

network WAITANGI NEWS SHEET

Early/mid 1994

CONTENTS.

Editorial

Personal observations and reports of the Waitangi Celebrations.

Report of the 1993 Conference on Racism, Sydney University of technology.

BOOF

Racism and the Media.

The Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples 1993.

Treaty of Waitangi Questions and Answers

Greetings.

We apologise for the long wait.

This year has started with some important upheavals in health, technical equipment, domestic situations and work loads.

We have heard of the hard work and major balancing acts that many of you are also juggling whilst attending to this Treaty and anti-racism work.

Each day we see moves that may mean a better outcome for Maori, such as in the area of Cultural Safety in health, the outcome of the BOOF meeting, and a strong acknowledgement of the need for Maori mental health workers.

We also watch with concern the steps backwards, '80's style interviewing on television, Maori against Maori, facilitated neatly by white "journalists", the failure of the Government to properly attend to the registering of Maori on the role, and all the Tribunal claims that are still in the pipeline.

It is even more important for us to continue to support each other in the ways that are open to us, and especially in the way we communicate with each other. It is with each positive and affirming comment, that our commitment and strength is nourished.

Everything you are doing is important.

Warm regards, Karena Jane Joan.



WAITANGI 94' - Personal Observations

Kia ora koutou, Ko Whaitiri Mikaere ahau ko Ngati Pukenga me Ngati Marutuahu oku iwi, nareira no Hauraki toku whenua me Tikapa toku moana.

On February 6 like many occasions before I dutifully traipsed half the length and breadth of the motu to join other like minded people in the ranks against treaty celebrations and what I regard as systematic moves to render the treaty and the rights that it guaranteed us obsolete.

In my opinion, this years event wasn't too dissimilar to the 1990 celebrations at all, in terms of the visual spectacle and probably the monetary cost to the tax payer. There was a heavy military presence - designed to remind us all just who's got the power and where that power will stay. A flotilla of navy ships and long boats were sitting in the harbour, the area was teeming with police patrols (especially in the treaty grounds) and backup equipment such as police helicopters and paddy wagons were on standby.

The rest of the trappings laid on for the day was much the same. Music, side-show, stalls, etc. but low and behold the protest movement were even allowed to join in on this bizarre spectacle.

Earlier that day the protest movement had been offered a so called "opportunity" to address "Charles". The opportunity was seized but for what reason? What relevance does the British monarchy have to Pakeha people let alone Maori? We can't even get it together under the Kingitanga which is an institution indigenous to our own country. It seemed a worthless exercise given that "Charles" forebear didn't sign the treaty, and I feel that we should not get caught up in transferring responsibility for the treaty to a draconian and outdated institution such as the "British monarchy".

The responsibility lies closer to home and by no stretch of the imagination does it even come close to doing our struggle justice. Later that day "Bolger's" government made a dismal effort to address "te iwi Maori" in a public forum. It was a suicidal mission but given the present climate of blatant dis-ease amongst the people, they had to be seen as doing something positive for "te iwi" even if they were winging it. The tactical aim being just another carrot dangling exercise and it worked. The best speakers from our side were undoubtedly the women, in particular Annette Sykes, Mira Szazy and Ripeka Evans. The forum seemed to allay a lot of anger and frustration and I feel that people were less inclined to take further action during the formal part of the day.

Individuals were being issued trespass orders and were ordered to leave the grounds immediately or face police detention. The incredible thing was that they were given no lawful reason at all. There was and always has been a violation of basic human rights at Waitangi by the law enforcement arm of our so-called democratic political system.

Our people have been conned but even worse the protest movement - the hope and aspirations of the people - were conned and stupefied into submission at Waitangi '94.

"Oh Absolutely"

With this immortal line Prince Charles gave his assurance to Network Waitangi Whangarei member Pat Gray that he would indeed remember to honour the Treaty.

The polite exchange, in the garden at the back of the Treaty House at Waitangi this year is, however, recorded for posterity not in the news media but in a formal complaint by Pat against her trespass notice, issued shortly afterwards.

The 20 trespass notices given out on the day effectively prevented any protest presence at the evening ceremonies. The notices ban the recipients from the Treaty House Grounds for two years, in sufferance of a \$1000 fine or three month's jail.

One other NWW member, Robyn Blumsky, had earlier received a notice while holding the Maori flag near the Treaty House alone. Pat had returned to ask the reason for Robyn's notice, which had been given with neither warning nor explanation - as then was Pat's.

Notices were given to people wearing the flag tee-shirts, to previous years' protesters, to hecklers and to some invited guests among Ngati Porou.

Liberties and to the Waitangi National Trust Board. Board members include Jim Bolger, Doug Kidd, Dennis Marshall, Les Gandar and is chaired by Cath Tizard.

The trust board each year authorises the police to handle security on the day - this year's instructions include the requirement to warn potential disturbers of the peace before taking any action.

A police spokesman quoted in the Northern Advocate said the trust board "had authorised a police initiative to keep protesters off board property". He said some notices were issued to people who had protested in the past. Asked if this was fair, he replied, "Absolutely!"

I went over to the marquee on Te Tii Marae to sit in the two and a half hour hui being held so that Maori speakers could address government ministers about grievances; Doug Graham, Doug Kidd, Don McKinnon and Jenny Shipley sat in a row together, facing a group of about 150 people all of us glad to be seated in the shade - it was a roaster! The lasting impression I have of the hui was the way in which issues were being addressed by older speakers that even only a few years back would have been considered 'radical' - that and the anger, frustration and resentment in their voices - apart from Dame Mira Szazy, who implored sadly for the Treaty to be "triple entrenched in the constitution so that it could never be changed again".

Each speaker had only ten minutes - a point of annoyance to many. The first speaker, whose name I missed, spoke about MMP as the big opportunity for more Maori voices in parliament, and this came up frequently from other speakers. He spoke of it as an honour for Maori to be on the Maori roll and an honour for non-Maori to be on the general roll - each voting for their own to represent their own, taking up the challenge and not expecting to be represented by pakeha who could only represent themselves.

Dover Samuels spoke of the disenfranchisement of so many hapu under the Sealords deal - "I'm sick to the back teeth of the Sealords deal", which brought a groan of agreement from others.

Potaka Dewes asked yet again about the appointment of a coroner in Auckland who would enable Maori to follow their own protocol for the dead.

Then a woman whose first name was Jenny angrily reprimanded the ministers - "I want to look at you directly and say that you've done a lot of damage to the mana of our men and women and children - we don't want your handouts - what we want is what is rightfully ours!."

Annette Sykes, a young lawyer, spoke strongly and informatively about the proper constitutional reform required to fully address the honouring of the Treaty, and the immediate problem of getting sufficient number of Maori on the roll within the two month time limit before MMP comes in, as well as the lack of adequate funding. Yet again leaving it up to voluntary Maori energy to do the job.

"The Treaty clearly envisaged a power sharing model of government" she said" and a change is needed in continuing to allow pakeha to define the way in which power is to be shared- Article 2 must be an intrinsic part of decision making" Several speakers were annoyed that although Lockwood Smith was at Waitangi he had not come to the meeting- there was a great need for more education for Maori by Maori- someone said "To use the pakeha language, we're all pissed off- and that is not my language it is yours!"

As mentioned earlier, Dame Mira stood to speak in support of Annette Sykes demand for real power-sharing, proper representation and constitutional change that would *honour* the Treaty, rather than to eliminate it. She urged the government to do something for our young people who have reached a stage when they do not know whom they are. Mat Rata also addressed equity issues, deploring the 'envelope' and monetary settlements, comparing it to someone who stole a car and then wanted you to buy it back.

Hone Harawira, who had been sitting on the ground listening, sprang up and addressed the hui angrily, challenging those who had signed the Sealords deal-who gave them the right? What about those thousands of brothers and sisters who didn't even realise what had happened, who feel they have been pushed out so far that they don't bother to come and speak and listen any more.

"Tomorrow we've got hundreds of our kids going back to school with no lunches. Bolger and Co. have got us so confused that we're giving away our rights! Who claims the right to sign away my rights in 30 days? I don't accept them....."

Of course the majority of the questions were beyond answering by the ministers present, but they cannot have missed the message; if they did perhaps they had heard it earlier in the day from Mike Smith who presented Te Kawariki flag to Prince Charles-

"Times up, bro; Honour the Treaty get on with the job!!"

Oh well, I know Prince Charles intends to do his bit-in the evening when he arrived for the ceremony at the top grounds, I had the opportunity to be close enough to him to address him directly. Having listened to the hui with the talk of constitutional reform running through my mind, I said to him as he walked by me

"Remember to honour the Treaty your majesty."

He turned to me and answered without hesitation

"Oh, absolutely."

Perhaps his mum has been thinking a bit more about the Treaty-after all, she had judged it to be "imperfectly observed" back on her last visit in 1990.

Perhaps the Windsors think 'Time's up too'!

However as soon as he was out of sight and as I started down the road towards home, the police hand me a trespass notice threatening me with arrest and a summary conviction to a fine not exceeding \$1,000.00 or imprisonment for a term not exceeding 3 months if I go to the Treaty grounds; for a period of two years.

Freedom of speech comes pretty expensively these days!

Pat Gray Whangarei Feb. 1994

FILE
COPY.

39 Park Ave,
Whangarei.

February 16, 1994

District Commander,
N.Z. Police, Whangarei.

Dear Mr Schwass,

I would like to lodge a formal complaint about the issuing of a trespass notice to me on Feb 6, 1994 at the Waitangi Treaty House Grounds. I am seeking your support for a withdrawal of the trespass notice on the following grounds.

At the time I was issued the notice, about 6.15pm, I was carrying a flag by myself on the Treaty Grounds. The officers (D. Palmer and two others) who issued the notice (enclosed) could/would/did not give any reason for their action against me.

I am a law abiding citizen with no previous convictions. Had I been asked to comply with any direction given by the officers I would have.

I was unaware that carrying a flag was an offence. I had walked past other officers while carrying the flag and had not been apprehended or warned not to by them.

I consider the two-year ban on entering the Treaty Grounds an infringement on my rights as a New Zealand citizen.

I felt humiliated, degraded, violated and frightened by the police action. I was unable to contact my children and friends to let them know what had happened. I was in fact looking for them at the time.

The incident was videoed. I would like to know who has access to this tape and if I can have it destroyed. The video will show, however, that I was not disrupting the formal ceremony. I had no intention of doing so.

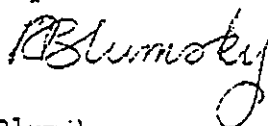
I was not drunk, nor had I been present at any previous Waitangi Day demonstratic Neither was I heckling.

I was carrying the Maori flag to show my support for the rights guaranteed to Maori in the Treaty of Waitangi. I thought that was what Waitangi Day was for. I was also there to acknowledge Prince Charles as the direct descendent of Queen Victoria, on whose behalf the Treaty was signed. The action of his forebear gives me the right to be in this country.

I am not questioning the rights of the police, but the failure of the officers to give any explanation reinforces my view that there was no real cause for the issuing of the notice. I am sure the officers concerned share my embarrassment over the incident.

In short, I believe the penalty imposed upon me is both unwarranted and excessive I look forward to your support and early reply.

Sincerely,



Robyn Blumsky

CONFRONTING RACISM CONFERENCE

7 - 10 DECEMBER 1993

UNIVERSITY OF TECHNOLOGY N.S.W.

Though the Conference was academic it was made more real and helpful by talks from Koorie and Torres Strait Islanders and by people from ethnic groups speaking of their experiences of racism in Australia. For us the presence of Maori and Pacific Island academics was liberating with thinking based more in the pragmatic experiences of neighbourhood and nation.

Canadian's and Australian's at the Conference were entirely and uncritically rooted in Multi-Culturalism. A Canadian Concept (Schrimmer) from the 1960's it is a concept which meets the immediate reality of their societies and its problems. From the New Zealand perspective the status and rights of Indigenous peoples are made secondary and by the end of the Conference Paul Spoonley (Massey) challenged the omission by having the next Conference in Aotearoa and address Bi-Culturalism.

The hot topic throughout the Conference was the Mabo Agreement, a kind of Treaty in Australian eyes. It became clear that Mabo is driven by the Prime Minister and not representative of popular opinion or of State Governments in particular. Aboriginal people are trying to slow up the process for it to be more effective.

One great connection made during the Conference was the link between Racism and current Economic Ideology. Denial of this is one of the strongest instruments of Racism today. Free-Market hierarchies, focus on the individual and competition are contradictions to whanau, collectivity and co-operation. It was ironical that Australian academics critiqued racism more because it would alienate future markets in Asia.

The most influential speaker at the Conference was Dr Frances Henry, Anthropologist from the University of York, Canada. She spoke of "Democratic Racism", the popular belief that in a Democratic society everyone has equal opportunity but all manners of things exist to prove this is not so. People see themselves as not being racist but have no contact with other ethnic groups (called "Aversive Racism", a US term, Dereckner and Devidio). Another feature of Democratic Racism is seeing people from "outside" as a threat. There is even an encoded Language - "they" and "us" and "go-home". People believe in equality of opportunities but not in equality of outcomes, they believe in freedom of speech so long as there are no changes. In a society of Democratic Racism the Media smears anti-racist workers and uses labels like "leftist" and "red necks". The Dominion and its Editor were studied as an excellent example of this currently with its "Political Correctedness" debate.

AN ARTICLE ABOUT THE HIDDEN CREATION AND REINFORCEMENT OF
RACIST ATTITUDES BY WHITE CONTROLLED MEDIA

19/2/94

Tonight I watched most of 'A Far Off Place', a film advertised as, 'a splendid African epic based on the stories of Laurens Van Der Post, and breathtakingly filmed in the Kalahari Desert'.

I'm not familiar with the author, but it was in a so-called Film Festival, which suggested quality. Having recently been stunned by the shots of the Australian Outback in 'Over The Hill', I was naively hoping for something nearly as spectacular.

The film starts with very beautiful opening shots, showing groups of various animals, including lots of elephants, around a water-hole. This idyllic scene is rudely interrupted by a landrover full of blacks, who promptly start mowing down the elephants with automatic weapons. While these poachers are subsequently using chain saws to remove the ivory, another landrover arrives and out steps a white game warden, who fearlessly puts a stop to the harvest, and in the process kills a couple of blacks.

Even though the ringleader of the poachers subsequently turns out to be an evil white, the image of that first scene rang some serious alarm bells for me.

The hidden message is a global one. Indigenous people, (usually coloured), are destroying the planet's ecosystems, and it's the job of Colonists, (usually white), to use all available methods to prevent them before it's too late.

Clearly most wardens in Africa today would be black, and it's possible some poachers would be white. Why reinforce an inaccurate and dangerous stereotype just to be consistent with an obviously out-of-date book, (if that is the excuse).

A one-off scene like this gives no room for analysis of the prior destruction of the eco, cultural and economic systems by the very same colonists who are now portrayed as saviours. It is the destruction of these systems which has undoubtedly forced the blacks into poaching to survive. All the technology that makes such destruction possible and most of the infrastructure that facilitates it has been very profitably developed and marketed and is largely controlled by whites.

Later in the film, a very attractive white teenage girl, apparently in response to a deep spiritual message, climbs out of her window in the middle of the night. She runs quite a distance through the jungle in the dark and comes across an equally attractive black, slightly older. They were obviously

good friends of long-standing and respect. She spoke a lot of his language and I immediately saw them as possible lovers. Soon they were joined by yet another attractive teenager, this time a white boy who had followed her from the house. She had only met this boy the previous day, but already their relationship was obviously headed for romance.

A large part of the film was then made up of a journey these three were forced to make across the Kalahari, to escape from the evil master poacher.

Sadly, but predictably, the relationship between the white pair steadily developed. Meanwhile the black, without a trace of jealousy, loyally showed them how to stay alive, taught the boy some of his language, uttered a number of very wise sayings and helped the boy to fashion a garment which finally won the heart of the girl.

The hidden messages here are that blacks can be very useful, particularly on their own territory, and that good useful ones don't have any sexual or romantic feelings at all.

There was also a scene where the white boy tries to describe television to the sceptical black while the audience giggles with amusement.

(To be fair the film also includes one very brief scene where a stropky black maid sticks up for herself.)

Although if wasn't advertised as such, this film was produced by the Walt Disney organisation, obviously for full family entertainment. It was undoubtedly conceived, financed, produced, and marketed by white men to be shown to white audiences for profit. Certainly all of the leading characters bar one were white. Yet the very essence of the film, the thing that attracted me, and I'm sure many others is AFRICA. The animals, the indigenous people and the vibrant spirit of the place.

What irony that while exploiting the spirit of Africa in this way the distributors of 'A Far Off Place', possibly unwittingly, are trampling heavily on the people of that continent and indigenous people everywhere.

They've done this by perpetuating false stereotypes and sowing seeds of righteous superiority that feed racism. The fact that their market includes a lot of young people makes it more disturbing and will help make the achievement of equity and justice for all in our country and the world more difficult.

One obvious conclusion is - White men should make films about their own countries and let the indigenous people tell their own stories.

A footnote:

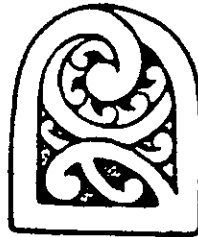
Preceding the opening scene of black violated tranquility is a statement that the animals used in the production were well treated, and that scenes where they appear to be harmed were simulated.

How very sensitive and politically correct. It's time the same sensitivity was extended to black people, or aren't they as important as a few animals?

Written by John Tovey, 30 Gavin Rd, Raumati.

Phone (04)297-2216

EMBARGOED UNTIL
5:00PM, 23 JULY 1993



FIRST INTERNATIONAL CONFERENCE ON THE CULTURAL & INTELLECTUAL
PROPERTY RIGHTS OF INDIGENOUS PEOPLES

WHAKATANE, 12-18 JUNE 1993 AOTEAROA NEW ZEALAND

THE MATAATUA DECLARATION

ON CULTURAL AND

INTELLECTUAL PROPERTY RIGHTS OF

INDIGENOUS PEOPLES

JUNE 1993

In recognition that 1993 is the United Nations International Year for the World's Indigenous Peoples;

The Nine Tribes of Mataatua in the Bay of Plenty Region of Aotearoa New Zealand convened the First International Conference on the Cultural and Intellectual Property Rights of Indigenous Peoples, (12 - 18 June 1993, Whakatane).

Over 150 Delegates from fourteen countries attended, including indigenous representatives from Ainu (Japan), Australia, Cook Islands, Fiji, India, Panama, Peru, Philippines, Surinam, USA, and Aotearoa.

The Conference met over six days to consider a range of significant issues, including; the value of indigenous knowledge, biodiversity and biotechnology, customary environmental management, arts, music, language and other physical and spiritual cultural forms. On the final day, the following Declaration was passed by the Plenary.

PREAMBLE

Recognising that 1993 is the United Nations International Year for the World's Indigenous Peoples;

Reaffirming the undertaking of United Nations Member States to:
"Adopt or strengthen appropriate policies and/or legal instruments that will protect indigenous intellectual and cultural property and the right to preserve customary and administrative systems and practices." - United Nations Conference on Environmental Development; **UNCED** Agenda 21 (26.4b);

1993 UN INTERNATIONAL YEAR FOR THE WORLD'S INDIGENOUS PEOPLES

CONVENED BY THE TRIBES OF MATAATUA: NGĀTI AWA TŪHOE TE WHĀNAU A APANUI TE WHĀNAU A TE EHUTŪ TE WHAKATOHEA NGAI TAI TE IKA WHENUA NGĀTI MANAWA NGAI TE RANGI AS WELL AS: TE RŪNANGA O NGĀTI AWA TE WHARE WĀNANGA O AWANUIĀRANGI TE HUINGA RANGATAHI O NGĀTI AWA AND: THE NATIONAL MĀORI CONGRESS

CONFERENCE SECRETARIAT PO BOX 76 WHAKATANE AOTEAROA NZ TEL: 64-7-307-0760 FAX: 64-7-307-0762
WELLINGTON AOTEAROA NZ TEL/FAX: 64-4-479-7781



Noting the Working principles that emerged from the United Nations Technical Conference on Indigenous Peoples and the Environment in Santiago, Chile from 18 - 22 May 1992 (E/CN.4/Sub. 2/1992/31);

Endorsing the recommendations on Culture and Science from the World Conference of Indigenous Peoples on Territory, Environment and Development, Kari-Oca, Brazil, 25 - 30 May 1992;

WE

Declare that Indigenous Peoples of the world have the right to self determination; and in exercising that right must be recognised as the exclusive owners of their cultural and intellectual property.

Acknowledge that Indigenous Peoples have a commonality of experiences relating to the exploitation of their cultural and intellectual property;

Affirm that the knowledge of the Indigenous Peoples of the world is of benefit to all humanity;

Recognise that Indigenous Peoples are capable of managing their traditional knowledge themselves, but are willing to offer it to all humanity provided their fundamental rights to define and control this knowledge are protected by the international community;

Insist that the first beneficiaries of indigenous knowledge (cultural and intellectual property rights) must be the direct indigenous descendants of such knowledge;

Declare that all forms of discrimination and exploitation of indigenous peoples, indigenous knowledge and indigenous cultural and intellectual property rights must cease.

1. RECOMMENDATIONS TO INDIGENOUS PEOPLES

In the development of policies and practices, indigenous peoples should:

- 1.1 Define for themselves their own intellectual and cultural property.
- 1.2 Note that existing protection mechanisms are insufficient for the protection of Indigenous Peoples Intellectual and Cultural Property Rights.

- 1.3 Develop a code of ethics which external users must observe when recording (visual, audio, written) their traditional and customary knowledge.
- 1.4 Prioritise the establishment of indigenous education, research and training centres to promote their knowledge of customary environmental and cultural practices.
- 1.5 Reacquire traditional indigenous lands for the purpose of promoting customary agricultural production.
- 1.6 Develop and maintain their traditional practices and sanctions for the protection, preservation and revitalisation of their traditional intellectual and cultural properties.
- 1.7 Assess existing legislation with respect to the protection of antiquities.
- 1.8 Establish an appropriate body with appropriate mechanisms to:
 - a) preserve and monitor the commercialism or otherwise of indigenous cultural properties in the public domain
 - b) generally advise and encourage indigenous peoples to take steps to protect their cultural heritage
 - c) allow a mandatory consultative process with respect to any new legislation affecting indigenous peoples cultural and intellectual property rights.
- 1.9 Establish international indigenous information centres and networks.
- 1.10 Convene a Second International Conference (Hui) on the Cultural and Intellectual Property Rights of Indigenous Peoples to be hosted by the Coordinating Body for the Indigenous Peoples Organisations of the Amazon Basin (COICA).

2. RECOMMENDATIONS TO STATES, NATIONAL AND INTERNATIONAL AGENCIES

In the development of policies and practices, States, National and International Agencies must:

- 2.1 Recognise that indigenous peoples are the guardians of their customary knowledge and have the right to protect and control dissemination of that knowledge.

- 2.2 Recognise that indigenous peoples also have the right to create new knowledge based on cultural traditions.
- 2.3 Note that existing protection mechanisms are insufficient for the protection of Indigenous Peoples Cultural and Intellectual Property Rights.
- 2.4 Accept that the cultural and intellectual property rights of indigenous peoples are vested with those who created them.
- 2.5 Develop in full co-operation with indigenous peoples an additional cultural and intellectual property rights regime incorporating the following:
 - collective (as well as individual) ownership and origin
 - retroactive coverage of historical as well as contemporary works
 - protection against debasement of culturally significant items
 - co-operative rather than competitive framework
 - first beneficiaries to be the direct descendants of the traditional guardians of that knowledge
 - multi-generational coverage span

BIODIVERSITY AND CUSTOMARY ENVIRONMENTAL MANAGEMENT

- 2.6 Indigenous flora and fauna is inextricably bound to the territories of indigenous communities and any property right claims must recognise their traditional guardianship.
- 2.7 Commercialisation of any traditional plants and medicines of Indigenous Peoples, must be managed by the indigenous peoples who have inherited such knowledge.
- 2.8 A moratorium on any further commercialisation of indigenous medicinal plants and human genetic materials must be declared until indigenous communities have developed appropriate protection mechanisms.
- 2.9 Companies, institutions both governmental and private must not undertake experiments or commercialisation of any biogenetic resources without the consent of the appropriate indigenous peoples.
- 2.10 Prioritise settlement of any outstanding land and natural resources claims of indigenous peoples for the purpose of promoting customary, agricultural and marine production.

- 2.11 Ensure current scientific environmental research is strengthened by increasing the involvement of indigenous communities and of customary environmental knowledge.

CULTURAL OBJECTS

- 2.12 All human remains and burial objects of indigenous peoples held by museums and other institutions must be returned to their traditional areas in a culturally appropriate manner.
- 2.13 Museums and other institutions must provide, to the country and indigenous peoples concerned, an inventory of any indigenous cultural objects still held in their possession.
- 2.14 Indigenous cultural objects held in museums and other institutions must be offered back to their traditional owners.

3. RECOMMENDATIONS TO THE UNITED NATIONS

In respect for the rights of indigenous peoples, the United Nations should:

- 3.1 Ensure the process of participation of indigenous peoples in United Nations fora is strengthened so their views are fairly represented.
- 3.2 Incorporate the Mataatua Declaration in its entirety in the United Nations Study on Cultural and Intellectual Property of Indigenous Peoples.
- 3.3 Monitor and take action against any States whose persistent policies and activities damage the cultural and intellectual property rights of indigenous peoples.
- 3.4 Ensure that indigenous peoples actively contribute to the way in which indigenous cultures are incorporated into the 1995 United Nations International Year of Culture.
- 3.5 Call for an immediate halt to the ongoing 'Human Genome Diversity Project' (HUGO) until its moral, ethical, socio-economic, physical and political implications have been thoroughly discussed, understood and approved by indigenous peoples.

4. CONCLUSION

- 4.1 The United Nations, International and National Agencies and States must provide additional funding to indigenous communities in order to implement these recommendations.

MĀORI RAISE SERIOUS CONCERNS
ABOUT GATT

A recent paper by Moana Jackson of Ngā Kaiwhakamārama I Ngā Ture, the Wellington Maori Legal Service, entitled 'GATT AND THE CROWN SELL-OFF OF RANGATIRATANGA', draws attention to some very negative effects the GATT could have on Māori.

(GATT stands for the General Agreement on Tariffs and Trade)

Major Parts of Gatt Are:

1. TRIPS - Trade Related Intellectual Property Rights:

Requires the removal of trade barriers to the research and exploitation of raw materials and the knowledge associated with them (as, for example, in the case of Indigenous knowledge about medicinal plants), but establishes stiff patenting requirements for products manufactured from the raw materials. Also allows for the patenting of all 'life-forms'.

2. TRIMS - Trade Related Investment Measures:

Requires the removal of domestic barriers or restrictions on the entry and operation of foreign investment companies or corporations seeking entry into any other areas of domestic competition.

3. GATS - General Agreement on Trade in Services:

Bans restrictions on foreign investment in services such as banking, telecommunications, education, transport, broadcasting and construction.

4. PAGP - Proposed Agreement on Government Procurement:

Will prohibit preference to domestic suppliers by government, public utilities, or local bodies.

5. CAC - Codex Alimentarius Commission:

'Harmonises' and establishes health standards in the production of drugs and pharmaceuticals. To be mandatory within GATT.

6. GTM - General Trade Matters:

Seeks further removal of barriers to trade in manufactured products and agricultural goods.

POSSIBLE NEGATIVE EFFECTS FOR MĀORI

* Increased risk of alienation of Māori land into ownership by overseas firms.

* Danger to native forests, as timber can't be reserved for local use.

* Iwi fishing quota may be more easily sold to overseas firms.

* Māori broadcasting would no longer be protected, a big threat to recovery of Te Reo Māori.

* Incentives to local production of entertainment will be removed. Grants to Te Waka Toi etc would be threatened.

* Overseas private educators would have the same rights as local; likely creeping privatisation; risk to Iwi control and Māori courses; wānanga could be seen as barriers to sectorial services.

* International 'harmonisation' of educational qualifications; could exclude Māori content.

* Overseas contractors will be able to bring in their own workers, causing higher unemployment (mainly Māori).

* Māori or Iwi contracts with, for example, a local body as part of rangatiratanga development could be a barrier to competition from overseas firms.

* Control of rongoa by overseas firms is a possibility.

* Māori ability to protect knowledge, whakapapa, art and general tāonga effectively denied by GATT.

It seems pretty clear that overall the current GATT round, which has taken so long to negotiate, will bring benefits that should eventually trickle down to most sections of the community. It's incredible, however, that the disadvantages to Māori and to Indigenous People all over the world, who will be the last to receive any trickle-down benefits, have apparently been ignored.

ACTION ACTION ACTION ACTION ACTION ACTION ACTION

1. Inform yourself about GATT and it's potential for negative effects on Indigenous and third world people, which dampens it's benefits.
2. Lobby your M.P. etc to work for EXEMPTIONS FOR MĀORI in the areas mentioned above, before the Agreement is ratified. (Send copies of your letters to Ngā Kaiwhakanekeneke).
3. Support Ngā Kaiwhakanekeneke by becoming an active member or register to continue receiving mailouts. See 94-3 below.

N G A K A I W H A K A N E K E N E K E

30 Gavin Rd
Raumati
(04) 297-2216

ACTION ALERT - ACTION ALERT - 94-2

RESTORATION OF RANGATIRANGA OF IWI OVER WILDLIFE LONG OVERDUE

A recent International Conference in Queensland made the following Resolutions:

CONSERVATION THROUGH SUSTAINABLE USE:

INDIGENOUS PEOPLE, LAND AND WILD RESOURCES

RECOGNISING that indigenous people must be fully involved in wildlife management and utilisation and there are numerous instances in Oceania where they are not;

ACKNOWLEDGING the progress which has been achieved through existing programmes towards enhancing the sustainable use of wildlife by indigenous people;

RECOGNISING, too, that the principles of conservation through sustainable use underlie the existing relationship between indigenous people and the wild resources they use for food and the maintenance of culture and tradition;

AWARE that the values which indigenous peoples place on wild species of flora and fauna (e.g. food, clothing and medicines) are often diametrically opposed to the values that many non-indigenous people assign to the same species, and that these differences have not been adequately catered for in government policies;

NOTING that much of the knowledge held by indigenous peoples about wild species has been misappropriated and is also rapidly disappearing;

NOTING, too, that many indigenous people have been forcibly dispossessed of their lands alienated from the wild resources which were fundamental to their culture;

CONVINCED that the contribution that indigenous peoples are making to conservation would be further enhanced and that this, in turn, would further increase the benefits

THE PARTICIPANTS, RECOGNISING THAT FEW OF THEM WERE INDIGENOUS, IN THE CONFERENCE ON "CONSERVATION THROUGH SUSTAINABLE USE" HELD AT QUEENSLAND UNIVERSITY FROM 8-11TH FEBRUARY 1994 RECOMMEND THAT, IN WORKING TOWARDS THEIR GOAL OF SUSTAINABILITY,

- I. Indigenous peoples' rights over wild resources in appropriate areas should be established and strengthened;
- II. Use of wild resources for subsistence should be a basic right of indigenous peoples;
- III. The types of use and the range of species used by indigenous peoples should be progressively expanded;
- IV. The cultural and economic values of wild species should be further promoted;
- V. As a matter of extreme urgency, traditional knowledge of wild species should be permanently recorded by people deemed appropriate by indigenous people and the ownership of this knowledge retained by indigenous people;
- VI. Mechanisms must be developed which ensure that indigenous peoples realise an equitable portion of the returns from commercial products whose development has resulted from their special knowledge of wild species;
- VII. The programmes to bring about these improvements should be expanded and given significant additional funds and, in particular, should address issues of dispossession and alienation.

A representative from Aotearoa at the conference on Sustainable Use was Dr Henrik Moller, Co-Director of the University of Otago's Diploma in Wildlife Management.

On his return to Dunedin, Henrik prepared a press release on the subject, consulted with prominent and relevant Māori about it's contents, then went public on TV1 and the National Programme. The reaction from Kevin Smith of The Royal Forest and Bird Society focused more on the past extinctions record of Māori and the personality and motives of Henrik. (Kevin skillfully tried to marginalise him as patronising), than on the urgent issues of involving Iwi more in the management of tāonga that were promised to them by the Treaty of Waitangi.

This has threatened to draw the debate into the 'who has done the most damage' area, which would be messy and unproductive, and which Pākehā would obviously lose hands down anyway.

After a brief flurry on TV and Radio in the first week of March, the issue has largely dropped from sight, with very few newspapers picking up the Press Release.

However, Henrik's letter box continues to run hot, with the balance very heavily in favour of rage at what is seen as a radical sell-out of Western Science in favour of the over-favoured Māori. He is also under suspicion and criticism from some of his profession and colleagues.

Henrik has a very impressive professional record and has a proven ability to grasp the wider picture of practical systems as well as the minute details of individual species.

He obviously has a huge contribution to make in the fight to modify the stance of the Pākehā dominated Conservation Movement, which is really just in it's infancy. This should eventually lead to restoration to Iwi of Title to the Whenua itself, ie genuine Mana Whenua, in both people's terms.

Henrik is new to bicultural issues, but is a fast learner. You could assist this process by letting him know your reaction to his efforts so far, particularly if you saw or heard him on the national media. Words of support or constructive and honest criticism or guidance would be a big encouragement.

ACTION ACTION ACTION ACTION ACTION ACTION ACTION

1. Lobby your local branch of Royal Forest and Bird or similar Conservation/Recreation Groups to move towards recognition that Iwi should have primary responsibility for management of the 'Conservation Estate'.
2. Send some feedback, (hopefully support), to Henrik Moller. Dept. Zoology, PO Box 56, Dunedin Phones: (03)4797991W 4730024H 4797584Fax. Copies of the Press Statement Avail.
3. Become a member or supporter of Ngā Kaiwhakanekeneke.

NGĀ KAIWHAKANENEKE

30 Gavin Rd
Raumati
(04)297-2216

PLEA FOR SUPPORT - 94-3

Ngā Kaiwhakaneneke is a group of Pākehā and Māori committed to working to promote the concept of Biculturalism in Aoteroa and to shifting political power firmly in the Māori direction. (see the detailed objectives below).

The group was conceived in August/September 1993, as an attempt to respond to an increasing trend of 'Red-Neck' editorials, articles and letters appearing in the 'Dominion'. The most infamous of these concerned the Anna Penn Affair, (Cultural Safety at Christchurch Polytechnic), and the genre was soon brought to maturity by Craig Bauld and Alan Duff.

Output of Ngā Kaiwhakaneneke since then has been:

Preparation of a 3500 word article giving a Pākehā view of the benefits of Biculturalism, which was published in two parts in the 'Dominion' and also in the 'Aotearoa Youth Network'.

Preparation and distribution of 'Action Alerts', giving background information and contact addresses for donations to assist:

- * The Appeal of Ngā Kaiwhakapūmau I Te Reo and the New Zealand Māori Council to the Privy Council, concerning the transfer of state broadcasting assets.
- * The Occupation of the Tieke Hut and surrounding land, 20 miles up-stream from Pipiriki, on the Whanganui River, by the local Whānau.
- * The survival of Te Upoko O Te Ika, Wellington's much loved Māori Radio Station, which was threatened by funding cuts.

Preparation of a short article about the origins of the word 'Pakeha', which was published in 'Citizen's Voice'.

Distribution of 50 free copies of 'Treaty Times', a Christchurch based publication with a lot of up to date news about Māori struggles all over the country, to people (mostly Māori), who otherwise wouldn't have seen it.

Getting a short letter on the subject of the need to affirm the country's Pacific and Māori Identity published in 'North & South'.

Preparation of a 1200 word article about the hidden bias of the white controlled media. Based on the film 'A Far Away Place'. This was recently published in 'City Voice'.

Development, by using Workshop Attendance Lists from the Peace Power and Politics Conference, and the Wellington Section of people who used to receive the 'Networking', (Newsletter of Network

Copies of Articles & Alerts available
from 30 Gavin Rd, Raumati

Waitangi), together with the personal contacts of a number of people, of a file containing 260 individual names and addresses, plus 45 organisations all of who are probably sympathetic to and interested in what we are on about. (Nearly 70 of which are Māori).

Unfortunately the bulk of this work has been done by very few people. We have yet to agree on our Objectives and Strategies, and also on our name. Much at this stage is tentative, and means 'The Movers'.

SUGGESTED OBJECTIVES FOR NGA KAIWHAKANENEKE

to work for the restoration of genuine Mana Whenua to Nga Iwi Māori O te araroa, i runga i te whenua katoa o nga motu nei.

(This would mean a reversal of the current power imbalance in this country, which is weighted heavily towards Pakeha.)

Promoting discussion among Pākehā and Māori about the need for this reversal of power and the benefits it would bring for all races, and about the possible changes in both the Pākehā and Māori worlds that would help make it possible.

Encouraging Pākehā to promote the restoration of Mana Whenua by:

informing themselves about Māori initiatives,

supporting Māori initiatives materially,

making a serious effort to increase their knowledge of Māori language and culture, (to make the transfer of power less threatening),

Encouraging communication and networking between the two major racial groups, so that fear, ignorance and resentment are reduced, enabling the skills and viewpoints of both groups to be utilised in bringing about the shift of power.

NGA KAIWHAKANENEKE
30 Gavin Rd, Raumati

SUBSCRIPTION/SUPPORT FORM

(tear off here)

Name:

Address:

Phones:

Amount enclosed:

Receipt Required: Y/N

Please indicate your choice from the following list

I wish to become a member: (subject to my approval of finalised objectives to be circulated later). minimum \$10.00?

I wish to continue receiving mail-outs: (This one cost at least \$1.00!)

Please drop me from the mailing list:

PLEASE COPY AND CIRCULATE. PARTICULARLY THE OBJECTIVES AND SUBSCRIPT. FORM

THE HOMES DOCUMENT: INSTITUTIONAL RACISM AS MENTAL HEALTH POLICY

THE HOMES ONGOING MONITORING EVALUATION SYSTEMS (HOMES)

Document was developed by the Departments of Health and Social Welfare to ...

- "(i) facilitate the registration of homes for people with psychiatric disabilities under Section 18 of the Disabled Persons Community Welfare Act 1975, and
- (ii) promote and support appropriate residential services for this client group, and
- (iii) provide an assessment tool so that there is a consistent level of monitoring and evaluation of residential homes and services for people with psychiatric disabilities throughout New Zealand."

HOMES Document

This article will argue that the Document is seriously flawed, and requires urgent review. There are three major areas of concern:

1. the HOMES Document does not constitute an appropriate or accurate measuring instrument.
2. the Document imposes an ideologically narrow view of "normal" living arrangements.
3. the Document conflates these first two features in such a manner as to constitute the imposition of Institutional Racism.

The first two features of the Document will be briefly described. The third, most troubling feature, will be argued in more detail.

Before this debate is entered, I should acknowledge that my arguments are partly generated by my experience and observations as a Nurse attached to a Maori Trust which provides residential services to a predominantly Maori group of consumers. This service, of proven efficacy, is severely threatened and compromised by the requirements

of the HOMES Document. Although the generating emotions are strong, this article will attempt a rational critique of the Document. It is important to acknowledge that Mental Health is an area permeated with a matrix of agonising complexity, comprising beliefs, experiences, inter-professional perspectives, political and administrative entanglements, cultural concepts, myths, polemic, personalities, tensions and ambiguities. Perhaps the most dangerous quality to possess in this context, is that assurance of righteousness which obliterates complexities and ignores contradictions. Endleman (1990) argues that "One response to anxiety-provoking ambiguity is to construct an extremely one-sided theory". (152) As I am intending to level this very charge against the HOMES Document, it behoves me to be very careful in this respect while developing my argument. So although this article is generated by strong personal feelings arising from particular experiences, it is an attempt at analysis which is thus necessarily tentative.

THE HOMES DOCUMENT AS AN ASSESSMENT TOOL

A major feature of the HOMES standards is that services are required to meet the stated criteria before funding is available. Therefore, if services or residences wish to obtain appropriate levels of support they need to conform to the standards. This cuts out any opportunity to use HOMES as a quality assurance mechanism. It also cuts off any meaningful debate or discussion or involvement of service users and providers as to the appropriateness or otherwise of the HOMES criteria. As a take-it-or-leave-it instrument (and "leaving it" means no resources) it externalises the measurement process, makes it arbitrary and promotes a dependence upon a document, rather than focusing on the actual, local and idiosyncratic needs of services in their entirety or context.

This concern should not be taken as an excuse to avoid monitoring and accountability. Accountability, auditing, monitoring and measuring are essential, both in terms of the quality of life of residents in houses, and in terms of funding issues. The argument is

against the monopoly that the HOMES set of criteria enjoys as sole arbiter in such areas. We can acknowledge that in such a controversial field, a new measuring instrument may be imperfect. And there are local and national reviews of HOMES underway. But while these reviews are in progress and until recommendations can make their way into policy and practice, HOMES remains, and funding agencies act on recommendations made on the strength of its application.

There is an argument current that posits the idea that there "is nothing wrong with HOMES, but that the fault is in the application of it", "HOMES is a living document, and thus is flexible" etc. This argument is invalid in two respects.

1. It is for the document to clarify standards and to clearly incorporate areas of ambiguity and flexibility. We cannot excuse the document from scrutiny simply because it may be administered in a manner which allows flexibility.
2. If the document is administered inconsistently (and there is considerable anecdotal evidence to suggest that it is), then it abrogates one of its stated aims. That is, to "provide an assessment tool so that there is a *consistent* level of monitoring and evaluation ..." As such it is significantly flawed in its conception, and differing actions taken on the basis of differing applications of the document may lead to inequities, variable decision making and create confusion.

Perhaps the most important feature of the document in terms of this argument is its concern with the attempted measuring of *processes*. This is not a criticism of the document per se, indeed in this instance it conforms with accepted measuring principles (Ellis: 1991, Mills: 1989). What it means is that certain activities and processes are selected for investigation. These particular activities and processes are investigated with some thoroughness. The difficulty, as argued below, is that the selection of processes and activities to be investigated, and the underlying principles which influenced this selection, are flawed.

THE HOMES DOCUMENT AS AN EXPRESSION OF IDEOLOGY

If the current perspectives on Mental Health may be simplified (and this is a very qualified suggestion), then we may distinguish two extremes on an ideological continuum. Acknowledging the danger of over-simplification the two extremes are:

1. Sociological approaches, which includes the argument that "mental illness" is a social construct that may be eliminated through unconditional acceptance of those so labelled by "the community" and unrestrained access by disabled people to the pleasures and privileges that constitute social life (eg Szasz, Goffman, Eaton, Scheff, Wolfensberger etc).

and

2. Mental illness is a discernible, perhaps biologically produced constellation of diagnosable behaviours, that is amenable to treatment which may include constraint and control.

Without commenting on either extreme, it is obvious that HOMES is firmly in the former ideological camp. The insistence on "normality" in terms of numbers, environmental details and so on, as well as Appendices 4.2 and 4.3 leave no doubt as to the ideological underpinnings.

There are three/four comments to be made.

1. Defining "normative" experiences and living patterns is problematic, both in social and cultural terms. The concepts of hegemony and habitus, by which oppressive systems are imposed and accepted as "common sense" or "truthful" apply here as a warning that, as "normal" experience of life is a rather insubstantial construct, the imposition of concepts thus identified is dangerous in the extreme. This is especially important, indeed poignant when the fashions, fads and fancies of the past are remembered. Each - not only medical

aberrations such as insulin and "deep-sleep" therapy, but also "radical" psychiatric constructs such as "the schizophrenogenic mother" - were all severally and variously engaged as "the truth". The warning is somewhat brutally put by Johnson (1990):

"...the mental health system is terribly fragmented. It is also overly responsive to the whims, fantasies and fads of remote, detached and faceless bureaucrats who may or may not know what they are talking about, but who wield incalculable power over our system of patient care, simply because they hold the purse strings".

(525)

2. The normative social experience expected by HOMES is the nuclear family suburban household, no more than six people to live in one house, the house to be similar to others in the neighbourhood. Any deviation from this "norm" is defined as exceptional, and only allowed following discussions, and exemptions"... considered on a case by case basis". This imposition of a blanket requirement (remember, the nuclear family is a cultural artefact) to people with psychiatric disabilities, in fact denies people access to a variety of living arrangements. That is, therapeutic communities, larger group living, Maori and Polynesian communal arrangements are outside the expected standard, and thus vulnerable to funding cuts, arbitrary requirements and uncertain futures. That such organisations still exist has probably more to do with the mental health service realities than any inbuilt flexibility of HOMES.
3. Users/Consumers of mental health services are many and various. HOMES insults them on two levels.

First, the document lumps all people with psychiatric disabilities needing support in the community into one category solely on the basis of their disorder.

Deviations from mental health are associated with distress, disorder or any combination of the multiplicity of factors that apply as a dynamic, characteristic of an individual. By applying the tenets of a socially based theory as the sole

measurable treatment modality, HOMES ignores a large area of the realities of mental health dynamics, such as the tension between autonomy and responsibility, the potential for and the nature of exacerbations of disorders and the expression of distress and the nature and quality of community acceptance.

Second, HOMES require that any support that is needed by people living "in the community" must be within the context of an arbitrarily defined social setting.

This, in fact limits choice (in contradiction to Appendix 2 "Consumer Choice").

If community care is only to be found in the small homes, then the other "choice" for consumers may well be the night shelters, unsupervised boarding houses, with the informal congregations of the indigent, on the streets, or in the prisons or in the hospitals.

THE HOMES DOCUMENT AS AN EXAMPLE OF INSTITUTIONAL RACISM

"Institutional racism refers to the way in which groups are differentially treated by institutions as a result of organisational policies and procedures. (Note: An institution is a structure, often complex and hierarchical, which is made up of positions or tasks and is designed to fulfil certain organisational goals.) Institutions such as the health system ... contain or distribute a variety of resources ... a racial group (may not) gain access to these resources ... because ... perhaps an institution does not allow for the cultural variation that exists amongst groups and therefore insists that all groups must conform to a particular cultural (and inappropriate) set of expectations".

Spoonley (1993): 21

If we accept this definition and description of the process of institutional racism - in summary, the process by which organisations impose the cultural norms of the dominant culture on minority or disempowered cultures by policies, legislation and/or financial incentives or disincentives - then the HOMES Document is a disturbing example of institutional racism.

Stated simply, the Document seeks to impose structural nuclear family norms along with European processes.

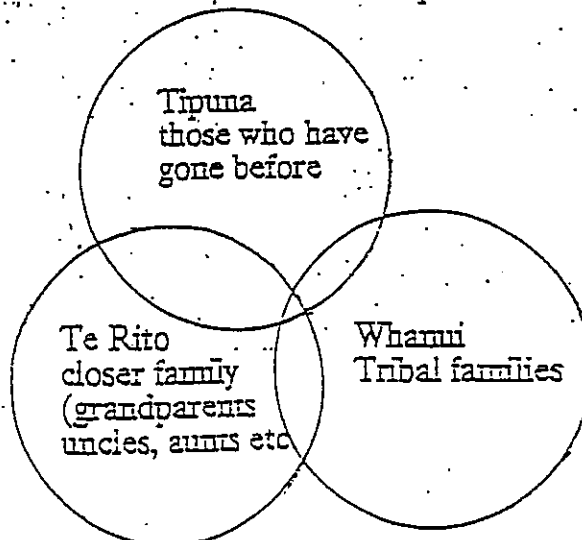
Maori social organisation and its attendant psychological and spiritual components stand in distinct contrast to Pakeha social structures. The HOMES Document is clear as to the basic social structure it takes as a norm for social living. There is an attempted modification in the document regarding "culture", which is easy to see as a condescending acknowledgement of "difference". This may be indicative of what Wetherell and Potter (1992) call "an ideological trick ... Pakeha New Zealanders become inactive but legitimate, their power invisible and normative, while Maori groups become active and visibly energetic but, simultaneously, deviant" (159).

It is frustratingly tiresome to revisit cultural realities and differences. This frustration arises from the fact that there is no excuse for the appalling insensitivity embodied in the HOMES criteria. But, briefly, the difference exists between what Ranganui Walker (in Howard, 1989) calls "... the culture of the indigenous people and the culture of metropolitan society" (152). This difference is captured poetically by Hana Tukukino (date unknown):

"Individuality - well one can look to our native bush for an apt analogy. Every tree is different, the colour, the size, the shape, the flower, the smell - this makes for a richness. The trees are stately, they are grand, they have a history, they are close and intertwined, they offer peace, security and a sense of gratitude for a power and intellect greater than that of man. Contrast this with the man made pine forests that we are pre occupied with growing - all the same, all in straight lines, no beauty - they desecrate the land, have a short life span and are grown only in terms of practicalities - for money".

(68-69)

Hana Tukukino continues to explain the concept of whanau:



In short, although it is a scandal that such an obvious fact needs to be repeated, Maori social structures may include more - sometimes many more - than six people in a family unit.

"The true measure of God is mankind.
The true measure of mankind is the family.

In Maoridom, the family concept
is not narrow and nuclear
but wide and encompassing
of the extended family
which dramatically increases
membership, contact, support
and prospects.

It is the Family that can give mana
to the hapu or tribe
which in turn can enhance
the reputation of the iwi or people.

Taha whaanau is where you share
your wettest sadness
your highest joy
and your deepest feelings.

It is the family who can cement
the inter-personal relationships
of close individuals
or be the timely adhesive
to unify communities.

Remember that Families need not be only of blood-lines"

Te Whanau o Whai Ora (1987)

I hope that the argument is apparent: that is, the HOMES Documents supports a mono-cultural definition of community living in terms of the number of family members (Standard d:9, no more than six people are to reside in the one home ...). From this arises a multiplicity of dependant standards based on the assumption that "six" is the "norm".

The suspicion of large numbers of people living together is based on two premises: the perceived effects of insensitive institutions and the need for houses for the psychiatric

disabled to be indistinguishable within a neighbourhood. The former premise denies Maori support for traditional social forms on the basis of the failure of pakeha institutions. The irony is that pakeha failure excuses disadvantaging Maori. The latter premise is, in effect, a return to the assimilationist policies of forty or fifty years ago.

HOMES goes beyond structure - it applies criteria to processes. In this, as mentioned, it assumes a low number of people per house. Apart from this, the assumptions are also culturally based. Three examples illustrate this process.

1. Individuality: the emphasis is on the individual rather than the group. So Individual Personal Plans are required. This (and the next item) are so entrenched in "metropolitan" cultural consciousness as to be truisms. Hard as it may be, the emphasis on the person, alone, contradicts a sense of collectivity and communality, existing within the concept of whanau.

"Affection, physical warmth, closeness of members, mutual support are the characteristics which link the kinship group."

Potaka-Dewes (1986): 14

2. Privacy: the arguments applying above are relevant to this concept (Standard D:4. The Residents have the choice of individual or shared rooms).

Two points arise - why such an emphasis on privacy and why is there no such requirement for physical closeness. That is, pakeha norms (the assumption that privacy is a requirement) supercedes the notion of closeness and support inherent in whanau concepts.

3. Entry criteria: residents are required to have "pre-entry assessment through psychiatric services". (Standards A:4). This innocuous item, in fact confers large powers on the "psychiatric service". Maori may, therefore, only achieve support

in residential facilities if they have been "legitimised" by a psychiatric service prior to entry. Sachdev (1989) suggests in passing that "... the perspective of a western health institution - the psychiatric establishment - (may be) not totally sympathetic to cultural differences" (540). Jackson (1987) is somewhat sharper:

"... the characteristics of the mentally-ill Maori offender, may be most properly understood by a Maori operating within his own cultural environment." (3)

Scattered throughout HOMES are references to "cultural identity" (Standard A.3), "contact with cultural groups" (Enquiry Aid B.7) and even "the Treaty of Waitangi" (Appendix 4.2). Given the overwhelming culturally-specific assumptions throughout HOMES, this constitutes a patchy verbal smokescreen to cover evident mono-culturalism. The Maori service I work for is currently being dismantled as a result of the application of HOMES - there is no acknowledgement of "cultural identity" or the "Treaty of Waitangi" in that particular process.

CONCLUSION

As unfortunate as this initial attempt to measure standards is, there is a way forward.

We can agree, I think, that Maori "mental illness" is at unacceptably high levels (Sachdev: 1989, Bridgeman, 1993). We can also agree that mental health services have not served Maori well (Psychiatric [Mason] Report: 1988, Jackson: 1987, Pötaka-Dewes: 1986, Marsden: 1986). This paper argues that the HOMES Document helps to perpetuate the inadequacies of Maori mental health services. There is considerable support (Bridgeman, Jackson, Potaka-Dewes, Marsden, Levine and Vasil: 1985, Natana: 1993 etc) for true bi-cultural initiatives at least, and self governance, self regulation and self monitoring both generally and in the mental health area. This is not only equitable,

but sensible. Supporting community residential services has to be cheaper apart from the human and social benefits, than maintaining Maori in hospitals and prisons.

A way forward may be:

1. to acknowledge the inadequacies of the HOMES Document in terms of assessing Maori community services for people with psychiatric disabilities.
2. suspend HOMES as it applies to Maori services.
3. urgently develop amended standards appropriate to Maori services (another set of standards might also be usefully developed to cover therapeutic communities and other larger organisations).

I acknowledge that the arguments presented in this paper are forceful. While remaining unapologetic for this, I need to acknowledge those who may be offended, distressed or upset by my approach. This paper does not seek to establish blame, but seeks to present a perspective. If it provokes reaction, then I hope the ensuing debate has positive consequences for the people who matter most - those who require support and care, especially those who are denied it in its proper measure at present.

Chris Cottingham.

January 1994.

AN APOLOGIA

When I speak on behalf of my employers (Maori), I am often challenged as to my right (as a Pakeha) to do so. My answer in this case is twofold:

First, I am employed, in part, to give written and formal expression to the experience of the Whanau. When that licence is removed, I can no longer speak on their behalf, and I shall stop doing so.

Second, I am of the opinion that injustice and inequity are the proper concerns of both Pakeha and Maori. So I am attempting to use whatever small skill I have to speak from a pakeha perspective and to a pakeha audience.

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