of the trust lands. The longer the problem is framed in terms of money, the harder it becomes to frame it in terms of land. In typically American fashion, money has come more and more to replace the Hawaiian birthright. Meanwhile, Hawaiians continue to leave Hawai'i, the intended result of dispossession.

The only hopeful sign is public disapproval of the agreement by a host of sovereignty groups. One in particular, Ka Lāhui Hawai'i, dogged OHA at each of its community presentations, forcing the question of land dispossession into open debate. Apart from critical education, however, these forums did not succeed in overturning the settlement.

In the year ahead, Hawaiians will need to consider strategies aimed at the US Congress, the Justice and Interior departments, and the broader international human rights community. This will demand even more effort from self-determination groups, but, given the closed nature of politics in Hawai'i, no other course seems available.

HAUNANI-KAY TRASK

MAORI ISSUES

To New Zealanders, 1990 is significant as the sesquicentennial year of the signing of the Treaty of Waitangi. On 6 February 1840 the nation came into being when thirty-five chiefs of the northern confederation of tribes signed the treaty with Captain William Hobson, the representative of the British crown.

The government established a commission with a budget of NZ$20 million to promote a series of events that would make the sesquicentennial "our year." The commission promoted the theme of unity and racial harmony extensively on television and made grants to community projects that would enhance the sense of national unity.

This was not an easy task in view of the history of colonial despoliation of the Maori. For twenty years Maori activists had targeted the government-sponsored treaty celebrations at Waitangi, revealing the contradictions between Maori and Pakeha in New Zealand society. In 1971 Nga Tamatoa, the young warriors, protested at Waitangi, proclaiming Waitangi Day a day of mourning for the loss of 63 million acres of Maori land and calling on the government to ratify the treaty. The government responded in 1976 by establishing the Waitangi Tribunal to inquire into Maori grievances. The tribunal was not retrospective to 1840 and had no power to make awards, so Maori activism continued.

In the next decade, the Waitangi Action Committee took over the burden of protest action and denounced the treaty as a fraud. As the demonstrations escalated in size and vehemence, so did the police presence. In 1983, two hundred demonstrators were arrested at Waitangi in a preemptive strike by the police and detained without charge for several hours before being released. When the Labour government came to power the following year, it stepped back from a ceremony that required massive policing. Waitangi was deemphasized as smaller ceremonies were held in different parts of the country.
(Walker, forthcoming). Five years on, the government felt obliged to do something significant to mark the sesquicentennial year and delegated the task to the 1990 commission.

Dr Bruce Gregory, both a commissioner and a member of parliament for Northern Maori, promoted the idea of a flotilla of tribal waka converging on the Bay of Islands to welcome Queen Elizabeth II on Waitangi Day. The commission supported the idea with cash grants of NZ$50,000 to any tribe wanting to participate in the project. Maori activists saw this as an attempt to buy off the Maori people, but they refrained from public comment as more than twenty tribes built waka in preparation for the celebrations.

Maori motives for engaging in the waka project were complex. The northern tribes, who have a proprietary attitude to the treaty, genuinely supported the government-promoted celebrations. For others, it was a statement of mana. The waka is a potent symbol of tribal identity and the seafaring traditions of the Maori. The cultural renaissance over the last twenty years had been given tangible expression in the building of carved ancestral meetinghouses in urban as well as rural areas. But few tribes had enough resources to build waka. Interest in revival of the waka had been kindled by the visits of two ocean-going vessels in 1985, Hokule'a from Hawai'i and Hawaiki-nui from Tahiti. The commission's financial inducement was enough to trigger waka projects all around the country. For many tribes the scheme provided temporary respite in areas of high unemployment. For young men with no educational qualifications, the projects gave training in traditional skills under government work schemes.

Although demonstrations were expected from the activists, tribal engagement in the waka project gave assurance that the Waitangi celebrations would be successful. This assurance proved short-lived as Maori criticism was leveled at the government from unexpected quarters. Television New Zealand ushered in the new year with a special dawn ceremony on the east coast, where the first rays of the sun rising out of the sea strike Mount Hikurangi. During the event, Ngati Porou tribal elder Petuera Raroa referred to the Treaty of Waitangi as a covenant dishonored by the Pakeha. Elders, particularly from small towns and rural communities, are not usually so frank on public occasions, let alone on national television. But the most stunning critique of all came from a pillar of the establishment, Anglican Bishop of Aotearoa Whakahuihui Vercoe (Walker 1990).

When Bishop Vercoe addressed the Queen at Waitangi he charged the Crown with not honoring the treaty and with marginalizing its Maori partner instead. "The language of this land is yours, the custom is yours, and the media by which we tell the world who we are are yours," he said before concluding that "we come to the waters of Waitangi to cry for the promises that you made and for the expectations our tupunas made 150 years ago" (NZH, 7 Feb 1990).

The bishop's forthright address did not please Prime Minister Geoffrey
Palmer, who spoke after him and claimed that no government had done as much as the present one to resolve Maori grievances. The editor of the New Zealand Herald supported the prime minister and criticized Bishop Vercoe for being “sadly astray” on the immediate past, claiming Maori advances in the 1980s were directly linked to the government and its policies (NZH, 12 Feb 1990). Neither the prime minister nor the editor recognized that the concessions made toward some Maori grievances had been wrung from the government by Maori appeals to the Waitangi Tribunal and the High Court. These included successful injunctions against the transfer of Crown lands to State Owned Enterprises in 1987 and the Maori fisheries claim against the government’s quota management system. In both instances, the court ruled that the government had an obligation under the Treaty of Waitangi to protect Maori interests.

Maori claims were a hindrance to the government’s plans for corporatization of government bureaucracies and maximum use of fisheries resources. Publicly the government made a virtue out of necessity, while taking internal initiatives to turn back the Maori challenge to its hegemony. Its damage-control strategy included the establishment in 1988 of a treaty unit in the justice department. The government distanced itself from the rhetoric of “partnership” under the treaty, and reoriented its policy to observance of “the principles of the treaty” instead of the treaty itself. It then proceeded to define the principles of the treaty unilaterally (Department of Justice 1989). The first principle, that the government had the right to govern and make laws, was a clear signal to the courts and the Waitangi Tribunal to back off. The government would simply legislate its way around embarrassing decisions that favored the Maori, as it did with the Maori Fisheries Bill and the Treaty of Waitangi State Enterprises Bill.

The Labour government’s assertion of hegemony over the Maori signaled a return to the colonizing ethos of its forebears. That agenda was made explicit in the Australian current affairs television program “Four Corners” on the Waitangi Day celebrations. In 1989, the Tainui tribes won an injunction in the High Court against the sale of Coalcorp lands, pending settlement of their claim before the Waitangi Tribunal concerning a million acres of land confiscated in the nineteenth century. Justice Sir Robin Cooke rebuked the government for its handling of the case and ordered it to negotiate with Tainui. When asked what he thought of that judgment, Palmer was explicit: “The government has made it clear that that approach is totally unacceptable. When it comes to a question of allocating resources that is a political question for the government. It is not a legal question for the courts, and it will not be decided by the courts in any authoritative way.” For the colonizer this statement means business as usual. For the colonized it means their struggle for justice will continue long into the foreseeable future.

RANGINUI J. WALKER