: Deeds of Settlement), although the government will retain most of this. Rather than simply relinquishing the lands they have stolen, the government forces the iwi to buy back the very small proportions of the land that it has decided it is prepared to sell to them (Mutu
The monetary provision made is never enough to purchase all lands offered. Rather, the already impoverished claimants are expected to find money from other sources to pay the government the ransom money it demands if they want their lands returned.

Meanwhile, apart from the urgent applications opposing these extinguishments, the Waitangi Tribunal is also hearing other urgent contemporary claims. Most hotly contested is the claim to fresh water. Māori have mana (power and authority derived from the gods) with respect to all their natural resources, which includes proprietary rights to, and ownership of, their own waterways. The claim is urgent because the government is pushing ahead to sell 49 percent of its power-generation companies, and these companies rely on water to generate power. Māori are insisting that, prior to any sale, their interests in and legal rights to the water be clarified, acknowledged, and provided for. The government is refusing to discuss the matter, asserting that no one owns the water. The Waitangi Tribunal has previously ruled that Māori own water (Waitangi Tribunal 1984), and if the government ignores the tribunal this time, as it has done repeatedly in recent years, this matter is likely to end up before the High Court.

In the meantime the tribunal has set a precedent by agreeing to hold hearings for orders to force the government to return land and to pay compensation to claimants. For many years the tribunal refused to hold such hearings because of threats from successive governments to remove their legal powers if they ever did so (Hamer 2004, 7). In May 2011, the Supreme Court quashed a decision by the Waitangi Tribunal not to hear an application for orders from the Mangatu Incorporation (Supreme Court 2011). This opened the way for Māori to exercise their legal right to have the tribunal make such orders. The government fought bitterly to stop the tribunal from hearing the Far North iwi, Ngāti Kahu. It failed, and the hearing has been scheduled to go ahead in September 2012.

References


Hamer, Paul. 2004. A Quarter Century of...


-affected-and-last-consulted [accessed 12 August 2012]


———. 2012. Memorandum-DireCTIONS of the Presiding Officer, 24 April (Wai 2364).


RAPA NIU

“¡Fuera la Schiess! ¡Fuera! ¡Fuera Platovskiy! ¡Fuera! ¡Fuera Chilenos! ¡Fuera! ¿Cuándo Inmigracion? ¡Ahora! ¡Horo te henua! ¡Horo te vaikava!” (Get out Schiess [family]! Get out! Get out Platovskiy! Get out! Get out Chileans! Get out! When immigration [laws]? Now! Demand the island! Demand the ocean! Demand the ocean!) These exclamations, first yelled by leaders and then collectively yelled by more than a hundred Rapa Nui people in cars and on foot, were repeated, with some variation, over and over for more than an hour during a march along the main streets of Hanga Roa town on 23 July 2011. They are symbolic of many of the sociocultural and political concerns articulated in Rapa Nui during the year under review.

On the first and second days of August 2011, international and national organizations concerned with indigenous peoples and local groups met at the auditorium of the public school Lorenzo Baeza in Rapa Nui for two days to discuss indigenous human rights issues and social problems confronting the Rapa Nui people. The majority of the Rapa Nui community was in attendance. The meetings, officially entitled “Indigenous Peoples’ Human Rights: Implications for the Rapa Nui People,” were sponsored locally, independently of the Chilean state-organized municipality and governor’s office, by leaders of Rapa Nui hua’ai (clans/extended families), Parlamento Rapa Nui, Consejero Nacional Indígena Pueblo Rapa Nui (CONADI), and Makenu Re’o Rapa Nui Women’s Organization. At the request of the local sponsors, two nongovernmental organizations helped facilitate and develop the proceedings: Observatorio Ciudadano (which is concerned with Chile’s indigenous peoples) and the Indian Law Resource Center of Washington DC (which provides legal representation for indigenous groups throughout the Americas). Jose Alywin, Consuelo Labra, and Nancy Yañez were the leading representatives of Observatorio Ciudadano.

The Indian Law Resource Center was represented by its founder and executive director, attorney Robert “Tim” Coulter, and by Leonardo Crippa, the center’s attorney who filed precautionary measures at the Inter-American Commission on Human Rights amid the 2010–2011 occupations and political demonstrations of Rapa Nui against Chile. In addition to myself, there were three official international observers of the proceedings: Clem Chartier, president of the National Council of Métis Aboriginal Peoples of Canada; Alberto Chirif, a Peruvian