



CULTURAL EMERGENCE: LIVING IN AOTEAROA

ABSTRACT

Treaty settlements in Aotearoa New Zealand have not only changed the economic base of Māori groups, but have also provided a catalyst for social, political, cultural and environmental change. The post-settlement period is already proving to be more complex, dynamic and relational than previously. Emergence is often perceived to be most applicable to landscape and the environment. Reading cultural dynamics as emergent might be useful in the inevitable indigenous/non-indigenous encounters in this new environment in the future.

INTRODUCTION

In his comprehensive text on the theory, historical evolution and application of open systems, non-linearity, complexity and emergence, *Emergence in Landscape Architecture*, Rod Barnett writes:

*Emergence in landscape architecture takes place in, and partly enables, multiple forms of existence. Non-material features such as concepts, information and desires will have causal effects in the material world of forces and particles, fish and insects, which means these nonmaterial events are accorded an ontological reality. Such immaterial features include human mental structures and events like conceptual schemes, plans, intentions and emotions, as well as socially constructed elements such as games and commodity prices. In effect, landscape architecture requires an emergentist pluralism.*¹

This paper explores an aspect of this pluralism in the emergent encounters in the indigenous/non-indigenous environment in Aotearoa New Zealand. It argues that this relationship is dynamic, not static, and that the new post settlement environment creates a great variety of different social, economic, political and even environmental influences. It further suggests that these circumstances will have a range of significant impacts on the non-indigenous peoples of Aotearoa New Zealand.

This paper is not intended to be an overview of the indigenous/non-indigenous relationship, but to interrogate its nature in terms of emergence. In addition this is a personal account, that of a descendent of settler New Zealanders. I quote a number of personal sources, including contributors to a Landscape Architecture class at Unitec, Landscape of Aotearoa. If my interpretations seem inaccurate I apologise. I am reminded of anthropologist, Joan Metge's experience of delivering talks on Māori for a local audience in Kaitiaki. One local Māori said afterwards: "we recognise ourselves in what you say, though we would have put it differently."²

At a recent Indigenous Content in Education Symposium in Adelaide (ICES 2015)³ Glenn Wood from Griffith University said to me that a perception from that side of the Tasman is that New Zealand is in a process of "indigenising". Putting such hyperbole aside, there is a perception that this country is more progressive than others in the area of relationship with its indigenous peoples and is undergoing considerable change as a result. So, what can be said of the current state of the relationship between indigenous and non-indigenous in Aotearoa New Zealand? And further to that, what might be surmised to involve the future of this relationship?

INDIGENEITY

I use the term indigenous/non-indigenous as a more precise, and hopefully more meaningful, term than bicultural, which has gained many indeterminate and vague meanings. What is meant by indigenous? This is not as straightforward as a simple binary response. Indigeneity is becoming a more complex notion, involving a complex set of identities. Many of us Aotearoans are directly connected to both worlds. A significant number of people, possibly almost as many people as identify as Māori, have genealogies (whakapapa) which include both indigenous and settler origins. Others, like myself, lie "between" both groups, in something that could be described as a pivotal position: my ancestors (tīpuna) are Scottish and English; my descendants are Māori.

Indigeneity itself is too simplistic to be described as a singular entity or type in Aotearoa New Zealand. Although Pākehā have often, at least in the past, considered Māori as one people, Māori generally tend to identify more as members of iwi or hapu or iwi and hapu. Again there are also Māori who do not do so, especially those who have lived in cities away from marae of origin for generations, or who have loose or only partial connections to such groups or places. This might also apply, in yet another permutation, to those who have lived all or most of their lives overseas.

¹ Barnett, R. (2013). *Emergence in Landscape Architecture*. London, UK: Routledge. p. 203.

² Metge, J. (1976). *The Maoris of New Zealand: Rautahi*. London, UK: Routledge & Kegan Paul. p. xi.

³ www.unisa.edu.au/ices

If the definition of the term indigeneity in reference to Māori is this complex and fragile, it makes for a very wide range of potential associations, situations, backgrounds, attitudes, interests, approaches, desires, needs, etc. Any assumptions have little or no validity.

Then what does non-indigeneity embrace as a term? It too is more complex than merely “other” to indigenous. The other to Māori has usually been termed Pākehā. This term usually refers to a certain racial or cultural category perception, usually European New Zealander, perhaps initially as defined by Māori, and quite commonly more specifically British European. Pākehā itself as a term no longer comfortably describes a very large number of non-Māori living in this country, if it ever did. Auckland alone has more than 200 ethnic groups according to a New Zealand Herald article last year.⁴ Among Pākehā or others of many generations in New Zealand, some consider themselves to be indigenous, most likely with some disapproval from most Māori, especially as the term *tangata whenua* has significant resonance and particular associations of identity and indigeneity.

Tangata whenua: from a Māori perspective this is much more than New Zealandness. It relates to a particular place for a particular group: an iwi or hapu rohe (territory). Natalie Robertson has described the nuances and complexities of the group and this place of belonging.⁵ When outside her iwi territory she identified herself by her iwi and the accorded landscape features of mountain (maunga), river (awa) and sea (moana). When within the rohe of her iwi, she identified with a more local group (hapu) and its identifying landscape. This concept of tangata whenua provides Aotearoa New Zealand with its own very particular kind of indigeneity. For Māori the term *tauiwi* possibly represents best those of us who are non-Māori or non-indigenous as a whole.

TREATY/TIRITI

In 1840, whether they knew it or not, Māori signatories to the Treaty of Waitangi (te Tiriti o Waitangi) were ceding sovereignty to the British Crown. From this date European settlers, mostly British at the time, began to move to the most far-flung British colony, already settled and occupied by groups originally from East Polynesia, whether they were aware of this extant occupation when they left home or not, and whether they chose to acknowledge this fact or not, once they had arrived. This colony has undergone many changes over the last 175 years, predominantly in the model of European colonies emerging into post-colonial states. It could be said that these were islands of Southern Polynesia that now form a nation state in the manner of a Westminster democracy. During much of these years Māori struggled to retain their land, speak their language, maintain control over their culture, and reverse some of the most pernicious consequences of being colonised. This was largely invisible to the Pākehā world until 1970s. This struggle has been well documented in Dr Ranginui Walker's *Ka Whawhai Tonu Matou: Struggle Without End*.⁶ Some of this struggle was pan Māori, some iwi or hapu based, and some competitive, as with the claims to the Māori Land Court. Part of the struggle involved an attempt to procure redress for land lost and Treaty violations by the Crown.⁷

Throughout 19th and early half of 20th centuries, wars to resist land sales, confiscations (raupatu), the compulsory conversion of land tenure from customary communal ownership to individual title through the Native Land Court, set up in 1865,⁸ the long drawn out processes of this court to prove ownership rights (which often forced Māori to camp for weeks at a time where the court was held), and appropriations of land under the Public Works Lands Act 1864, left Māori communities in turbulence and dislocation, often ultimately permanently. All the while, European settlers were staking land claims, “breaking in” land, establishing thriving communities and creating the institutions of a nation state, which would afford peace, safety, stability and prosperity. As Richard Hill has summarised:

⁴ Tapaleao, V. Auckland now more diverse than London in *New Zealand Herald*, March 4, 2014.

⁵ Natalie Robertson, a senior lecturer at AUT, in a lecture to Landscape of Aotearoa class at Unitec, July 24, 2015.

⁶ Walker, R. (2004). *Ka Whawhai Tonu Matou: Struggle Without End*. Auckland, NZ: Penguin.

⁷ For a representative example of the nature of land loss, see a brief summary of the Waitangi Tribunal report on the land alienation at Orakei, Auckland from Ngati Whatua o Orakei: <http://www.justice.govt.nz/tribunals/waitangi-tribunal/resources/teaching-aids/resource-kits/orakei/the-loss-of-the-orakei-block>

⁸ For a brief history of extinguishment of native title and the Native Land Court, see Stokes, E. (2002). Contesting resources: Maori, Pakeha, and a tenurial revolution in Pawson, E. & Brooking, T. (Eds.). *Environmental Histories of New Zealand*. Melbourne, Australia: Oxford University Press. pp.35-51.

With a huge array of controls available, and supported by almost all Pākehā, the state sought to undermine and eventually destroy both Māori collective politico-social organisations and indigenous cultural identity and distinctiveness: this is what the 'greater good' required.⁹

Some minor settlements to redress the violations of the Treaty by the Crown began in 1920s mainly over confiscated lands (raupatu). The process of facilitating a more thorough compensation process began in earnest with the establishment of the Waitangi Tribunal in 1975. This was to address the grievances associated with these violations, and provide evidence for redress. Giselle Byrnes, who was once a researcher with the Waitangi tribunal has criticised the tribunal for remaking history.¹⁰ Nevertheless, the Waitangi Tribunal has demonstrated the significant scope and scale of Treaty breaches and injustices to substantiate the settlement process. It should be stated that Byrnes is a supporter of the Waitangi Tribunal process. Her argument is with the veracity of the evidence in terms of the accuracy of the historical record, and the judgement of nineteenth century actions in late twentieth century terms.

TREATY SETTLEMENTS

Most, but not all, iwi and hapu have reached a Treaty settlement with the Crown, or are in negotiation to do so. The settlements began with a fisheries quota in 1989, followed by the Sealords deal in 1992, both of which were pan-Maori in nature, then Waikato in 1995 and Ngai Tahu in 1996. It is now 20 years since these first settlements were agreed upon. For iwi entities there were some teething issues in the first few years in the new governance and business environment, which received some press. What did not were the slow, clumsy, negligent or resistant responses from the non-indigenous bodies, whether government, local government, media or business. It is perhaps the latter which responded most readily when they saw the investment opportunities in the assets held. As a consequence, the first two iwi with settlements, Waikato Tainui and Ngai Tahu, now have assets worth a billion dollars each. Last of all has been the public, though this is understandable given the poor quality of knowledge, historical or cultural, that this public is exposed to or avails itself of.

It should be noted that the government set the ground rules for the settlement process, especially over the nature of Post Settlement Governance Entities (PSGEs), required of iwi for the settlement agreements and packages to proceed.¹¹ Despite one party to what are termed "partnerships" coming to the negotiating table with pre-negotiating terms, most iwi have acknowledged the current political reality and agreed to take part. Even though the settlements mostly constitute less than 1% of the value of the assets lost through no or little fault of theirs, iwi know this will provide an asset base with which they can start over again.

POST SETTLEMENT ENVIRONMENT

So these settlements are a new condition for PSGEs and their iwi/hapu. Some have had 20 years to adapt, others have yet to conclude Treaty settlements and receive monies or land or both, and make decisions on the use of their new assets. There is great responsibility in achieving a balance between the protection of their new assets, welfare for their member constituents, and guardianship (kaitiaki) of their lands, waterways and other taonga. Commentary in the media is sometimes focussed on why more is not being done by these iwi authorities to address the health, welfare or living standards of their members. Why would iwi and hapu not take their responsibilities seriously? It can only be patronising for tauiwi or anyone else to say how any one group (iwi or hapu) should use this resource. Afterall, both Crown and non-Māori were willing to strip their assets and leave them in poverty as a people. It could be argued that such a challenge could have some validity if the returned assets were in reasonable proportion to what had been taken.

⁹ Hill, R. (2009). Maori and State Policy. In G. Byrnes (Ed.), *The New Oxford History of New Zealand*. Oxford, UK: Oxford University Press. p. 516.

¹⁰ Byrnes, G. (2004). *The Waitangi Tribunal and New Zealand History*. Melbourne, Australia: Oxford University Press.

¹¹ Haylee Putaranui, a lawyer in the Māori Legal Group, Te Waka Ture, with Chapman Tripp, in a lecture to the Landscape of Aotearoa class at Unitec, September 25, 2015.

Are these settlements full and final as the Crown claim? Given that the assets received to date constitute less than 1% of the total confiscated or acquired through the deliberate destruction of communal ownership, it might not be surprising that King Tuheitia has made public a claim over land beyond Tamaki Makaurau (Auckland) on behalf of Waikato Tainui. The fact that it appears to infringe on other iwi claims is perhaps an unfortunate by-product of the settlement process. It is likely that the settlement process is one that will cause greater competition than has been the case over the last century or so of more or less pan Maori collaboration in the struggle to attend to the grievances.

A new governance structure has emerged in the post settlement period for co-management of assets. This has applied to land, waterways and islands which were once owned by the Crown or local bodies and managed by government ministries, such as the Department of Conservation, or regional authority entities. An example of this is Tūpuna Maunga o Tāmaki Makaurau Authority, the co-management group made up of representatives of Auckland City and 13 Auckland iwi. Co-management is likely to require a stronger presence of Māori land (whenua) values, such as mana whenua (authority over and responsibility for land) and kaitiaki (guardianship), but likely to also extend to management tools such as rahui (temporary restriction).

This concept – rahui – is one of the management tools which is aligned with care for the environment (kaitiaki). It is symptomatic of a conservation ethic: when resources are under threat for a variety of reasons, controls are exercised on that resource. This is in contrast to the preservationist ethic which is the guiding principle of the Department of Conservation. The preservationist ethic, designed to protect the remaining small representative intact ecological patches, is a logical response to the wholesale conversion of New Zealand's environment to pastoral agricultural and exotic forestry production. Sonny Tau's recent harvesting or purchase of kereru may not have been a prudent way to alert us to the dichotomy of these 2 approaches.¹² Nonetheless, prudence would dictate that it is a dichotomy about which we must have meaningful conversations.

To what extent are we willing to engage in these conversations? To what extent are we willing to consider the indigenous position on matters? In Auckland (Tamaki Makaurau) the new Unitary Plan has invoked a resource consent notification requirement for a number of sites of interest to tangata whenua. Two of these occur on Paritai Drive, causing the residents to take the matter to court recently.¹³ A resource consent application for further site development might be considered a small price to pay for living on land that had been gifted by this tangata whenua.

CONCLUSION

While it is likely that a majority of non-indigenous New Zealanders are now in accordance with the principle of settlements to redress the wrongs done to Maori over the last century and a half, these recent examples of issues in the public spotlight indicate that there is considerable misunderstanding of te ao Maori (Maori world view) still and that there continues to be resistance to a shared approach to issues. Post-settlement has delivered a newly emergent cultural environment, and the great variety of permutations of these settlements and the contingent iwi circumstances provide for enormous diversity. It would be useful for non-indigenous New Zealanders to gain at least a passing familiarity with the current situation. New sets of causal effects will make it even more complex. Our country is small and we live cheek by jowl. Increasingly the hybridity of our indigeneity is becoming more complex and more inclusive – those who will be able to whakapapa to a Maori ancestor are likely to form a majority at some future stage.¹⁴ So it probably behoves all of us to consider the potential identity of our descendents. John Roughan said in a New Zealand Herald article recently: "A treaty-based shared state, which ours has to be, may be better if it can satisfy the need of indigenous minorities for the ethnic pride, cultural security and national identity that the majority enjoys. That is

¹² Editorial, 'Illegal taking of kereru likely to stir public anger' in *New Zealand Herald*, June 27, 2015. Retrieved from: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11471893

¹³ Cumming, G. 'Paritai Drive residents fighting Maori heritage designation moves' in *New Zealand Herald*, July 18, 2015. Retrieved from: http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11482875

¹⁴ See: Future Maori population - summary of latest trends, Statistics New Zealand, Tatauranga Aotearoa. Retrieved from: http://www2.stats.govt.nz/domino/external/web/prod_serv.nsf/response/future+maori+population+-+summary+of+latest+trends

the New Zealand project".¹⁵ There is no doubt this project is a long term one, but judging by its present state, its shape is morphing quite rapidly. We should also recognise the possibility that *any* of us might find our particular identities - indigenous, non-indigenous or any hybrid - in the minority.

Discomfort is often a condition of post-colonial societies, as it is also of emergent conditions if our expectations are of stasis. In the recently released documentary film *The Price of Peace*¹⁶ on the police invasion of Tuhoe and the trial of the group known as the 'Urewera Four', Tame Iti and his co-accused claimed they were engaging in learning traditional iwi knowledge, while the Crown charged them with terrorist activities. The defense lawyer, speaking after the trial said: "[We have] two strong cultures in this country and the two cultures don't talk easily together." Even the website of the Ministry for Culture and Heritage has this to say: "If Māori and Pākehā had at times talked past one another, in the late 20th century they were at least facing the issues. People in New Zealand should only worry if the talking ends".¹⁷ We will have divergent opinions and robust debate, but it would be useful if both are informed. Ideally the New Zealand project has us all engaged in action as well as talk. We are all on this waka together. Like all emergent conditions there will be swells, storms, doldrums, and the need to change tack. It will be better if we all man the sheets or paddle in unison, rather than fight over the steering. And far better in the waka than out.

¹⁵ Roughan, J. 'Whyte lacking a Maori viewpoint' in New Zealand Herald, August 2, 2014.

¹⁶ Webby, K. (dir.) (2015). *The Price of Peace*.

¹⁷ The Treaty debated, New Zealand History. Ministry for Culture and Heritage. Retrieved from: <http://www.nzhistory.net.nz/politics/treaty/the-treaty-in-practice/the-treaty-debated>