

subsidies for various local businesses and government agencies. A real, substantial difference from the practices of previous administrations remains to be seen.

Meanwhile, all indicators showed that the country's economy was not performing well. The tourism sector continued to decline, and many territorial services did not function well, due to constant changes of staff positions depending on the current governments in office. These effects can be ultimately linked to the country's political instability, which is deplored by all sectors (*TPM*, May and June 2008).

On 29 June, the territorial holiday commemorating the enactment of the 1984 statute of internal autonomy, as well as the annexation of Tahiti by France in 1880, was celebrated by the presidency with great pomp. During the evening of the controversial holiday, Temaru and his supporters held their traditional ceremony at a monument in Faa'a to honor Tahitian soldiers who fell during the resistance to French colonization in the 1840s. This year, Gaston Flosse, who had briefly attended parts of the autonomy celebrations in the morning, participated in the Faa'a ceremony for the first time. He laid a wreath and spoke in honor of Polynesian resistance against France, including on his home island of Mangareva. He called for a greater, more visible monument to be built (*TP*, 30 June 2008). Since for decades Flosse had denounced the monument and Temaru's commemorations as anti-French propaganda, his shift in attitude once more caused widespread consternation (*TPM*, Aug 2008).

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MĀORI ISSUES

In the latter part of 2007, relations between Māori and the New Zealand government came close to the breaking point. A raid carried out by a New Zealand Police armed defenders squad in full combat gear traumatized a small Māori community in the central North Island on 15 October, just weeks after the NZ government had joined Australia, Canada, and the United States to vote against the adoption of a United Nations declaration on indigenous rights. The raid coincided with the release of a government report showing that almost 20 percent of Māori currently live in Australia. Many had left New Zealand for better economic opportunities, but also "to escape the perceived prejudice of Pākehā (New Zealanders of European descent) and mainstream negativity about Māori issues" (Hamer 2007, 14). Yet by mid-2008, with polls indicating the likelihood of a change of government in the upcoming general election, Māori started reaping the benefits of a government desperate for our support, particularly in settling Māori land claims.

On 15 October 2007, the first reports of early morning police raids around the country started appearing, as environmental and Māori sovereignty activists were targeted for alleged terrorist activities. Both the commissioner of police and the prime minister had been briefed prior to the raids, several of which involved single households in urban areas where there was minimal disturbance to neighbors and the wider community. But in Ruatoki, a small, remote Māori community in the Urewera Ranges located in the heart of Tūhoe tribal territory, the media reported a massive police presence. The Māori Party later reported that seventy armed police were in Ruatoki that morning when three people were arrested (Māori Party 2007a). A roadblock was set up on the only road out of the community, with people, cars, and a school bus being searched and photographed. Houses and property were inspected and some were damaged. Four rifles and 230 rounds of ammunition were seized. Many people were detained and transported to Rotorua, only to be subsequently released to find their own way home. The whole community was traumatized, including preschool children, who referred to the black-clad, helmeted, gun-carrying paramilitary police who boarded their school bus as “the ninja army” (Māori Party 2007b).

Ruatoki is the home of the well-known Māori rights campaigner and activist, Tama Iti. He was one of the seventeen people from around the country arrested and charged under the Firearms Act, and one of six held in custody while the police tried to gather evidence to justify charges

under the 2002 Terrorism Suppression Act. According to police, those arrested had been running terrorist training camps in the very remote Urewera Ranges. However, the Māori media quickly identified the so-called “training camps” as camping sites used by local hunters. According to media reports, the evidence police appeared to have relied on was mainly recordings of conversations, including telephone conversations, texts, and e-mails. Eventually, the solicitor general refused to allow terrorism charges to be laid and the six people held in custody were released on bail.

In Parliament, the Labour minority government’s Māori members remained silent, claiming it was a police matter (*NZH*, 29 Oct 2007). The Māori Party, however, bitterly attacked the police and the government for violating the community of Ruatoki and leaving the Tūhoe people traumatized. Māori Party MP Hone Harawira drew particularly strong personal criticism and abuse from Pākehā for speaking out against the police actions. He responded by issuing a press release citing the full text of his attack in Parliament and refusing to back down (Māori Party 2007c). His claim that his statement accurately reflected the feeling in many Māori communities around the country was supported by the results of a survey showing a high level of concern about the raids among Māori participants (Māori Party 2007d). In his statement he said, “I will not sit quietly by, while State forces terrorise my people. If this requires of me that I speak out against the rule of law that would impose terror on Māori communities in this country, then I

will speak out. I will speak out against it in this chamber, on television, in newspapers, and anywhere else I possibly can” (Māori Party 2007c). Nationwide protests followed. The human rights commissioner received official complaints, as did the United Nations human rights committee who asked the New Zealand government for an explanation. In November, the police commissioner conceded that the raids had badly damaged relations with Tūhoe, which could take decades to heal (*NZH*, 9 Nov 2007). In March 2008, he acknowledged and expressed regret over the hurt caused (*NZH*, 30 March 2008).

One month before the raids, the Māori Party had launched a blistering attack on the government for voting against the United Nations Declaration on the Rights of Indigenous Peoples (UN 2007). It had been adopted by the UN General Assembly on 13 September 2007 by an overwhelming majority of 143 to 4. The four states who voted against it—the United States, Australia, Canada, and New Zealand—all share a history of British colonization, which has left the indigenous peoples of those countries marginalized, deprived, and oppressed minorities in their own lands, stripped of their lands and natural resources, denied sovereignty, and subjected to racism and discrimination. The declaration, in its forty-five articles, sets out the human rights and fundamental freedoms of indigenous peoples: the rights to self-determination, cultures, traditions, languages, institutions, worldviews, and ways of life. It calls on states to prevent and redress theft of land and natural resources, and forced assimilation, while establishing

minimal standards to eliminate the racism, discrimination, marginalization, and exploitation that inhibits the development of indigenous peoples.

Māori had been involved in the drafting of the declaration from the outset, in the early 1980s. One of the reasons the document took so long to formulate was that the four states who voted against it had consistently impeded its progress, thereby drawing widespread condemnation from the global indigenous community. None of the opposing countries consulted properly with the indigenous peoples they claimed to represent. In addition, they did not want the injustices suffered by those peoples scrutinized, nor did they want it known that current legal ownership of lands by states and nonindigenous individuals derives from an initial theft (Taonui 2007). The declaration urges that land be returned where possible, but where it is not possible it recommends compensation at full value. In New Zealand, Māori have been forced to accept very much less, calculated to be an average of 0.06 percent of losses (Mutu 2004, 201). The New Zealand government does not want to admit that its processes of providing restitution are unfair and unjust.

The adoption of the declaration by the United Nations received scant attention in mainstream media in New Zealand, and the government tried to play down its importance. However, Māori Party MP Hone Harawira toured the North Island delivering seminars on it. The New Zealand Human Rights Commission issued a statement saying the contents of the declaration would guide its work (NZHRC 2007). With the change of

government in Australia in November 2007, the Australian Human Rights and Equal Opportunity Commission announced that the new government supported the declaration (AHREOC [2007]). And by April 2008, news from Canada's indigenous peoples indicated that the Canadian Parliament now also supported it (Assembly of First Nations 2008). With New Zealand becoming more isolated in its stance, a change in the government's attitude toward Māori, particularly with respect to its loathed Treaty of Waitangi claims settlement policy and process, became more inevitable.

In March and again in June 2007, the Waitangi Tribunal issued reports severely critical of the government's settlement policy and process (Waitangi Tribunal 2007a, 2007b). When the government ignored them, the Federation of Māori Authorities and the New Zealand Māori Council pursued the matter through the courts. At the same time, iwi (tribal groupings) in various parts of the country continued with the repossession of lands the government refused to return to them and was trying to sell off (Mutu 2008). In April 2007 the government had delayed the sale of some of the blocks for three months. It announced in September that several had been withdrawn from sale for four years. But the government was unable to gain sufficient support in the House to pass several of its proposed settlements into law. In September the minister of Māori affairs was ridiculed when he tabled the first report in twelve years outlining the progress of successive governments in implementing the recommendations of the Waitangi Tribunal with respect to Māori Treaty

of Waitangi claims against the Crown. Of the 48 reports disseminated by the tribunal, only 12 had issues addressed or implemented, and it was unclear what had happened to the rest (Benion 2007 [Sept], 8).

Finally, in October, the deputy prime minister and minister of finance took over the portfolio for Treaty of Waitangi negotiations. Almost immediately, direct negotiations between claimants and the Crown took on a sudden urgency as the meanness of spirit and bad faith on the part of the government that had plagued negotiations for more than a decade appeared to be set aside. In the Central North Island, where the Waitangi Tribunal issued the first two parts of a seven-part report on the largest inquiry it had made to date (Waitangi Tribunal 2008), eight iwi came together to develop their own solution for the settlement of their claims to the 176,000 hectares of land under the eight Central North Island forests. The forests include the country's largest exotic forest, Kaingaroa. They presented their proposal for the return of the forestlands and related assets in April 2008, and reached agreement with the government in May. The deal was promoted as being worth NZ\$419 million, implying that the government was far exceeding the previous largest payouts of NZ\$170 million each for the Tainui fisheries and Ngāi Tahu settlements. Yet NZ\$223 million of the NZ\$419 million was made up of accumulated rentals from the forests. The rentals belong to the iwi, not the Crown, as a result of the tribunal upholding their claims to the forestlands. The remaining NZ\$196 million is the value the Crown has

put on the 176,000 hectares of land under the forests. The amount of land being returned is proportionally larger than has been achieved elsewhere in the country, but it is being returned already encumbered. In purely monetary terms, the settlements of each for the eight iwi are on par with other treaty settlements, and as such still do not amount to fair, reasonable, or just recompense for all the violations they have suffered at the hands of the Crown. Yet one of the iwi involved, Te Arawa of the Bay of Plenty, was able to use the deal to improve its own proposed settlement significantly, including no longer having to pay for geothermal wells and five school properties (*Mana* 2008 [Aug], 16–17).

In the Bay of Plenty, the mountain Mauao, also known as Mt Maunganui, was finally returned to its rightful owners in May 2008. However, in a sleight of hand that amazed legal observers, the government managed to retain the mountain's historic reserve status, and the minister of conservation continues to have all the rights and obligations of a freehold owner (Bennion 2008 [May], 4).

In the Far North, Ngāti Kahu had returned to the tribunal to seek orders for the return of 5,095 hectares of state-owned lands and forests after negotiations failed and they repossessed the 3,711-hectare Rangiputa station to stop the government selling it. In April 2008, the tribunal gave the government three months to make an offer that was acceptable to Ngāti Kahu. For the first time ever, the Crown apologized to Ngāti Kahu, and intensive negotiations with a chief negotiator appointed by the minister

followed. Crown policy for settling treaty claims was largely abandoned. Instead, the negotiations focused on the social, economic, and spiritual needs and mana whenua (traditional sovereign authority, power, and control) considerations of the fifteen hapū (grouping of extended families) and their associated marae (traditional venue for gatherings of the local tribal group), which make up Ngāti Kahu. By the end of June, the Crown made an offer that broke a lot of new ground in terms of treaty settlements. It involved the return of the control of more than 10,000 hectares of land to Ngāti Kahu, with fee-simple title to more than half of it, including Rangiputa station. The rest will come under the control of a statutory board made up of equal Ngāti Kahu/Crown membership, chaired by Ngāti Kahu, and with all its business conducted according to Ngāti Kahu customary law. The offer also included a cash contribution of NZ\$7.5 million to be used to rebuild the fifteen marae and their associated housing, which are currently either nonexistent or in a very poor state of repair. Ngāti Kahu is in the process of drawing up an agreement in principle with the government, which they are planning to sign in early September, before the general election.

During the year we lost several Māori icons who had made huge contributions to the well-being of their people. In September, Sid Jackson passed away. He was a prominent Māori leader who had conducted a lifelong campaign for justice for Māori, with a totally unswerving commitment to revolution and freeing

Māori from the oppression of British immigrants. Later that month, Anglican Archbishop Whakahuihui Vercoe passed away; he was a priest for fifty-four years and former bishop of Aotearoa. In his address at Waitangi for the commemoration of the 150th anniversary of the signing of the Treaty of Waitangi, he told Queen Elizabeth II that Māori were marginalized in their own land.

In January 2008, we lost a towering literary figure: poet, and author, Hone Tuwhare. He wrote the first book of poetry by a Māori author in English, and will be remembered as a great artist and philosopher whose real talent was his simplicity. Then, one month later, it was Barry Barclay. He was a leading light in the world of indigenous filmmaking, having been the first Māori to direct a feature film. Barclay made a number of documentaries and was a fierce advocate against injustice, particularly what he saw as racism against Māori in the film industry and barriers to telling Māori stories (*Mana* 2008 [Aug], 17). He was also a dedicated writer and had most recently published *Mana Tūturu: Māori Treasures and Intellectual Property Rights* (Barclay 2005).

There were also commemorations for the arrests thirty years ago of Eva Rickard and sixteen others at Raglan for trespassing on their ancestral lands, which had been taken and used as an airfield during World War II. The lands had then been given to the local golf club and it wasn't until much later that they were eventually returned to the rightful owners. The 1978 arrests of 222 people at Takaparawhau (also known as Bas-

tion Point) were also commemorated. Those lands were also returned, although not until 1987.

It was the third year in a row that peaceful commemorations had been held at Waitangi on Waitangi Day, although the prime minister, fearing a backlash over the terror raids on Tūhoe, refused to attend the formal ceremonies. The peaceful commemorations at Waitangi are largely attributed to the Māori Party presence in Parliament and the role they have played as the independent Māori voice unafraid to bring Māori issues to the attention of the House and the nation.

However, the highlight of the Māori year was the award of the Victoria Cross to Corporal Willie Apiata in July 2007. This was the first time the award has been made to a living Māori; the two previous awards were posthumous. There has been a great deal of bitterness among Māori servicemen that many Māori who should have been given Victoria Crosses, especially during World War II, did not receive them, even though returned servicemen and their families pursued it for more than fifty years. Corporal Apiata received his Victoria Cross for valor in Afghanistan in 2004 for saving the life of a comrade while under heavy fire from opposing forces. Huge hui (traditional gatherings) to celebrate the award were held at Te Kaha on the East Coast and at Waitangi. In April 2008, in a gesture of remarkable generosity, and to mark ANZAC Day, he gifted his Victoria Cross to the nation. In Māori we say, he mahi tino rangatira, a most noble and selfless deed.

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RAPA NUI

Politics on Rapa Nui during the review period focused mainly on the organic law bill for the future special administrative status of the island. The bill was subject to continuous debates, until being finally introduced in Congress in a watered-down version. On the local political scene, the established politicians are clearing the way for a new generation of leadership, some very reluctantly, others more freely.

The process of replacing the political elite started in early June 2007, when pro-independence opposition leaders Mario Tuki and Raúl Teao won the highest numbers of votes in the elections to the Easter Island Development Commission (Gonschor 2008, 242). This electoral success boosted the ambitions of the opposition leaders, and their next campaign aimed at unseating veteran community leader Alberto Hotus from the presidency of the Council of Elders. Hotus, who is politically affiliated with the Chilean ruling center-left coalition, claims to hold the presidency of the council for life, even though this claim has never been universally accepted and has been an issue dividing the community for the last two decades.

The dissidents subsequently called for an election of the council's presidency, which was held in late August in semi-official fashion in a Hanga Roa school building. The three candidates were Mario Tuki, Leviante Araki, and Agterama Huki, all of whom are known for their pro-independence position and their bitter opposition to Hotus. The election was won by Tuki, but only a minority of about 200 voters participated. Alberto Hotus refused to participate or even acknowledge the election. When Chilean President Michelle Bachelet visited Rapa Nui for the annual ceremony commemorating the 1888 annexation of the island on 9 September, she was greeted by Hotus, presenting himself as the president of the Council of Elders. However, Tuki protested and tried to interrupt Hotus, arguing that it was he, Tuki, who was in fact the legitimate president following the election (TRN, undated article circa Sept 2007).

Many observers questioned the purpose of the election. In fact, neither Hotus's nor Tuki's interpretations is in line with the original purpose of the Council of Elders, which was to consist of the eldest representative of each family name existing on the island. These family representatives would then elect one among them as president. There is no basis for claiming the presidency for life, nor does it make sense to elect the president by popular vote. Furthermore, the position of president should not be that important in relation to the whole council, which is supposed to be a collective organ, representing each family. Shifting the focus to the presidency is thus a manipulation for political pur-