

Management Law Reform, Wairaka Marae OR AN EXERCISE IN FUTILITY

Today I witnessed the Government consultation process in action. The subject, a hui to discuss Maori issues relating to the Resource Management Law Reform. The venue Wairaka Marae. The parties: the local tangata whenua; the Maori Secretariat - Maruwheau of the Ministry for the Environment, land use and town planning issues: reps of Dept of Conservation, Ministry for the Environment, Catchment Commission, MAF.

Questions to be discussed ranged from whether or not the Govt. (Central, Regional or Local) should have a say in how land should be used, to, if the tangata whenua are to be involved in the management of resources, how would you see this occurring?

The session opened with mihi and then explanations by Secretariat director Shane Jones.

Then Manu Paul made a strong statement that information is power - no information given to them of this hui, that Maori people had no status and were treated as 3rd class by law and Govt. of N.Z. They had no authority of decision / lawmaking power. That rights under Treaty of Waitangi had been denied so far, and that this hui would be no different - Govt. (G Palmer) had final say! That Maori would now be lumped with other "agencies" coming cap in hand for crumbs from the Pakeha ruling table. Many other statements of this kind were made by tangata whenua e.g. No Maori legislation.

The Secretariat understood only too well - it had access to all info. and ear of ministry - but it had no decision making power. Agreed that Palmer had final say.

The reps. from Environment Dept. said consultation etc. had freed up and they would put good word in for tangata whenua - but held no power on their behalf.

So where were the tangata whenua? What were the realities:

1: the tangata whenua were reduced to cap in hand asking "favours" of the Pakeha controlled Govt.

2: the Maori Secretariat buffered Govt. from the Treaty of Waitangi and provided information both ways and canvassed tangata whenua.

3: the Govt. agencies provided more rhetoric and technical expertise for gov't. and passed on gov't. intentions to tangata whenua.

4: local gov't. reps. promised Treaty of Waitangi consultation opportunity.

All power successfully kept in Pakeha hands.

No Treaty of Waitangi guarantees allowed to Maori.

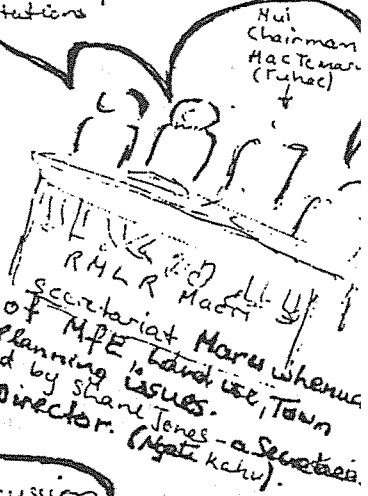
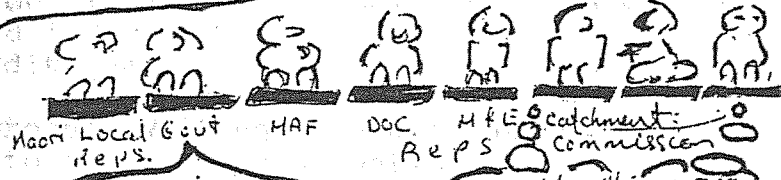
Information is Power
 We get none for this
 Hui handed to us as
 page we came in!

Pictorial Scenario of Hui

We want our Mana Recognised
 We want Authority in making laws
 and decisions
 We want Maori cultural + spiritual
 values incorporated in legislation.
 We want resource ownership determined.
 We are powerless despite T.O.W. guarantees.
 We don't want to be lumped together
 with other Agencies as we have been up to now.
 We want Tangata Whenua status recognised
 We are equal Treaty partners

Our freedom to consult with
 you has been increased.
 We will try to influence Govt
 regarding your concerns - within
 the scope of our designation.
 Our departments can work
 more closely together, all try to
 get most Maori best interests.

We are a Maori
 comprised group - well
 vested in our culture. We
 also work closely with our
 Depts with the relevant
 ministries. We are con-
 versed with the R.M.L.
 and are working closely
 with Geoff Palmer - but if
 he does have the last say
 makes the decisions on reform
 - that's why he's set up these consul-
 tations



TANGATA WHENUA
 SPOKESPERSONS
 aana Paul, Joe Mason
 et al.

We'll discuss
 planning after this
 hui sometime + forward
 your concerns to the
 appropriate planning
 authorities

There's nothing wrong
 with system we've got now.
 Maori's have come a long
 way in the last 10-20 years
 we're all NZ-ers.
 we can't speak for Maori's

You've suggested 4 Models for Resource options
 Management, none of which has any Maori Authority.
 We demand a fifth recognising Tribal Authority

What an interesting discussion
 - but the outcome is always
 the same - We lose!

TANGATA WHENUA WHANAU
 SUPPORT

These are my main observations and structural analysis of the hui. It is most important that we consider the following:

- 1: Where does the POWER lie?
- 2: See who has the last say?
- 3: What are the Maori people (tangata whenua) saying?
- 4: What are reps. from the D.O.C., M.of E, C.C. saying? who do they represent / answer to?
- 5: What are the Maori local govt. and planning reps. saying ?
- 6: What part does the Maori Secretariat really play?
- 7: To whom are the Maori Secretariat members really beholden to?
- 8: Does the location of the Chairman tell us anything?
- 9: The tangata whenua are "used" as consultants, advisors, etc. where is their mana, authority?
- 10: Maori can be used as law enforcers, especially amongst their own people, but not as final decision makers or legislators what does this suggest regarding power sharing?
- 11: How can this situation be changed when a) Maori people (signatory partners to the Treaty of Waitangi which guarantees them rights) have no power today?
 b) Pakeha people/institutions/ vested interests etc. have all the power, decision making power, veto, democratic majority power, resources etc.
 c) Clause 17 of the Maori Fisheries Bill now before parliament ?

This could make up the basis of a very educational role play for Lange, Palmer, Bolger, Moore et al with the positions reversed i.e. they play the tangata whenua !...

Manu Paul, spokesperson for tangata whenua said the whole consultation process was a waste of time. Maori rights under the Treaty of Waitangi and now the Courts and legal system were being denied them. NOW was the time for action to right the situation before Maori were legislated out of existence.

He calls on all allies, especially those sympathetic Pakeha groups and individuals wanting justice in Aotearoa give total and unconditional support.

N.C.C., Project Waitangi and all Pakeha groups must network together to change this situation.

Another observation

At the after-hui cuppa I asked the local Director of the Catchment Commission and DOC reps "in view of their strong statements of support and better consultative freedom and power", and after what they observed in the hui (about the powerless of the tangata whenua Treaty partners) what were they going to do to change their institutions in a way that would empower Maori people - i.e. allow them to get the authority and mana they desire."

Their immediate and forceful responses were:

- 1: There's nothing wrong with the system we've got.
- 2: Maori have come a long way in the last 10-20 years.
- 3: We are all one people - Maori can't have preferential treatment.
- 4: We can't speak for Maori people (they weren't asked to !)
- 5: We're not in the hui now !.(?)

Unfortunately, at this stage one of the tangata whenua who knew these reps. but not me, appeared and positioned himself between us which cut me out. He seemed to support them. (I don't think he heard all that was said and I couldn't really catch the conversation between him and the reps., so this is just a feeling. Also, perhaps I was culturally insensitive in bringing up a controversial subject during the cuppa - but I didn't feel so at the time!) I didn't want to lose the opportunity.

Clyde Lambourn
33 Seaview Rd
Whakatane
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