Political Reviews

Micronesia in Review: Issues and Events, 1 July 2014 to 30 June 2015
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Māori Issues

We lost a number of well-known Māori leaders in the past year. Henare Rakiihia (Rik) Tau, a Ngāi Tahu leader, passed away at the end of June 2014. He filed the Ngāi Tahu claim against the Crown in 1986 and was the driving power behind the success-
ful hearings of the claims and their eventual settlement. Amster Reedy, a Ngāti Porou leader, passed away in September. He was an expert in ancient Māori rituals and was called on as the kaumātua (expert elder) and cultural advisor to New Zealand teams for four Olympic games. In October, Jonathan Mane-Wheoki, of Ngāpuhi, Te Aupōuri, and Ngāti Kurī descent, passed away. He was a professor of fine arts and one of New Zealand’s leading art historians. Rāhera Barrett-Douglas, Ngāti Maniapoto, also passed away in October. She led her iwi (nation) as the chair of the Ngāti Maniapoto Trust Board in the 1990s. In November, it was Eru Thompson, a Tainui leader. He was an acknowledged and respected historian and traditional expert whose knowledge and wisdom were sought after throughout Tāmaki Makaurau (Auckland). In February 2015, both Apirana Mahuika, Ngāti Porou, and Tama Huata, Ngāti Kahungunu, joined their ancestors. Apirana Mahuika led his iwi as chair of Te Rūnanga o Ngāti Porou from its establishment in 1987 until his death. Tama Huata was an outstanding leader in Māori performing arts; he founded the Kahurangi Māori Dance Theatre and the Waiata Māori Music Awards. In May 2015, there was the sudden passing of Erima Henare, a Ngāti Hine leader. He was an acknowledged expert and authority on Māori language, history, traditions, genealogies, and laws, particularly in Te Tai Tokerau (the North); he was also the chair of the Māori Language Commission. Mauriora Kingi, Te Arawa, passed away suddenly a month later. He was a respected and influential advisor of local and central government on Māori law and culture and served as the Rotorua Lakes Council’s director on Māori matters. We bade each of them a peaceful journey as they traveled to rejoin their ancestors in far-off Hawaiki.

Leaders of the caliber of these people—who spend a great deal of their lives in the service of their whānau (extended family), hapū (grouping of whānau), and iwi (grouping of hapū, nation) as well as the wider community—are greatly sought after. Most often in the Māori world they are identified at a young age and trained by their elders to take over the mantle of leadership at an appropriate time. Whakapapa (genealogical) links are very important. The English words lead and leader are considered inadequate descriptors for the role and the people we refer to as our rangatira. This word provides some insight into the role: ranga is a shoal of fish that swims in unison; tira is a group of people. The derivation raranga is to weave. Rangatira are those who weave the people together so that they move in unison (Mutu 1992, 60). Their role has nothing to do with either the assertion of power by one (or some) over others or notions of hierarchy, superiority, and dominance (Mikaere 2010)—meanings that are inherent in the English word leader. Rangatira require attributes of integrity, generosity, and humility, the abilities to listen to and take the people with them, to keep their word, and to enhance the mana (power and authority derived from the gods) of the people (Diamond 2003). Māori societal values including mana, tapu (spiritual power or protective force), tikanga (correct way of doing things, law), whanau-
ngatanga (kinship), and rangatira-tanga (exercise of mana) determine how rangatira conduct themselves and carry out their roles.

True rangatira these days are the heads of their whānau and hapū. Sometimes iwi leaders are rangatira, but the imposition of Pākehā (European) legal structures on iwi bodies as part of the treaty claims settlement process makes it difficult for them to adhere to Māori values that define the role of a rangatira. Processes imposed by these structures for appointing the organizational leaders favor those who have experience in Pākehā organizations, particularly government departments. Those who are able to get around the assimilationist aims of these structures are the ones who put their people’s needs ahead of Pākehā demands, who know and understand their people and their whakapapa, their customs and traditions, their lands and resources, their relationships and obligations to neighboring and related whānau, hapū, and iwi; how to settle disputes; and how to represent their people with pride and dignity. They work for little or no financial reward, their hours of work are endless, and most are only known within the Māori world (Knox 2003; H Mead and others 2006; A Mead 1994).

Part of the colonizing agenda of the British was to replace Māori society and culture with their own and in doing so to assimilate and redefine Māori leadership. British histories written about early European encounters with Māori denied the role of women as rangatira (Mikaere 2010), inflated the status of those rangatira who were willing to accede to the visitors’ directives (Mutu 2012b, 103), and demonized those who put the well-being of their people ahead of the desires of the foreigners (Henare 1989). Since the mid-nineteenth century, the British tried either to recruit young Māori leaders to retrain them or to train young Māori and then declare them to be Māori leaders. These attitudes and behaviors carry on to this day.

From the outset of the current drive to extinguish all Māori claims against the British Crown, governments have tried to impose their preferred negotiators on iwi entering negotiations (Mutu 2005, 201) in an attempt to marginalize the rangatira mandated by those iwi as negotiators. Where this failed, they began incentivizing Māori government servants to take over the leadership and control of their own iwi’s negotiations with the Crown and to drive them through to government-determined settlements (Mutu and others in preparation). Despite protests from those iwi about conflicts of interest, corruption, and the major upheavals that these divide-and-rule tactics always cause, the practice has become increasingly common (Mutu and others in preparation). One of the incentives provided to government servants and collaborators is the awarding of Queen’s Honours to those who achieve settlements—a token of the government’s gratitude at having been delivered an escape route from the astronomical liabilities arising from past and ongoing government atrocities against Māori. In the past two years, no fewer than six such awards have been made to iwi negotiators, several of whom are or have been government servants (Department of
the Prime Minister and Cabinet 2015; Waatea News 2014).

Government-appointed Māori leaders often have a high media and public profile, but they are most often “leaders of non-Māori organisations in the non-Māori world” (Knox 2003, 2). They adopt a style of leadership that eschews traditional Māori values, imposes hierarchical notions of superiority and dominance, and mimics British societal values of the right of individuals to personal security, personal liberty, and private property. This prioritizes the pursuit of monetary and material gain and political power. The government has been at pains to emphasize the monetary value of settlements it achieves with Māori and the opportunity of increased political influence for Māori that may result from them (Stone 2012, 140). It is careful to avoid any discussion on the legislative extinguishment of Māori sovereignty, ownership, and human rights that settlements deliver for governments and that many claimants are far more concerned about (Mutu 2012a).

The composition and work of the National Iwi Chairs’ Forum is an example of the dynamics involved when true rangatira and government-favored leaders attempt to work together. The forum is an informal but highly organized group of the chairpersons of sixty-seven organizations from around the country, each mandated to represent their iwi in some capacity (National Iwi Chairs Forum 2015). Almost all its members are men. It was established in 2005 and, while the Labour government refused to recognize the group, the National Party–led government has worked with the forum since 2008 at the behest of their coalition partner, the Māori Party. Government attempts to attribute the representation of all Māori to the forum have been firmly rejected. There is no body that holds such a mandate. The government’s aspiration has always been to control the forum, but the forum has been resolute in maintaining its independence from the government. Government persistence, however, has necessitated repeated reminders of the need for vigilance in this respect.

A significant number of the members of the forum can be classified as true rangatira: people who have worked selflessly for the whānau, hapū, and iwi, fighting government oppression and denial of their rights, often for many decades, and who have been appointed by their people as their leaders and spokespersons in accordance with traditional tikanga (correct ways of doing things; law). Countering that are members who have achieved their positions as iwi chairpersons through government-imposed structures using processes derived from British culture. There is widespread criticism of many of these structures, especially from the hapū whom they disempower. This criticism has carried over into the forum (Sykes 2010). At least several iwi chairpersons are government loyalists, and a significant number of these are or have been government servants.

The National Iwi Chairs’ Forum has a number of working groups that carry out work in particular areas such as constitutional transformation (Mutu 2015, 276); fresh water; climate change; foreshore and seabed conservation; the recovery of lands
and resources including oil and minerals; housing; and economic development. One or more iwi chairpersons lead each group. A number of technicians and experts in the various fields (working largely voluntarily or funded by iwi organizations) carry out research, ascertain the views of whānau and hapū throughout the country, and draft reports for presentation at the quarterly forum meetings. Chairpersons with government-servant backgrounds tend to target the groups that allow them to interact with government ministers and officials. Their work is then seriously compromised when, for example, they seek ministerial approval for their reports prior to delivering them to the forum (National Iwi Chairs’ Forum 2014). The prime minister and a number of ministers of Parliament are occasionally invited to quarterly meetings of the forum but only to answer specific questions. Unresolved problems within and between iwi sometimes surface in forum meetings, although tikanga has prevailed with responsibility for the problem being returned to the iwi concerned. It is the traditional rangatira who lead discussion and steer the forum.

Unresolved problems within the country’s largest iwi, Ngāpuhi, continued to attract media attention throughout the reporting period. Government support for its preferred leader and negotiating body and its attempts to bulldoze through a settlement while the Waitangi Tribunal was still hearing the claims (Mutu 2015, 279) resulted in the Waitangi Tribunal granting an urgent hearing concerning the mandating process. In its decision to do so, it noted “that relationships within Ngāpuhi have been seriously damaged by the mandating process . . . the Crown has pre-determined the outcome by ‘picking a winner’ and backing the winner through funding. . . . This has resulted in a ‘winner and loser’ dynamic which has led to the break-down of relationships within Ngāpuhi” (Jones 2014b, 41).

Problems with the settlement process were reported in a number of areas. These included reports of disenfranchised claimants trying to stop settlements for Te Atiawa, Ngāruahine, Rangitāne ki Manawatū, Tūhoe, Te Hiku o Te Ika, and Te Aitanga a Māhaki. In Taranaki, there was protest at the exclusion of the Pekapeka block in Waitara from Te Atiawa’s settlement, and the Araukuku hapū unsuccessfully sought an urgent hearing in the Waitangi Tribunal to prevent their claim from being extinguished in the Ngāruahine settlement (Waitangi Tribunal 2015). In Manawatū, there was protest over the mandate of the body settling the Rangitāne ki Manawatū claims. In the central North Island, the Tūhoe settlement was hailed as remarkable in many ways. Its removal of Crown ownership and national park status from the extensive Te Urewera hill country was described as groundbreaking (Jones 2014a). However, it fell short of recognizing Tūhoe ownership. Several hapū whose claims are extinguished by the settlement without being addressed sought to stop its passage through Parliament (Māori Television 2014). In the Far North, Ngāti Kahu told the Māori Affairs Select Committee to stop the passage of the Te Hiku Claims Settlement Bill, which excludes them from large areas of
their lands by vesting them exclusively in the neighboring iwi (Radio New Zealand 2015a). In the same hearing, four of the five Ngāi Takoto marae protested about being excluded from the Ngāi Takoto settlement (Te Hiku Media 2015). On the East Coast, Mangatū Incorporation was successful in its application to the High Court to quash the Waitangi Tribunal decision not to give them binding recommendations over the Mangatū blocks. The government wanted to use these lands to settle Te Aitanga a Māhaki’s claim (High Court of New Zealand 2015). Ngāti Kahu took a similar case and are awaiting the court’s decision. It is inevitable that the government, which is desperate to retain its stranglehold on the settlement process, will appeal any decision that could lead to the tribunal making binding recommendations that order it to return lands it has stolen from Māori.

Meanwhile, problems were also being reported for iwi who have settled but are having difficulty holding the government to the terms of their settlements. Ngāi Tahu reported having their rights of first refusal to Crown land breached many times (Sherman 2015). Tainui and Ngāti Whātua are heading to the High Court over the government’s denial of their rights of first refusal to land in Auckland (Radio New Zealand 2015b). Despite this, the government continues to maximize its revenues from the settlement process, as iwi use income generated from the settlements along with funds borrowed, usually from overseas, to purchase lands the government stole from them. In June 2015, Ngāti Tūwharetoa announced that they were paying the government NZ$20 million for 8,500 hectares of land “being returned by the Crown who stole it long ago” (McLean 2015b).

In the face of widespread dissatisfaction and protest against the settlements, the government has remained resolute in its drive to extinguish all treaty claims. It is determined to legislate away the serious flaws the Waitangi Tribunal has identified in the assumptions it makes about its own power and authority. This includes the false claims it makes to the lands and resources of whānau and hapū throughout the country in order to deliver privilege and prosperity to those who came and settled here as a result of the 1840 treaty, Te Tiriti o Waitangi, mainly from England. In 2014, it passed legislation extinguishing all the historical claims of Tūhoe in the Central North Island, Ngāti Hauā and Ngāti Koroki Kahukura of Waikato-Tainui, and the shared interests of the Tāmaki Makaurau Collective of the Auckland region.

In the same year the tribunal issued a report confirming that Māori did not cede their sovereignty in 1840 (Waitangi Tribunal 2014). Pākehā have always asserted that our Māori ancestors ceded our sovereignty to the British when we signed Te Tiriti o Waitangi in 1840. We have always said they didn’t. English settlers relied on this falsehood to provide the justification for their claim to power and control over this country through their parliamentary and judicial system. In doing so they wove a complex tapestry of myths about Māori and about their own supremacy, which the tribunal carefully unraveled in its report.

Government reaction was instan-
taneous; they dismissed the report, baldly asserting that “the Crown has sovereignty in New Zealand” (Chapman 2014). However, the report was widely reported nationally and internationally. The Telegraph in London referred to it as “the historical bombshell” (Chapman 2014). The Māori world was ecstatic. Shock waves spread through the Pākehā settler community. A number of hui (gatherings) have been held since the publication of the report to discuss its implications. For many, it gave even greater urgency to the work of the group of constitutional specialists, Matike Mai Aotearoa, who have been drawing up models for a constitution for the country based on tikanga (Māori law) and the two documents that were the subject of the Tribunal’s inquiry, He Whakaputanga o Te Rangatiratanga o Nu Tireni (the 1835 declaration of Māori sovereignty and independence) and Te Tiriti o Waitangi (the Māori-language treaty between Māori and the queen of England) (Mutu 2015, 276).

As the myth of the supreme and indivisible sovereignty of Parliament unravels, expectations of parliamentary members of Māori descent are becoming more realistic. Some may enter the Pākehā Parliament as rangatira, but that role is quickly undermined by the demands of an institution established to service the needs of Pākehā. That frequently involves passing legislation that removes the rights of Māori, such as the legislation related to the foreshore and seabed and treaty claims settlements or extinguishments (Mutu 2011). The September 2014 general election results indicated that no fewer than twenty-six members of Parliament of Māori descent are now in the House, with all but two spread across the four main parties: National, Labour, the Greens and New Zealand First. These members owe allegiance to their parties first, not to Māori. There are only seven members (in a 120-seat Parliament) who are specifically mandated to represent Māori in Parliament. However, even they must put their party’s wishes ahead of the needs of their constituents. Six of the seven Māori seats contested in the election went to Labour, with the seventh going to the Māori Party, which also gained a list member of Parliament. Once again the Māori Party joined the National Party–led coalition government. Experience has shown that, while this allows them a place in the cabinet, it does severely constrain their ability to be an independent voice for Māori in Parliament. The Mana Party’s one member was not returned, so there are now no independent Māori voices in the House. Māori voter turnout of 67 percent (65% in the Māori seats) continued to be much lower than the overall turnout of 77 percent (Electoral Commission 2014).

One area in which the Māori Party did manage to achieve some gains was its Whānau Ora (well families) initiative. It aims to revolutionize the way government social services are delivered to Māori by having all services focus on the needs of whānau rather than the needs of multiple uncoordinated government agencies. Its goal is to empower whānau to take control of their own well-being (Turia 2011) and to deliberately move away from the deficit model, problem-focused
approach used unsuccessfully on Māori by government agencies for many decades. In doing so, Whānau Ora aims to remove the industrialized misery under which Māori suffer and from which many Pākehā social welfare providers prosper and instead empower Māori to direct and control our own welfare systems.

The initiative had a number of teething problems caused mainly by government departments withholding resources and refusing to relinquish control. As a result, the Māori Party moved the initiative out of the government and set up three community-based commissioning agencies whose role is to allocate resources to Māori and Pacific Island-based providers who deliver directly to whānau. A report by Auditor-General Lyn Provost released in May 2015 concluded that Whānau Ora had been a success for many families despite the small amount the government has spent on it (Provost 2015, 4). However, she was very critical of the government departments involved in delivery of the program, noting that nearly a third of the total spending was on administration when it should have gone to whānau and their providers (Provost 2015, 4–5). Provost also noted a reluctance in government agencies to even consider moving away from models that have failed in the past in order to implement the Whānau Ora initiative (2015, 5). Entrenched racism in the public service means that Māori initiatives often fail because they are sabotaged by bureaucrats. The auditor-general concluded that “an innovative idea should not be abandoned just because of implementation problems” (Provost 2015, 5), and moving it away from the public service has been an innovation that many Māori communities have welcomed.

While Māori representation at the national level is provided for in Parliament, in local and regional government it is left to the discretion of the council. Some councils have permitted Māori to participate, but others have rejected repeated requests to do so. Pākehā determination to exclude Māori from decision-making roles turned ugly in New Plymouth, Rotorua, Papakura, Tauranga, and the Far North. In New Plymouth, the district council voted to allow Māori representation, but the response from the majority Pākehā population was vicious. They campaigned vigorously against Māori inclusion and eventually forced a referendum, which overturned the council’s decision (Tuuta 2015). In Rotorua, an equally determined attempt to keep Māori out of the Rotorua Lakes Council was not as successful, with councillors accepting an arrangement that was described by a Te Arawa spokesperson as a start but far from perfect (Maoate-Cox 2015). In Papakura, Tauranga, and the Far North, superficial attempts to consider Māori representation resulted in each proposal being rejected.

Battles to protect Māori natural resources continued around the country throughout the year. Both the New Zealand Māori Council and National Iwi Chairs Forum are continuing to fight to have the government recognize and acknowledge Māori ownership of water. Protests against mining licenses issued for oil drilling off the south Taranaki bight and off both the east and the west coasts are ongoing. A delegation from iwi of the Far
North visited the Sami Parliament in Norway and attended the annual general meeting of the offending oil company, Statoil, in a bid to stop them desecrating an area sacred to those iwi (Mike Smith, pers comm, 25 May 2015). Following strong objections from Māori, the New Zealand Environmental Protection Agency refused to give consents for sand mining in south Taranaki and for phosphate mining on the Chatham Rise. The battle continued to force the owners to remove the ship *Rena*, which was wrecked on Ōtaiti (Astrolabe Reef) off Mōtītī island in the Bay of Plenty in 2011 (Mutu 2013, 168), with the owners offering financial inducements for Māori to withdraw their objections (McLean 2015a). And in Northland, Ngāti Manu were appalled at a decision to grant a consent to expand the marina in the picturesque Bay of Islands. The existing Ōpua marina has already severely polluted Ngāti Manu’s Taumārere River (Nathan 2014).

On a brighter note, the Māori films *The Dead Lands*, *The Dark Horse*, and *What We Do in the Shadows* have been doing well in international film festivals. *The Dark Horse* won an award for Best Film at the Seattle International Film Festival, with Cliff Curtis (Te Arawa) named Best Actor (Māori Television 2015). And Lisa Carrington (Te Aitanga a Māhaki, Ngāti Porou), paddler extraordinaire, won her fifth World Cup gold medal in as many races. Lisa has dominated world championships and the Olympics in flat-water canoeing since 2014 (Balvert 2014).

**The author has been a member of the National Iwi Chairs’ Forum since its inception in 2005. Her comments on the forum in this review are based on her observations of its operations over the past decade.**

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**Margaret Mutu**

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RAPA NUI

Rapa Nui politics during the review period centered on the reclamation of ancestral territories that Chile had developed into a national park in 1935 without notifying or consulting Rapa Nui. A 2003 national truth commission on Chile’s indigenous peoples had recommended return of