MAORI TRIBAL ORGANISATIONS IN NEW ZEALAND HISTORY:
From Neglect to Recognition, and the Implications for the Assimilation Policy

Toon van Meijl

Résumé :

La politique gouvernementale néo-zélandaise relative aux « tribus » maories a pris un tournant remarquable depuis le milieu des années 1980. Alors que toute l’histoire coloniale du pays est caractérisée par le désintérêt pour le principe tribal à la base de l’organisation socio-politique maorie, le gouvernement en vient maintenant à reconnaître par étapes les organisations tribales, particulièrement dans le cadre des négociations au sujet des réparations pour les injustices commises pendant la période coloniale. L’article examine les raisons de ce changement d’attitude, en le resituant dans le contexte de la dépossession de leurs terres dont les Maoris ont été victimes au XIXème siècle et de leur migration massive vers les centres urbains au XXème siècle. Mais par delà ces récentes modifications, les politiques officielles concernant les tribus maories poursuivent toujours le même objectif : l’assimilation des Maoris à la société néo-zélandaise.

Abstract :

In New Zealand there has been a remarkable shift in government policy towards Maori tribes since the mid-1980s. Although the colonial history of the country is characterized by a consistent neglect of the tribal principle of Maori socio-political organisation, recently the government has gradually moved to recognize tribal organisations, particularly in negotiations about compensation settlements for colonial grievances. This article examines the reasons behind this
transformation in light of the dispossession of the Maori of their lands in the nineteenth century and the large-scale migration of Maori to cities in the twentieth century. Against this background it is suggested that underlying the amendment of government policies towards Maori tribes may be one and the same objective: the assimilation of Maori people into New Zealand society.

Over the past 15 years Maori tribes have re-established themselves firmly within the political arena of New Zealand. In the 1980s Maori tribal organisations booked numerous victories in New Zealand courts regarding the recognition, if not ratification, of the Treaty of Waitangi. This put Maori tribes in a relatively favourable position to negotiate with the New Zealand government about compensation settlements to redress historic Maori grievances about the violation of the Treaty that was signed between « the Chiefs and Tribes of New Zealand » (Article the Second) and the British Crown in 1840. Since the mid-1990s several significant settlements have been signed between the New Zealand government and major Maori tribes, notably the Tainui and Ngai Tahu. A more structural implication of current political developments, however, is that the legal successes of Maori tribes in recent history have forced the New Zealand government to revise its policy towards Maori tribal organisations. Successive New Zealand governments have perforce had to embark on a different course in dealing with Maori tribal organisations since the mid-1980s. In view of the colonial history of New Zealand, this may be labelled a dramatic transformation in government policy towards the tribal principle of Maori socio-political organisation.

Since the beginning of colonization Maori chiefs have attempted to persuade the British Crown and later the New Zealand government, representing the Crown, to recognize the tribal organisation of Maori society. Europeans, however, presumed that the political recognition of Maori tribal organisations would undermine the foundations of the assimilation policy. Not only for that reason is the reformulation of government policy towards Maori tribes remarkable, but it also raises the question regarding the political motivation of the new stance taken by the government in relation to Maori tribes. On the one hand, it may be argued that New Zealand society is making great strides to repair the nation’s conscience in respect of Maori historic grievances and to ensure that the disadvantaged position in which most Maori people find themselves in contemporary New Zealand be resolved within the foreseeable future. On the other hand, it must be realised that since the colonization of New
Zealand the socio-political organisation of Maori society has changed fundamentally. At present, approximately 80% of the Maori population is residing in urban environments, and although tribal organisations continue to exist in primarily rural areas, they represent only a minority of the Maori population. For that reason, too, it cannot be surprising that there is widespread resistance against the compensation settlements that have been signed between tribal organisations and the New Zealand government in recent years. Some people even argue that the New Zealand government is now negotiating with Maori tribal organisations about the settlement of colonial injustice and historic wrongs only to advance the assimilation of the urban proletariat of Maori people, most of whom have largely lost their affiliation with tribal organisations. From that point of view, the changes in government policy towards Maori tribes are simply serving the same political objectives. In this paper, the hypothesis that the recent recognition of Maori tribes by the New Zealand government masks a significant continuity in political policy aiming at the assimilation of the vast majority of Maori people into the New Zealand nation-state, will be critically examined. I begin with a brief historic analysis of governmental policies towards the tribal organisation of Maori society, first in the nineteenth century, that may be characterized as the century in which Maori people were alienated from their lands, second in the twentieth century, that may be characterized as the century in which many Maori people had no option but to migrate to urban environments.

Maori Tribal Organisations in the Nineteenth Century

One reason why the Treaty of Waitangi has remained important in Maori counterhegemonic discourses is the fact that it was signed between « Her Majesty the Queen of England » and « (t)he Chiefs of the Confederation of United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation » (Article the First) (Butterworth, 1988 : 74). Thus, it marks one of the few moments in the history of colonial contact between Maori and Europeans at which the tribal basis of the socio-political organisation of Maori society was recognised. Over the past 150 years, however, the Treaty of Waitangi has barely played a role of significance.

1 The outline of the historic analysis of government policies towards the tribal organisation of Maori society has to some extent been derived from an unpublished discussion paper by Graham V. Butterworth, formerly public servant in the Department of Maori Affairs, entitled « The Tribal Principle and Government : An Extract » (January 1987). The paper was incorporated in a reader of « Resource Papers » entitled « Working in the Maori World », that was compiled by James E. Ritchie for his courses at the University of Waikato, Hamilton, in 1988.
in the relationship between Maori and Europeans. Over the years it has been firmly established that from the 1840s onwards the New Zealand government has gradually moved away from the spirit of partnership between Maori and Europeans as formulated in the Treaty (Kawharu [ed.], 1989; Orange, 1987a).

Initially the Europeans were numerically too weak to be able to enforce their own law, which explains why Governor Fitzroy, who reigned between 1843 and 1845, showed more willingness than his successors to formally give Maori organisational structures legal standing. His policies included, amongst others, the Native Exemption Ordinance that provided a significant role for chiefs in settling disputes (Butterworth, 1988: 75). Governor Grey, however, who held office between 1845 and 1853, was rather critical of any policy that left Maori people to retain their traditional forms of organisation. He advocated that they be educated, given employment and quickly made subject to British laws. For that reason, too, he abolished the Protector of Aborigines and initiated a system of Resident Magistrates to administer justice to Maori communities. He also refused to undertake any arrangements to share power with Maori chiefs and to accommodate Maori tribal structures within the New Zealand government to the same extent as his predecessor (ibid.). Grey’s reluctance to recognise the distinct organisation of Maori society contributed to Maori movements discussing common tribal interests, which culminated in the election of a — pan-tribal — King in 1858 (Van Meijl, 1993).

In 1859 the increasing tension between Maori and Europeans resulted into war about lands and the control of the political and economic situation on the New Zealand frontier (Sinclair, 1961; Belich, 1986). It caused the Government to be more sympathetic, at least temporarily, towards the tribal organisation of Maori society and convene a Conference of Chiefs at Kohimarama in 1860 (Orange, 1987a: 145-50). At this conference the contemporary Governor Browne proposed legislation allowing Maori chiefs to scrutinise Government Bills that affected Maori people, while he also promised to make the conference a regular event.

In 1861, however, Grey returned to the office of Governor and reverted to his old policy of neglect. He did not follow up Browne’s promise to summon Maori chiefs to another Kohimarama Conference, although he recognised the persistence of Maori socio-political structures, which caused him to set up « new institutions » in a system of indirect rule (Gorst, 1864: 245-66; Ward, 1973: 125-46). His scheme intended to involve Maori tribes in the European polity by building on tribal ruumanga or « councils », which were to recommend to the Governor the laws they required. The government hoped it would clarify the confusing issue of land titles among the Maori, and eventually facilitate land
alienation, thus meeting both the settlers’ demand for land and the goal of amalgamation.

The problem with the «new institutions» was, however, that they were introduced at a time when the atmosphere was fundamentally hostile. The Government was desperate to gain control over the Maori monarchy, while the Maori population was deeply disillusioned with the effects of the aggressive policies of the Land Purchase Department. Hence most Maori tribes made only selective use of the new mode of social control, whereas the Kingites simply refused to accept it. In the Waikato area, the main region of the Maori King Movement, for example, the existing, tribal ruunanga was never dissolved and Grey’s new District Runanga never assembled. The extreme Kingites even expelled the Resident Magistrate and later Civil Commissioner in the upper Waikato. It was an urgent reason behind the war that erupted again with the reoccupation of land in Taranaki and the invasion of the Waikato in July 1863.

After the wars the government confiscated three million acres of Maori land, including all the land of the Waikato tribe from which the Maori King had been elected. Outside the confiscated areas the alienation of Maori was facilitated by the setting up of the Native Land Court in 1865. Its aim was, first, to determine traditional land titles on a sub-tribal basis, and, second, to individualise the titles by allotting individual shares to a maximum number of ten owners of each block of land (Kawharu, 1977). Subsequently, the Department of Native Affairs and its local agency, the Resident Magistrate system, were dismantled in the 1870s. As a result, many Maori people were not only dispossessed of their tribal lands and lost recognition of their interests, but Maori communities were left without any direct link with central government and with no system of local law sensitive to their needs. The tribal foundation of Maori society was virtually destroyed, while Maori people were quickly enmeshed in a system of government over which they had no control.

Towards the end of the last century, then, it was commonly believed that the Maori as a people were doomed to extinction in the near future. The number of Maori counted at the Census reached its lowest point in 1891, when only 41,993 people were counted (Pool, 1991: 76). This low number explains the contemporary anxiety about the possible waning of Maori society. Not only King Movement tribes were struggling for survival, but Maori people in other districts too. Some form of cooperation between Maori tribes was required again to countervail against the threat of total assimilation, but nobody was still prepared to unite behind the Maori King, who in the meantime had identified the cause of the monarchy with a settlement about the confiscations of his own tribal estate. The four Maori Members of Parliament, who had been elected in Parliament under the Maori Representation Act of 1867, therefore revived the
*kotahitanga* movement of the 1850s, and set up a Maori Parliament in June 1892 to present tribal and general inter-tribal grievances to the government (Williams, 1969: 48-67). Unlike the Maori King simply claiming traditional sovereignty, the Maori Parliament accepted the European parliament and was only asking for independent control over a limited range of affairs.

The story of the Maori Parliament, however, does not amount to one of the most successful episodes in Maori history. European society was now so well established that it could afford to neglect what it considered a separatist movement, but, more interestingly, many Maori people were scarcely interested in the Maori Parliament either. The Kingites still argued for unity behind the Maori King, while others did not support the Parliament because they accepted European society. Large sections of the Maori population refused to join because they were looking for other avenues to solve their problems of poverty than the protest meetings of the Maori Parliament that often stalled in bickering about tribal differences. Reasons behind the lack of Maori motivation for protest against European domination in the 1890s, partly emanated from the despondency which characterized the *fin de siècle*, but partly also had to do with a large-scale movement into the money economy of European society. Throughout New Zealand massive numbers of Maori people entered paid employment (Metge, 1976: 35).

Eventually the division of Maoridom within the Parliament proved fatal during the final five years of the nineteenth century. Several young leaders who had opposed the Parliament’s constitutional proposals from the outset, now made a positive stand for the government. Unlike the conservative « home-rule » party, consisting of elderly leaders who distrusted the government outright, they no longer resisted some degree of governmental protection of the Maori people. In 1898 the old guard refused to further cooperate with the younger, educated leaders, and walked out. The Maori Parliament was finally disbanded in 1902 (Williams, 1969: 98-112).

**Maori Tribal Organisations in the Twentieth Century**

In the beginning of the twentieth century a new era of progress began. Maori people were becoming less concerned with political autonomy and more with the development of their remaining land. In addition, it was increasingly recognized that the social welfare of the Maori population could only be improved by obtaining equal rights within European society. At the same time, however, anxiety emerged about the cultural identity of Maori people. Recognition of European power was not supposed to entail a complete
assimilation into New Zealand society at the expense of a distinct Maori way of life.

In the beginning of the century the dual policy of integration and biculturalism was most effectively advocated by the members of the students’ association of a Maori Anglican Boys College in Hawke’s Bay, the Te Aute College Students’ Association. The organisation is commonly referred to as the Young Maori Party, although it never formed a political party. It was more a group of educated individuals who operated politically, and of whom some took up parliamentary seats (Fitzgerald, 1977: 32).

Most members of the association advocated complete integration into the economic and political frameworks of European society. Members of the Young Maori Party also campaigned for the Maori people to adopt better hygiene practices and to follow education. More importantly, however, they advocated to embrace European technology in order to develop the land still held in Maori ownership. Several tribes attempted to overcome the fragmentation and multiplicity of ownership in blocks of Maori freehold land, with reference to Section 122 of the Natives Land Court Act of 1894 opening up the avenue to form incorporations. Under the auspices of Apirana Ngata, a prominent member of the Young Maori Party, several landowners of the Ngaati Porou tribe vested their land in a committee of management and they in effect became shareholders in a company rather than landowners. The company could negotiate loans and develop their land as a unit. In this manner, the Ngaati Porou tribe began dairying, and founded the first co-operative Maori dairy factory at Ruatoria in 1924 (Sorrenson, 1973).

The campaigns and actions of the Young Maori Party were at a peak when the Maori population started to grow again until in 1921 it regained the level of the 1850s, while its growth rate exceeded the increase of the European population in 1928 (Pool, 1991). At the same time, the Parliament passed a number of liberal acts granting limited self-government to the Maori, the Maori Lands Administration Act and the Maori Councils Act. Hence the beginning of the century has been thought of as the dawn of a Maori renaissance. The support of the Maori Lands Administration Act and the Maori Councils Act, however, fell far short of the original aims of the kotahitanga movement. They did work through the obvious sanitary reforms, but the construction of European houses, the provision of water tanks and the building of piped water supply systems required funds that the Councils did not have. The government was, nevertheless, reluctant to extend their powers and to give them adequate funding so within a few years Maori people tended to lose interest. At the same time, the Councils under the Maori Land Administration Act failed to produce the flood
of land for leasing which the settlers wanted and were therefore abolished in 1905 (Butterworth, 1988 : 78).

In spite of the disappointing results of the innovative acts which to some extent built upon the tribal structure of Maori society, the leaders of the Young Maori Party, in particular the charismatic Apirana Ngata, did not cease their pressure for recognition of the tribal principle. During World War I he managed to have the Maori Pioneer Contingent recruited and organised along tribal lines. Its success showed that the tribal organisation of Maori society worked in a modern environment under the stresses of a technological war. After the War Ngata tried to keep elements of the Pioneer Battalion together under its Maori Officers to work on the construction of the Rotorua railway. He did not meet with a sympathetic response and the Contingent was broken up (Butterworth, 1988 : 78-9).

After the War an attempt was also made to revive the Maori Councils, renamed Maori Health Councils, by the Maori physician Peter Buck (Te Rangi Hiroa). Once again limited powers and restricted finance prevented there being more than a short resurgence of interest. A more important development, therefore, was the creation of the first tribal Trust Boards. Part of the new wave of good will towards the Maori that flowed out from the success of the Pioneer Contingent in the First World War was a willingness to settle long-standing claims and to even acknowledge that there had been injustices done in the period between 1840 and 1865. The first fruits of this were the settlement of the claims of the Arawa and Tuwharetoa tribes to the beds of the Rotorua and Taupo lakes. Instead of paying out the money to individual claimants, the government passed special legislation setting up the Arawa and the Tuwharetoa Trust Boards in 1923 and 1924 respectively (Ngata, 1940b : 173). In 1921 a further Commission was set up to consider the Ngaitahu grievance about the Government’s failure to honour its 1848 Agreement with the tribe when they had sold their land in the South Island. The Commission concluded their claims were just and assessed compensation at £354,000 (Evison, 1993 : 483). In 1928 another Commission that had been set up to enquire into the origins of the Taranaki and Waikato Wars, held that injustice had been done and recommended compensation. These Commissions resulted in a further two Trust Boards (Van Meijl, 1991 : 221-3). As other claims have been heard, more Trust Boards have been established in other areas (see Ritchie, 1988 : 51).

Although the compensation funds allocated to tribal Trust Boards were extremely limited, tribes took the opportunity to mobilize tribal loyalties in order to promote economic and social development. Many tribes invested the money in projects tackling farming, health and educational problems to show the government they were capable of managing their own affairs if existing forms of
Maori tribal organisation were used. In the same period as the tribal Trust Boards were set up, the leader of the Ngaati Porou tribe, who held office as Minister of Maori Affairs between 1928 and 1934, took the opportunity to use tribal leaders to manage the individual land development schemes that he initiated in the early 1920s (Ngata, 1940a: 14-54). In terms of committed effort he achieved significant results in his own tribal area, but the schemes were unfortunately expanded too rapidly in order to meet the growing unemployment needs at the time of the Great Depression. It explains also why the administrative and accounting facilities of the land development schemes were inadequate. In 1933, therefore, the Auditor-General refused to pass the accounts and a Royal Commission investigated and condemned Ngata’s administration. The promising experiment in tribal land development that Ngata had initiated was nipped in the bud and a bureaucratic land development scheme under the guidance of the government Department of Maori Affairs was substituted (Sorrenson, 1973: 2315).

World War II provided a further opportunity to demonstrate the continuing strength of the tribal organisation of Maori society. Ngata seized the opportunity at the beginning of the war to propose the formation of a Maori military unit based on the tribal precedent of the World War I Pioneer Battalion. He was of the opinion that Maori commitment to the war effort would place European government under an obligation to grant a greater measure of justice during the years after the war. He hoped that this would include some recognition of tribal leadership.

With the threatening stance of the Japanese in the Pacific, it became imperative for the New Zealand government to mobilise a maximum of resources. The situation also caused the government to commission a Maori Member of Parliament to mobilise Maori people as well. Subsequently, tribal committees were set up in each general electoral district, which later appeared to be crucial to the success of the Maori battalion. At the same time, promises were made that the Maori war effort would be continued after the war, but these were unfortunately not met either (Orange, 1987b). However, what is more surprising is that a strong Maori response to the failure to honour the war time promises did not follow. A Maori reaction was delayed for several reasons.

One of the main reasons undoubtedly concerned the severe disruption of the rural Maori economy due to the high migration to the cities. The proportion of Maori people living in cities and boroughs increased from 9 per cent in 1936 to 15 per cent in 1945. Since then the Maori population in urban areas increased at an average rate of 16 per cent a year (Metge, 1964). The rapidly increasing migration to cities after World War II must be understood against the background of sustained economic growth in New Zealand during the 1950s and
1960s. Demand for labour was high and wages were good so that even unskilled Maori workers could earn a reasonable salary. And what had been deplored in the 1930s was actively encouraged from the mid-1950s by the Department of Maori Affairs. The Department ceased building houses in rural areas and began to provide cheap housing in urban areas to ensure that people could own or at least rent satisfactory houses in their new places of residence and labour. It also made a number of attempts to improve Maori educational opportunities in cities (Butterworth and Young, 1990). The Department of Maori Affairs justified its policy of relocation in terms of a new philosophy of integration, which replaced the notion of assimilation, and which was believed to entail an improved standard of living as well as a range of social and economic opportunities for Maori people, without necessarily «fusing» Maori and European «cultures». The policy of integration was later sanctioned by means of a report drawn up by the influential public servant Hunn (1961).

The advantages of life in cities as well as the sheer demands of adjustment to a new environment ensured that the Maori community was rather quiescent during the period after World War II. By the mid-1970s approximately 75% of the Maori population was living in an urban environment outside their traditional tribal areas in the country. At present, at least 80% of the Maori population is living in urban areas (Statistics New Zealand, 1998). This also implies that over the past few decades a new generation of Maori people has come of age in New Zealand towns and cities. And it is this generation which has been responsible, not only for the recent revival of Maori culture, emerging for the need to recover a Maori identity within a predominantly European environment, but also for the revaluation of the Treaty of Waitangi, which, in turn, has generated the contemporary debate on the position of tribes and their influence in Maori society. Before going on to discuss recent political developments in New Zealand and the role of tribal organisations therein, however, the brief historical sketch of the role of tribal organisation in the colonial history of the country can be concluded by saying that the tribal principle of the socio-political organisation of Maori society has been consistently neglected. The argument can be made that the tribal organisation of Maori society has been involved in a number of government programmes, but at the same time the hidden agenda behind those programmes was clearly to benefit New Zealand society at large, and not Maori tribal organisations. In view of the deliberate and effective government policy to instigate Maori people to migrate to urban areas to create a cheap labour force, as implemented by the Department of Maori Affairs, there can be no doubt that the assimilation and integration of Maori people in the European society of the New Zealand nation-state was the main goal behind all government action.
Towards a Recognition of Maori Tribal Organisations

As a result of the increasing politicization of Maori people in the 1960s, the Treaty of Waitangi acquired a prominent place on the political agenda of Maori people again (Walker, 1984: 278). An action group called Ngaa Tamatoa sought more than symbolic acknowledgement of the Treaty, and claimed the Treaty should be ratified, or otherwise the annual Waitangi celebrations should be declared a « day of mourning ». The government noted the rising tide of Maori anger and sought advice from the Maori Council.

In 1975 the government responded, among other things, with the Treaty of Waitangi Act which established the Waitangi Tribunal. Section 6 of the act allowed any Maori to submit a claim to the Tribunal on grounds of being « prejudicially affected » by any policy or practice of the Crown which was « inconsistent with the principles of the Treaty ». The Waitangi Tribunal was « to make recommendations on claims relating to the practical application of the principles of the Treaty and... to determine... whether certain matters are inconsistent with those principles ». In the preamble of the act it was recognized for the first time in New Zealand history that the English and Maori versions of the Treaty differ from one another. The Tribunal was to have regard to both the English and the Maori texts of the Treaty. The most important limitation of the act was that « anything done or omitted before the commencement of (the) Act » was excluded from the Tribunal’s jurisdiction. Nor had the Tribunal itself any power to redress grievances. It was only authorized to make recommendations to the government « to compensate for or remove the prejudice ».

From the moment the Bill was introduced it was criticized as having no teeth, but in 1983 it was able to vindicate Maori faith in the moral force of the Treaty. In respect of the claim of Te Ati Awa of Taranaki against the discharge of sewage and industrial waste from the proposed Motunui Syngas plant onto their traditional fishing grounds and reefs at Waitara, the Tribunal recommended that the Treaty of Waitangi obliged the Crown to protect the Maori people from the consequences of the settlement and development of the land (Sorrenson, 1989: 161-4).

In the meantime Maori protest activity during the annual celebrations at Waitangi increased. During the days leading up to the 6th of February 1984 more than 3,000 young and old Maori people representing tribes from across the country, marched in protest to Waitangi in what was called Te Hiikoi (« The March »). They demanded that the Treaty celebrations be discontinued until such time as the obligations placed on the Crown by the Treaty were fulfilled (Walker, 1987: 84-9).
Following the peaceful march to Waitangi a national gathering was organised at Turangawaewae Marae in September of the same year. The purpose of the gathering was to bring together collective opinions from Maori people about the Treaty of Waitangi (Blank et al., 1985). One of the resolutions of the conference induced a radical change in the policy of the Labour party, that was newly elected in the office of government in October 1984. It recommended giving the Waitangi Tribunal the retrospective jurisdiction to hear and examine Maori grievances which had occurred from the date when the Treaty was signed in 1840.

To show its willingness to improve Maori-Pakeha relations in New Zealand, the new Labour government, led by David Lange, amended the Treaty of Waitangi Act in 1985. It expanded the Tribunal from three to seven members, and built in a Maori majority by requiring that at least four of the members were Maori. The most important clause of the amendment, however, provided for the extension of the Tribunal’s jurisdiction back from 1975 to 6 February 1840 when the Treaty was signed. It goes without saying that this clause opened up an important avenue for Maori people to seek redress for past grievances, although the Tribunal can still do no more than make recommendations to the Crown, which remains the only authority to compensate for or remove the prejudices. At the moment there are approximately 600 claims before the Waitangi Tribunal.

Immediately after it had been elected the new Labour government also called two summit conferences to address Maori concerns and to allow Maori people to put forward their own solutions. In October 1984 the Minister of Maori Affairs convened the Maori Economic Development Summit Conference, at which Maori tribal organisations from all over New Zealand argued for two basic principles to be accepted: Maori control of Maori resources, and Maori objectives on Maori terms. In March 1985 the Maori employment caucus set up at the 1984 conference was reconvened by the Minister of Employment during the Employment Conference. This second summit further endorsed the call from Maori tribes made at the first conference, and clarified the role of tribes in the new policies to be developed to improve Maori living standards. Maori tribes were advocating tribal control of resources and delivery through tribal authorities.

To address Maori unemployment and achieve parity on all levels it was proposed to institute special employment and training programmes. Two major affirmative action programmes were introduced (Van Meijl, 1996). In 1986 the government initiated a programme called MANA Enterprises aimed at broadening the Maori economic base by the creation of new businesses and the expansion of existing ones. A special pool was created for funding small businesses to provide Maori people with more jobs through the development of
viable Maori enterprises. Each tribal authority had the responsibility for vetting applications before they were submitted to the national Board of Maori Affairs. To acquire funding, usually at flat interest rates significantly lower than commercial interest rates, proposals had to accord with strict guidelines.

In addition, the government created job skill training programmes. In 1987 a development scheme called ACCESS was set up to assist people who were at a disadvantage in the labour market to acquire skills to increase their chances of finding employment. The bulk of the budget for Access training programmes was distributed through a general system administered by councils made up of community representatives, but part of the Access pool funds were apportioned to Maori authorities with the legal status of Trust Boards, Incorporated Societies or Charitable Trusts. The training programmes offered under this system were called Maori Access or MACCESS.

Maori tribal authorities celebrated both Mana Enterprises and Maccess training programmes as unprecedented experiments with «devolution» of government funding (see below). Maori tribal organisations argued that for the first time in colonial history they were allowed to administer substantial budgets and to manage significant projects, all for the benefit of Maori people. The results of Mana and Maccess were, nonetheless, rather ambivalent, due mainly to a dramatic downturn in the New Zealand economy. The same situation, however, caused that the government continued to pursue its initiative to involve Maori tribal organisations in the delivery practice of social services through its policy of devolution. In New Zealand devolution is defined as the transfer of decision making power from the centre of government to, in this case, Maori tribal organisations, and as such it is distinguished from a policy of decentralisation which involves a mere transferral of executive duties.

During the second half of the 1980s the Lange government was forced to implement a wide range of austerity programmes to balance the budget in light of the economic depression. Several government departments were forced to review the organisation of their administration, which resulted in a decentralisation, and to some extent devolution, of central government functions regarding health, social welfare, education, justice, labour, housing, as well as Maori Affairs. Against the background of the New Zealand economy being in dire straits, it was interesting that the government did not advocate the devolution of the Department of Maori Affairs on grounds of economy, but on grounds of culture. It argued that after 150 years of bypassing Maori tribal structures as legitimate networks to negotiate with or to take responsibility for Maori development, the time had finally come to recognize Maori tribal organisations and to respond to Maori requests for self-management based on
the bonds of kinship as embedded in « traditional » Maori society (Butterworth and Young, 1990: 119-20).

Although the devolution policy did provide opportunities for Maori tribal organisations, it created a new, unprecedented problem for pan-tribal groupings in predominantly urban areas. They did not want the local, host tribes in cities and towns to become responsible for the social problems of urban centres largely populated by members of other tribes. For them the reliance of immigrant Maori communities on the benevolence of host tribes in urban environments did not substantially alter their possibilities of self-management: it would simply divert their dependence on a European dominated state-system to dependence on a system controlled by tribal organisations, which would still imply dependence (Maaka, 1994: 329). Alternatively, the pan-tribal organisations in urban areas explored the possibilities to set up their own « tribal authorities » in order to qualify for the implementation of government programmes and the delivery of social services. Needless to say, this generated an interesting debate on the definition of a Maori tribe. Elsewhere I have discussed the implications of the devolution of the Department of Maori Affairs for the re-emergence of chiefs (Van Meijl, 1997) and for the rising tide of the ideology of democracy on a proportional basis in Maori society (Van Meijl, 1998). Here I shall focus on the ramifications of the devolution of the Department of Maori Affairs to Maori tribal organisations for the conceptualisation of a Maori tribe.

What is a Maori Tribe?

In order to implement the devolution of the Department of Maori Affairs the government introduced the Runanga Iwi Act in 1989. This Act was to enable the empowering of tribal authorities to administer government programmes formerly operated by the Department of Maori Affairs. As mentioned above, it aroused a discussion about what constituted a tribal authority. Which tribal or chiefly authorities should be empowered to manage and administer community development programmes?

In anticipation of government legislation to enable tribal authorities to deliver social services, many Maori groups and organisations legalised their status by, for example, registering under the Charitable Trusts Act. Thus, they hoped to increase their chances of becoming recognized as tribal authority under the forthcoming Runanga Iwi Act. The government indicated they would select only twelve or fifteen tribal authorities, but in approximately 12 months nearly
200 Maori organisations applied for the status of tribal authority. Among these organisations there was a marked distinction between urban and rural groups.

In rural areas many local communities refused to surrender their autonomy to some tribal authority at a higher level of their traditional hierarchical structure and applied for legal recognition of their autonomy. By the same token, many tribes were reluctant to recognize super-tribal authorities as principal statutory authority to which they would be answerable about the implementation of devolution programmes. In the area of the Tainui confederation of tribes, for example, the tribes of Ngaati Maniapoto and Ngaati Hauraki applied for the status of tribal authority since they did not wish to account for their operations to the Tainui Maori Trust Board which until then was the only statutory authority in the Tainui district. Thus, a ramification of the devolution policy was a division of the Tainui confederation into a number of tribal authorities, which inevitably reflected on the symbolic unity which throughout the history of the Maori King Movement was claimed to be accomplished under the banner of the Maori monarchy’s flag (Van Meijl, 1993). This tendency towards tribal division was paralleled in urban environments where a sheer unlimited number of autonomous Maori organisations emerged.

In urban areas pan-tribal organisations were set up in order to be able to demand a share in the devolution of the Maori Affairs Department. Although Maori customary law prescribed tribes and their chiefs to provide hospitality to guests and even to host immigrants, Maori migrants who had moved to cities in the recent and not so recent past were prepared to accept the « hospitality » and, consequently, to recognize the authority of local tribes and their chiefs only in respect of ceremonial matters, but not with regard to the management and administration of government resources. While local tribes in cities such as Auckland and Wellington called upon their traditional duty « to look after their guests » in order to claim responsibility for the share of the devolution programmes to be delivered to all Maori people in those cities, including the many Maori people who as part of the urbanization wave had come to live on their traditional territories, Maori migrants claimed the right to represent themselves by registering as « tribal authorities ».

Interestingly, the innovative pan-tribal associations of Maori people in urban situations also identified their organisation as « tribal » and used the traditional Maori terminology to indicate that, e.g. Ngaati Poneke, literally, « the descendants of Wellington ». Paradoxically, however, the main reason why pan-tribal organisations set up their own « tribal authorities » in New Zealand cities and some towns proceeded from their strong criticism of the tribal basis of the devolution policy. Most people living in urban environments no longer wished to be represented by tribal organisations and therefore claimed their own share
of the devolution programme. Tribal organisations and authorities, on the other hand, were hoping that the implementation of devolution would stimulate their lost relatives to return to where they were thought to belong, i.e. in the communities (maurae) on tribal territories in rural New Zealand. They argued that the tribal structure was one of the most salient characteristics of Maori society which did not allow any alternative basis of organisation to replace the tribal basis of organisation or even to be introduced alongside the tribal organisations.

The political and ideological motivation behind this argument of tribal authorities was obvious. As mentioned above, only a minority of people at the grassroots level still identifies in terms of their tribal background, and tribal organisations have nowadays relatively little influence on day-to-day interactions of most Maori people living in cities. For that same reason, most tribal organisations and their chiefs were in favour of devolution which would revitalize their authority and enhance their prestige (Van Meijl, 1997). The question whether the implementation of devolution should be tribally based, however, was by no means uncontroversial since the aim of the significant lobby of Maori spokespersons and organisations emerging particularly in New Zealand cities was to divert the process of devolution once it had become irreversible, and to claim at least some of the government funds and decision making authority for regional groups and organisations representing pan-tribal communities in non-tribal, usually urban environments.

As a result of the devolution policy, then, Maori society became deeply divided, on the one hand, between lower and higher ranking tribal organisations, and, on the other hand, between — predominantly — rural based tribal organisations and — predominantly — urban based pan-tribal organisations. Although rural and urban, tribal and non-tribal sections of the Maori population have gradually separated over the past fifty years, the depth of the division between them has only been brought to light by the controversial proposal to devolve the Department of Maori Affairs. The intense division of Maori society following the implementation of devolution raises the question whether it had perhaps been a deliberate government tactic to divide Maori interests by encouraging tribalism and cut spending. On the other hand, it should be realised that the political debate between tribal and pan-tribal organisations, which in the legal context both identify as «tribal authorities», simply compounds the anthropological discussion on the definition of tribe.

The concept of tribe was gradually introduced in late nineteenth century discourse as an ethnographic gloss of the Maori concept of iwi, which literally means «people» or «bones». As translation of iwi, however, the concept of «tribe» suggest a coherence that may well exceed the affinal ties within iwi
In view of the practice of ambilineal descent and ambilateral affiliation, the composition of tribes was rather loose and their articulation as a kinship grouping stemmed largely from the organisation of lavish feasts (Firth, 1959 : 139). As corporate groups *iwi* are probably even the result of post-contact developments, while the central unit within the socio-political organisation of Maori society was most likely the *hapuu*, which is usually translated with the equally misleading gloss « sub-tribe » (Van Meijl, 1995). In Maori discourse, however, the distinction between *iwi* and *hapuu*, between tribe and sub-tribe, nor the distinctions between all other lower and higher levels of the hierarchical structure of socio-political organisation, is far from clear-cut (Ballara, 1998 : 25-35). The concepts of tribe and sub-tribe are clearly ideological and any understanding of Maori socio-political organisation should, therefore, give adequate weight to the fluid nature of the relationship between groups. Maori social relationships were not set in cement. Tribes mixed and divided, minor segments waxed while major segments waned, people migrated and formed fresh relationships (Webster, 1975 : 124 ; see also Webster, 1998 : 124-52). For that reason, too, it can be argued that over the past few decades new « tribes » have emerged among Maori communities in the urban areas of New Zealand, which now righteously demand a proportional piece of the cake that the government is gradually transferring to Maori management as well as to Maori ownership, following the settlement of historic violations of the Treaty of Waitangi. By the same token, « traditional » tribal organisations, which have been undermined and marginalized as a result of the massive migration to urban areas, should not be made more absolute than some of them were with the establishment of tribal Trust Boards. Over the years these have established themselves as powerful bureaucracies, which foster layered structures of centralised control with limited influence reserved for the « flax-roots » (as it is said in New Zealand). For similar reasons, it can be argued that they should not be privileged in the process of devolution, nor during the negotiations about redressing historic Maori claims regarding the violation of the Treaty of Waitangi.

In New Zealand, however, a compromise between tribal organisations and pan-tribal organisations about the distribution and management of government resources and compensation settlements seems unachievable. The situation has even been complicated since 1995 when the government decided to extend the tribal basis of the devolution policy to a new policy for the settlement of Treaty of Waitangi claims. It amended the Treaty of Waitangi Act so that the Waitangi Tribunal can decline to hear claims not lodged and mandated by *hapuu* or *iwi* (« sub-tribes » or « tribes ») (Dept. of Justice, 1995 ; see also Sharp, 1997 : 291-318). The aim of this move is simply to prevent individual people and pan-tribal groupings from making claims over collective assets without the authority of *hapuu* or *iwi*. This policy has meanwhile proved extremely controversial in the
context of the settlement of Maori claims on fisheries. Since the dispute on the distribution of the settlement of the Maori fisheries claim also illustrates other difficulties coming up because of the changes in the tribal organisation of Maori society as a result of urbanization, it is useful to examine the issue of Maori fisheries is some detail.

Maori Fisheries

In 1986 the New Zealand government introduced the Quota Management System to protect the fish resources in the country’s inshore, and particularly its offshore, waters. This had become necessary following the extension of New Zealand’s economic fishing zone to the 200 mile limit in 1977. Since then fishing developed into a substantial commercial resource as a result of which some species were facing extinction. While conservation was the scheme’s rationale, its most radical feature was the creation of property interests in an exclusive right of commercial fishing, which were called Individual Transferable Quotas (ITQs). These were based on allocating allowable levels of catches of any one species to fishermen on the basis of their reported catches over the previous years. In practice, therefore, the system clearly favoured large commercial operators, while at the same time Maori people were painfully reminded of the individualisation of titles to land by the Native Land Court and its consequences in the nineteenth century. It was felt, moreover, that the New Zealand government failed to gain Maori permission to fish the resources of which they were guaranteed the « full exclusive and undisturbed possession » by the Treaty of Waitangi (Article the Second). For that reason, the New Zealand Maori Council and the Muriwhenua Maori tribe sought review of the ITQ system in the High Court, which in 1988 ruled in a landmark decision that Maori people had to be given a fair deal. The Court ordered the government to negotiate with Maoridom over the use of New Zealand’s fisheries which are worth about NZ$ 1,500 million a year.

Negotiations about Maori fisheries lasted for five years, and the issue has become one of the most complicated subjects in Maori colonial history. In the end the so-called « Sealord deal » was struck in 1992, providing that the New Zealand government would pay to the Maori $ 150 million over three years as part of Sealord Products Ltd., the largest fishing and fish processing company in the country (Moon, 1998). In addition, twenty per cent of fish species which were not yet part of the quota system would be allocated to Maori tribes. At the same time, however, it was agreed that in return Maori people would

---

2 The report of the Waitangi Tribunal on the Muriwhenua fishing claim provides an excellent overview of the extremely complicated issue of Maori fisheries (Waitangi Tribunal, 1988).
discontinue all court actions and claims to the Waitangi Tribunal concerning commercial fisheries, and also extinguish all Maori commercial fishing rights. The deal was agreed to be the «full and final settlement» of Maori fishing claims. Legal protection for Maori rights in the Fisheries Act would also be withdrawn, although Treaty of Waitangi rights covering fishing for personal or tribal consumption were retained and even new mahinga kai reserves («traditional fishing grounds») would be designated around the coast (Walker, 1994).

The deal was, of course, extremely controversial. New Zealanders of European origin accused the government of racist behaviour, particularly for establishing recreational fishing areas which excluded the majority of the New Zealand population. For many Maori people the most objectionable part of the deal was the clause which made it binding on all Maori people regardless of the question whether they had authorised the Deed of Settlement or not. This criticism must be viewed against the background that the negotiations for the deal were conducted by only four Maori leaders whose representativeness for all Maori people is highly doubtful: the tribal leaders of the Tainui, Muriwhenua, and Ngai Tahu tribes, whose vested interests in fisheries was the most significant, and the chairman of the New Zealand Maori Council representing all other Maori groupings in New Zealand. Although in the past, too, the government made deals with a limited number of Maori chiefs that were later generalised in law, while Maori mythology abounds with examples of individuals attempting to outplay each other, the social basis of the Sealord deal is extremely small.

The settlement was challenged in New Zealand courts by fourteen Maori groups opposing the agreement, but in first instance they were not successful. Subsequently, they went to the Waitangi Tribunal arguing that the deal contravenes the Treaty of Waitangi. In its response the Tribunal recommended to make the fish regulations and policies reviewable in the courts against the Treaty’s principles, and, more importantly, to impose a 25 year halt to Maori commercial fishing claims. The government, however, insists that extinguishing all Maori fishing claims forever is a non-negotiable part of the deal.

The Waitangi Tribunal also assessed the level of Maori support for the deal and concluded that there was indeed a mandate for the settlement, provided the Treaty was not compromised. This, however, is precisely the overriding concern among the Maori groupings that have been challenging the deal up until today. They are not interested in discussions whether the deal is good or bad as a commercial venture. They were initially concerned principally about the processes of decision making in which the government negotiates settlements of historic importance with only four Maori leaders who did not acquire a mandate.
from the entire Maori population yet who agreed to waive all Treaty rights in exchange for money.

Since the resistance against the deal was initially not successful, Maori tribes began negotiations about the distribution of the settlement (Walker, 1996: 99-110). It appeared, however, that they had great difficulties in reaching an agreement on allocating fishing quotas to the various parties involved. Two opposing positions dominated the debate, causing roughly a division between northern and southern tribes. The southern Ngai Tahu tribes, supported by east coast North Island tribes, argued for allocation of quotas on the basis of the Maori dictum *mana whenua mana moana*: the right to fish the sea off their tribal land area. This would obviously be a big financial windfall for the tribes with smaller populations but large coastal areas. Most northern tribes with little or no coastal boundary could on the basis of the traditional point of departure put forward by Ngai Tahu and companion tribes expect little or no quota and were therefore pushing for the quota allocation to be determined on a population basis.

After a year of negotiations a compromise was reached on the vexed question of Maori fishing quota allocation. The compromise was based on both traditional fishing areas and tribal numbers. All 15,000 tonnes of inshore quota were proposed to be distributed according to *mana whenua mana moana*. The 42,000 tonnes of deep-sea quota were proposed to be distributed 50 per cent on the basis of *mana whenua mana moana*, and 50 per cent on the basis of population numbers using 1991 Census data. As yet, however, this compromise has not been implemented due to challenges on the part of both some tribal organisations and pan-tribal organisations.

Obviously, tribal groups with a large coastline but a relatively small population, notably Ngai Tahu, have been arguing against the compromise between their supposedly traditional territorial rights and the population basis of the proposal. Indeed, the introduction, albeit partly, of a per capita distribution of resources is unprecedented in Maori history, but it did not, of course, satisfy pan-tribal groupings in urban areas who under the current agreement were not entitled to a share of the settlement. From their point of view it was unacceptable that the settlement was distributed among tribal groupings only. They argued that following the transformation of Maori society over the past two centuries, tribes can no longer claim authority only on the basis of *mana whenua*, and thus pretend to represent the vast majority of Maori people residing in urban environments. Pan-tribal groupings submitted that the contemporary organisation of Maori society necessitates the complementation of tribal authority and prestige as rooted in traditional territories with the democratic principles of proportional representation and a per capita distribution of
resources across the entire range of the Maori population, including tribal and pan-tribal communities.

In May 1996 urban Maori eventually won a share of Maori fishing assets, despite having no coastline. The Court of Appeal established a precedent by giving *iwi* status to urban Maori people with no tribal affiliations. The complex case before the Court of Appeal involved a series of appeals and cross-appeals to test the earlier judgement of the Waitangi Tribunal that it could not determine the mechanism for the allocations of Maori fishing assets. The Court ruled that the Tribunal did not have the jurisdiction to make this determination. At the same time, the ruling of the Court of Appeal noted that the judgement was based on the allocation of fisheries assets being a pan-Maori settlement.

This historic decision of the Court of Appeal was naturally welcomed by pan-tribal communities as in their view it also opened up the avenue to health, educational and social contracts that were previously denied to pan-tribal groupings because they did not have the status of tribal organisation. Pan-tribal leaders made clear that they did not want the valuable fishing quota, but that they instead wanted cash and a slice of shares held by the Maori Fisheries Commission set up to manage the distribution of the Sealord settlement:

« The last thing urban Maori want to do is go fishing. What we want... is those companies have to be cleaned, have security requirements, need accounting advice and their rubbish uplifted. We have that capacity as a people and aren’t being given the opportunity to line up » (John Tamihere, chief executive of Te Whanau o Waipareira Trust, cited in *New Zealand News*, 8-5-1996, 2515 : 23).

It shall not be surprising that a number of Maori tribal organisations appealed against this landmark decision of the Court of Appeal to grant urban Maori the status of tribal authority on the basis of which they were entitled to a share of the fisheries settlement. Their case was heard by the Privy Council and centred on the definition and the interpretation of the world *iwi*, usually glossed as « tribe », in the ruling of the Court of Appeal. The tribal organisations argued that from a traditional Maori perspective the word *iwi* includes individual Maori without any tribal affiliation, even including those who are unable to identify their tribal affiliation (*New Zealand News*, 4-12-1996, 2545 : 33). Pan-tribal groupings, on the other hand, argued that they were reluctant to become dependent on tribal organisations which they expected to privilege tribal communities in the distribution of the fishery settlement and to target the implementation of development programmes on their own, tribal relations. For the same reason, they did not want to become answerable to tribal organisations.
in rural areas which they do not regard as superior, but as representing different sections of the Maori population.

The Privy Council overruled the decision of the Court of Appeal on legal grounds, stating that in its decision on who could be classed as members of iwi the Court of Appeal went outside the bounds of the appeal it was considering. As a corollary, the Privy Council perforce had to refer back to the High Court the issues of whether fisheries assets must be allocated only to iwi, and whether authorities representing urban Maori with no tribal links qualify as iwi (New Zealand News, 22-1-1997, 2552 : 3). The five Lords of the Privy Council formulated specific questions for the High Court judge to consider, relating to whether the distribution of fisheries assets should go solely to iwi and/or bodies representing iwi, and, if so, did iwi mean only traditional Maori tribes?

In a historic judgement on this case Justice Paterson (1998 : 82) ruled, following the wording of the Maori Fisheries Act (1989) as amended by the Treaty of Waitangi (Fisheries Claim) Settlement Act 1992, that all Maori fisheries assets can only be allocated to iwi or bodies representing iwi. He further ruled that in terms of the allocations of these assets, only « traditional » Maori tribes qualified as iwi. Although his judgement was clear, Paterson did not seem unambiguous when he emphasized that in his opinion the Waitangi Fisheries Commission did have a duty to ensure that the fisheries’ settlement catered adequately for all beneficiaries, including Maori members of urban Maori authorities, provided they would be able to claim iwi links. This clause of the judgement induced urban Maori authorities again to appeal the decision, but the New Zealand Court of Appeal upheld Justice Paterson’s interpretation of iwi. Two of the five Appeal Court judges, however, dissented the decision, which provided the pan-tribal groups with sufficient inspiration to take the case to the Privy Council again, but in the ultimate judgement on this case it unanimously dismissed the appeal and upheld the decisions of the New Zealand courts that the fisheries must be allocated to iwi, and that iwi means « traditional » tribes. The Privy Council argued it had no judicial arguments to revise the terms of the settlement signed in 1992, but it did add that in view of the appeals and cross-appeals in New Zealand perhaps the Minister of Fisheries would have sufficient political reasons to review the settlement in consultation with Maori leaders (Barcham, 2000 ; Levine, 2002 ; Webster, 2002).

It may be concluded, therefore, that the urban Maori authorities were probably the legal losers of this controversial case, but at the same time they booked a small political victory by the suggestion of the Privy Council to the Minister of Fisheries to reconsider the political basis of the negotiations that had led to the settlement signed in 1992. Thus, the claim of pan-tribal authorities did receive at least some political recognition, which in 1998 was also endorsed by a
landmark ruling of the Waitangi Tribunal giving the same urban Maori group, Te Whanau o Waipareira Trust in Auckland, negotiating status with the government as « iwi » (Waitangi Tribunal, 1998). It resulted in some social welfare programmes for pan-tribal Maori communities in Auckland, while at the same time the Treaty of Waitangi Fisheries Commission is currently also proposing to allocate some resources to urban Maori authorities for the purpose of community development. This proposal is part of a new plan for the distribution of fisheries, in which all inshore quota will be allocated to iwi through a coastline formula, while all deepwater quota will be allocated to iwi through a 75% iwi population and a 25% iwi coastline formula (mana whenua mana moana).

Not surprisingly, however, this proposal remains extremely controversial. Tribal groups with a large coastline are dissatisfied with the lower amount of deepwater quota they will receive according the current proposal, while pan-tribal groupings continue to advocate for more than the NZ$ 20 million earmarked for them now. Indeed, tribal and pan-tribal groupings continue to contest each other’s basis of authority in order to reach agreement on the distribution of the funds, resources and compensation settlements devolved by government to Maori management and ownership. It all results from the dramatic transformation in government policy to engage Maori tribal organisations in the implementation of social and economic policy, without taking into account that nowadays only a minority of Maori people identify in terms of their tribal affiliation. The resistance from pan-tribal Maori people residing in urban areas against the government’s decision to privilege tribal organisations highlights the motivation behind the recent change in policy to recognize Maori tribal organisations after they had been consistently neglected for almost a century and a half. Indeed, the assimilation of the majority of Maori people into the New Zealand nation-state seems to remain the main objective of government policies.

Concluding Remarks

Since in this paper the analysis of the implications of the shift in government policy in relation to Maori tribes, from neglect to recognition, has been restricted to an examination of the Maori fisheries settlement, it is important to point out that the case-study presented above is not an isolated case. In recent years the government has signed two other substantial deals with Maori tribal organisations, one regarding a settlement of the confiscation of lands in the Waikato region, the other regarding the land claim of the Ngai Tahu tribe of the South Island. The controversy surrounding these settlements is
similar to the contention about the fisheries settlement. The main issue concerns the distribution of the compensation. The Waikato settlement is controversial since it effectively removes from sub-tribal control land that was confiscated, not from the Waikato tribe (iwi), but from Waikato sub-tribes (hapuu). The land settlement, therefore, is criticized for alienating Maori customary rights since it will deliver generalised benefits only to the limited number of listed beneficiaries of the Waikato Trust Board (Van Meijl, 1999). The controversy around the deal with Ngai Tahu concerns the relation between the magnitude of the compensation and the limited size of the tribe, at the time of the settlement comprising no more than 12,000 people.

In sum, then, it can be argued that the main political issue emerging from the compensation agreements for historic Maori grievances signed in contemporary New Zealand concerns the fact that the country’s government deals exclusively with Maori tribal organisations, whereas nowadays approximately 80% of the Maori population is living in urban environments where people have largely lost touch with their traditional tribal affiliations. This government policy and its endorsement by Maori tribal organisations has been described as based on «tribal fundamentalism» (Levine and Henare, 1994). Among pan-tribal Maori communities in urban areas the main objection to the shift in government policy regarding traditional Maori tribal organisations concerns the restriction that only tribal authorities can enter into contracts with government departments and that only tribal organisation can negotiate compensation settlements for historical grievances. Although in 1998 the Waitangi Tribunal recommended to overturn this limitation, this proposition is still to be accepted politically as well as to be translated into concrete policies. The controversy surrounding the authority and political representation of pan-tribal organisation in urban environments illustrates that many Maori people who since the 1930s have migrated to urban environments no longer feel represented by tribal authorities. In consequence, they claim a proportional percentage of government resources formerly administered by the Department of Maori Affairs and also from all compensation settlements for violations of the Treaty of Waitangi, in order to be able to deliver social and economic services to the Maori «proletariat» living in towns and cities as well. Maori organisations in cities with significant concentrations of Maori people advocate a distribution of compensation settlements not on a tribal, but on a regional basis in combination with a population formula. By the same token, Maori pan-tribal organisations argue that compensation agreements made up for historic grievances that have been accumulated by all Maori people should not exclusively be negotiated with Maori tribal organisations, but also with the rightful descendants of Maori people who have been alienated from their tribal roots as a result of the dispossession of the land of their ancestors. They view the recent deals with tribal organisations as a further alienation of their customary
rights protected by the Treaty of Waitangi. Obviously, when the government
continues to do business only with traditional Maori tribal organisations and
restricts its devolution of limited amounts of funds to only one pan-tribal
authority that successfully claimed a Maori status with the Waitangi Tribunal,
the potentially positive developments in the recent history of New Zealand will
only contribute to widening the gap between a tribal aristocracy and a pan-tribal
proletariat. In that case, too, the recent recognition of Maori tribal organisation
will simply extend the historic policy of assimilation.

Note on Spelling of Maori Words

Like all Polynesian languages, the Maori language is characterized by what
linguists label « phonemic vowel quantity »: the length of the vowel sound is
significant for the meaning of the word (Biggs 1981 : x). Consequently, long
vowels should be marked as a guide to pronunciation and meaning. Some people
indicate long vowels by placing a macron above it, whereas others simply
double the vowel concerned. The latter practice has been adopted here, both for
technical reasons and because Maori people themselves introduced the doubling
of vowels in the nineteenth century. However, there are exceptions to the rule,
such as the words « Maaori » and « Paakehaa », which have been incorporated
into New Zealand English without doubling the vowels, as Maori and Pakeha.
As a result, in this article double vowels are only marked consistently when
referred to in a Maori language context or when they were part of an original
source of citation.

Following the customary practice in New Zealand, the Maori form of the
plural is retained in English, which implies that Maori words remain the same in
plural without adding an « s » to the singular : one Maori, two Maori. In the
Maori language singular and plural are distinguished by means of different
definite articles, e.g. te whare, viz. « the house » versus ngaa whare, viz. « the
houses ». 
References


MEIJL Toon van, 1996, « Community Development Among the New Zealand Maaori : The Tainui Case », in Blunt, Peter and D. Michael Warren (eds.) ;


