

2. GENERAL GOVERNMENT POLICY: ADAPTATION, INTEGRATION, CLOSING THE GAPS

2.1 Adaptation

In the life-long private correspondence between Ngata and Buck there is an invaluable body of material that reveals the views of these influential Maori leaders on a wide range of issues. Much of the correspondence is now easy to access owing to Sorrenson's editing of many of their letters to each other into published volumes. In terms of Ngata's approach to questions of cultural knowledge systems, these letters disclose that for him the period from 1881 to 1899 was devoted to acquiring Pakeha knowledge. Then from 1899 to 1925 the Pakeha knowledge thus acquired was applied to the problem of adaptation.¹ During the earlier period Ngata and his peer group of Te Aute College old boys were acquiring tertiary level education and professional qualifications. Early on in the second period the 'Young Maori Party for the Amelioration of the Maori Race' was established. Its leaders soon won recognition from Maori electors to serve as members of Parliament.

The defining principles and philosophy of the Young Maori Party focused on the need to close the gaps between Maori and Europeans. A draft statement of the aims and objects of the Party addressed these issues:

1. It is not the aim of the party to preserve the Maori as a separate and distinct race, or consciously to combat the influences that tend more and more to bring about the fusion of the Maori with the European; since it is recognised, naturally with some regret, that the maintenance of the Maori as a distinct and separate race is a matter of insuperable difficulty; but the aim and effort of the party is to secure that any such fusion be brought about on the highest possible plane, and on a basis of mutual self-respect to which end the maintenance of a proper pride of race is essential.

2. While it is not their view that such a fusion is altogether desirable, the only other view that seems possible is that the race is doomed, that it should not be absorbed lest the white blood be tainted, and that it must be left to perish as having no place in the future life of the Dominion.

1. M P K Sorrenson (ed), *Na To Hoa Aroha: From Your Dear Friend. The Correspondence between Sir Apirana Ngata and Sir Peter Buck, 1925-50*, Auckland, Auckland University Press, 1986, vol 1 (1925-30), p 123

3. The party cannot believe the Pakeha to entertain the idea that the Maori has no characteristics worth preserving and transmitting, seeing that so many efforts are made by the former to enrich, colour, and render distinctive the art, music, literature, history and science of the Dominion from the art, music, language, traditions and customs of Polynesia.

4. In pursuance of its aim the party concerns itself chiefly with the agencies designed by private enterprise, by the State, and the Churches to adapt the physical, intellectual and moral qualities of the Maori people to the circumstances and requirements of an advanced civilisation.

...

5. The methods adopted by the party in pursuit of its objects cannot be said to have yet been properly consolidated. In the inception of the movement they were necessarily iconoclastic, to a certain extent, but constructive in pointing out more desirable alternatives. The experience gained in a largely experimental field justifies only tentative schemes. But it may be stated that the methods pursued have been governed largely by the consideration that, in his equipment as the citizen of a State founded mainly on an industrial basis, the average Maori begins some degrees below the average European in every department of civilisation, and special preparation, attention and training are required to advance him to the point where he may be considered qualified to face the ordinary problems of a civilised community, on equal terms.

For this reason the Party has steadily advocated that the training of the race in health and sanitation, in industry, in education, in social reforms and in Church organisation should be committed to special departments and administrative bodies &c, subsidiary to the departments and organisation created by the public necessities of the day.

6. It is recognised that as soon as this pioneering has advanced sufficiently in any department the justification for a special system will cease to exist.

Cultural knowledge was not a high priority, but received a mention:

8. Since it is destructive to the self-respect of any race to break suddenly with the traditions of its past, it is one of the aims of the Party, though not the primary one, to preserve the language, poetry, tradition and such of the customs and arts of the Maori as may be desirable and by promoting research in the Anthropology

and Ethnology of the Polynesian race to contribute to science and provide a fund of material which should enrich Literature and Art of the future.²

Young Maori Party leaders represented most of the Maori constituencies in Parliament for a long time though some, like Ngata, chose to align with the Liberals and others, like Pomare, were allied to Reform.

By the late 1920s, however, Ngata had modified his views. Rather than a reluctant acceptance of racial fusion and the perceived necessity to absorb Maori into the advanced civilisation, the key word now was 'adaptation'. In 1929 he wrote:

Lately I wrote Dr Buck that the most remarkable thing to be found in Maoridom today is that after a century of the clash of Pakeha and Maori culture the Maori has got over the wonders of Western Civilisation and is settling down to a compromise – the adaptation of elements of both.³

By that time Ngata was a minister of the Crown and his ideas on adaptation came to be accepted as Crown policy in some areas of administration, especially in the Native schools. This is discussed in chapter 3.

Meanwhile, the Young Maori Party leadership was under challenge from a movement with a great concern to raise up the Maori people, but with an approach very different to that of the Young Maori Party. Between 1932 and 1943 the four Maori seats were to fall to candidates nominated by the movement founded by Tahupotiki Wiremu Ratana. That movement was gathering strength in the 1920s. It was a movement and a church that consciously promoted the ordinary people – *nga morehu* – in language very different to that of Ngata and Buck. Ratana laid great stress on formal ratification of the Treaty of Waitangi. He took a petition with some 30,000 signatures seeking ratification to the King in London in 1924.⁴ Ngata on the other hand wrote an influential pamphlet urging Maori not to distract themselves with past grievances by constantly harping on about the Treaty. He thought Maori should cease any yearnings – *nga wawata* – based on the Maori text of the Treaty.⁵ While Young Maori Party leaders worked with the old Pakeha political parties, it was to be the rising Labour Party with whom the Ratana independents allied themselves. However, Ratana was also deeply concerned about raising the status of the Maori race and he also desired adaptation of Maori ways. In 1927 he wrote to the Minister of Native Affairs on behalf of a federation

2. 'Draft Statement of the Aims and Objects of the Young Maori Party (Northern Division) in amplification of Clause 2 of the Constitution,' MS Papers 0189-0116, Apirana Ngata – Miscellaneous Papers 1883–1909, ATL Wellington

3. Ngata to Sutherland, 22 May 1929, MS Papers 0123-1, Sir Apirana Ngata, ATL Wellington

4. J M Henderson, *Ratana: the man, the Church, the political movement*, 2nd ed, Wellington, Reed, 1972

5. AT Ngata, *The Treaty of Waitangi, an explanation: Te Tiriti o Waitangi, he whakamarama* (1922) [annexed to a translation by M R Jones], Christchurch, Maori Purposes Fund Board, 1963

registered under the Companies Act as the Maori Welfare Provident and Finance League Ltd:

The object of the Federation is to raise the status and standard of the Maori Race morally and mentally in conformity with the following sentiments

- ▶ Faith in one God, the Lord of Hosts, Father, Son, the Holy Ghost and the Faithful Angels; to renounce the practices of, and to denounce Maori Tohungas.
- ▶ To seek such means and adapt such course as will enable the Maori Race to live the highest standard of citizenship and not inconsistent with the law.

The denunciation of tohunga is worth noting because, as will be discussed later in chapter 4, Ratana himself was castigated, by those in government circles at the time, for acting as a tohunga. While noting that 'no former Government of the country have rendered assistance of this nature to the Maori People' the letter went on to seek financial grants from the Maori Purposes Fund Board to effect a number of improvements to the Ratana Pa. Sanitary improvements were needed 'to bring it in line with the requirements of the laws of health' including a water supply system and proper drainage. Establishment of a primary school was also requested with a strong emphasis on the need for technical education 'instilling into the children of the Maori race such technical knowledge as will be serviceable to maintain their own welfare.' This was seen to be a means to close the gap between Maori and Europeans:

An inspection of the farming operations carried out by Maoris of the country in addition to dairying; they are not so successful as in the case of Europeans. Why is this the case? Through ignorance the Maori has failed; and through knowledge the pakeha on the other hand has succeeded.⁶

Ngata's policy of adaptation was implemented as Crown policy in a number of ways. The Native Land Amendment and Native Land Claims Adjustment Act 1929 was an example of a watershed in land policy. For the first time since the outset of colonial rule, Crown policy on Native land no longer insisted on the necessity of acquiring land from Maori in order to make it available for Pakeha settlers to develop. The Government now moved to fund the development of the little remaining Maori-

⁶. Ratana to Coates, 18 October 1927, MA 28, 22/8, Ratana Federation, NA Wellington [original Maori text not supplied]

owned land for the benefit of the Maori owners. The Maori land development schemes, which Ngata and Te Puea Herangi of Tainui promoted assiduously in the 1930s, were an outcome.⁷ For the purposes of this research commission, it was in the area of education in Native schools that the new policy of adaptation was most significant. For Ngata, of course, the issues of land development and education were inextricably interconnected. In his introduction to the 1931 report on Native Land Development he referred to the new phase of adaptation for Maori in terms of their education. This involved a building up of Maori culture while at the same time enabling Maori to have a clearer understanding of the nature of their new civilisation.⁸ The adaptation policy did not have an immediate impact on government policy in areas outside the portfolio of Native Affairs. Education in Native schools was an exception. The acceptance of adaptation in these schools, by the introduction of Maori arts and craft subjects into the school curricula, was no doubt attributable to the enthusiasm of Douglas Ball who was appointed an Inspector of Native Schools in 1929.⁹ In 1927 a Young Maori Party conference, held in conjunction with the New Zealand Maori Lawn-tennis Association Easter tournament at Putiki, had urged that 'Maori *poi* dance' and other Maori arts and crafts be taught in approved Native and public schools.¹⁰ In the 1930s that recommendation became Crown policy for the Native schools.

Ball had himself been influenced by notions of 'cultural adaptation', 'industrial education' and the 'progressive education movement' drawn from the work of Booker T Washington and John Dewey.¹¹ On Ball's own assessment of the 1930 policy change, this was a radical rejection of pre-1930 policy attempts to impose an assimilationist ideology. Previously there had been a policy that was 'ruthless in its repudiation of the indigenous culture'. In order to ensure the divorce of Maori from every aspect of their culture, government policy had been 'exemplified by the complete abolition of all things Maori from the scheme of education'. After 1930, on the other hand Native school pupils were encouraged to have a 'healthy racial pride, stimulated by knowledge of and research into the past history and achievements of the Maori'.¹² One of Ball's successors as Senior Inspector strongly defended the radical nature of the 1930 policy change. Writing in 1956, W Parsonage somewhat boldly divided the post-contact history of Maori into just two periods – 'Racial Decline' until 1930 when the new education policy led to 'Racial Rejuvenation':

7. This collaboration between these two renowned leaders from the two coasts – Ngata of Te Tairāwhiti and Te Puea of Te Taihauāuru – is commemorated, for example, in the naming of the marae 'Nga Tai E Rua' at Tuakau.

8. A T Ngata, 'Native Land Development', AJHR, 1931, G-10, p viii [also produced as a separate publication by the Government Printer, 1931]

9. JM Barrington, 'Maori Schools Policy: A View from the Schools', NZ *Journal of Educational Studies*, vol 20, no. 2, 1985, p 152 [Barrington incorrectly dated Ball's appointment as 1930, but see WW Bird, 'A Review of the Native School System', *Te Wananga*, vol 2, no 2, 1930, p 25]

10. 'Maori Conference At Putiki', AJHR, 1928, G-8, pp 3–4 [Barrington, p 151, incorrectly dated this conference as taking place in 1929]

11. *Ibid*, p 152

12. DG Ball, 'Maori Education' in ILG Sutherland (ed), *The Maori People Today: A General Survey*, Auckland, Whitcomb and Tombs, 1940, pp 269–306, esp pp 276–277

► *Racial Decline*. This began with the coming of the European. The policy of assimilation which was pursued in the schools and by other agencies, accentuated the effects of the culture clash, which became alarmingly apparent towards the end of the nineteenth century and caused such a rapid decline in the Maori population that many people gloomily predicted the total extinction of the Maori race. The need for a regenerative force and a new approach to the Maori problem was recognised. During the first quarter of the present century, educators and others interested in the Maori people, became increasingly aware of the vital need to foster selected aspects of Maori culture if the race were to be given a chance to survive. These leaders clearly realised that the policy of assimilation had failed to produce the desired results. One aspect of this reawakening was a careful re-examination of the purposes and functions of the Native Schools, and as a result, a new direction was given to the education of Maori youth.

► *Racial Rejuvenation*. The new education policy enunciated in 1930 emphasised the vital significance of fostering selected Maori cultural aspects in the Schools as the surest way of reviving in Maoris a pride in themselves and in the achievements of the Maori race. Such a pride was essential if the Maori was to be lifted from the despondency into which he had retreated. The policy also fully appreciated the fact that the Maori had to be fitted to live under prevailing conditions, where the pakeha way of life was dominant. To give effect to these two aspects, teachers in Maori Schools were instructed to place emphasis on:

- (i) the teaching of the English language, as a necessary means of communication;
- (ii) the development of 'active' as distinct from 'passive' educational methods, so that Maoris would not be so handicapped by their linguistic difficulties;
- (iii) the instilling of desirable health habits to help in overcoming the too wide prevalence of disease;
- (iv) the teaching of Maori history;
- (v) the teaching of selected Maori crafts;
- (vi) the fostering of Maori rhythmic and aesthetic abilities;
- (vii) the teaching of simple housecraft to the girls and handicrafts to the boys;
- (viii) the teaching of basic skills essential to successful living in a dominantly [sic] pakeha society.¹³

13. W Parsonage, 'The Education of Maoris in New Zealand', *Journal of the Polynesian Society*, vol 65, no. 1, 1956, pp 6-7 [Drafts of this article are in E, 2, 1956/4B, 29/2/7, NA Wellington. A summary was distributed by Parsonage in 1956 as 'Bulletin For Maori Schools No. 1': E, 2, 1956/4B, 29/2/97, part a, NA Wellington]

Grandiloquent historiography, no doubt, but Parsonage's claims seem a little hard to justify as a description of education in a school system that in the 1930s used virtually the same curriculum as was taught in state primary schools. In fact, according to Ball, the new requirements of the policy of adaptation were derived from recommendations of an Advisory Committee on African education adopted by the British Government in 1925. The object 'was to encourage the belief that his race has its own contribution to make to world progress, and so to replace the servile imitation by the adaptation to his own development of what is best in foreign culture.' Implementation in New Zealand was as follows:

Poi dances and suitable Maori games have been included in the physical drill, and weaving, carving, and taniko work among the hand-work activities. Maori stories, folklore, and New Zealand history form the major part of the history prescription. ...

The emphasis originally placed on a sound literary education has not been diminished.

The teaching of English remained, as it had always been, the first and foremost objective of Maori education. Bird in his final report in 1931 had given prominence to this quotation from Ngata as Minister for Native Affairs:

The need for adjusting themselves daily to the economic and other conditions of life in New Zealand demands that the Maoris of New Zealand should have the best educational equipment the country can give them, and in that category a mastery of the English language, especially of the language of business, is the most important.¹⁴

Moreover, the teaching of the Maori language in schools had been explicitly rejected by the Minister of Education in 1930, despite the request of a deputation from the New Zealand Federation of Teachers urging the introduction of Maori instruction in schools and as part of the curricula for training teachers.¹⁵ The rejection of Hone Heke's proposal in 1908 for teaching te reo Maori and the rejection of this 1930 request need to be borne in mind when considering the hand-wringing by education officials some decades later about the unavailability of teachers capable of teaching the language.

14. Ball, 'Report of Inspector of Native Schools', AJHR, 1934, E-3, p 3; Bird, 'Education of Native Children', AJHR, 1931, E-3, p 6

15. Barrington, p 153

Another 1956 paper by Parsonage – this time an official paper arguing against teaching Maori language in schools, rather than a published comment for public consumption – gives a somewhat different perspective on the broadening of the curriculum in 1930 to introduce aspects of Maori culture to Native schools. That policy was introduced, he suggested, because ‘Maoris were in grave danger, not only of failing to acquire the European culture, but of failing to retain a grasp of their own culture’, and ‘in order to lift the Maori from the deep despondency into which the race had drifted during the latter half of the nineteenth century.’ The paper continued:

The English language, however, continued to be the language of the schools, irrespective of what language was spoken in the home or community. These modifications signified an abandonment of the policy of assimilation and the introduction of a policy of adaptation – including the adaptation of Maori culture and organisation to the changed conditions which now obtain; the adaptation of Maori youth to the new social and economic set-up in which they now live; the adaptation of European attitudes towards the Maori race, especially in willingness to meet the Maori at least half way in social and economic contacts. The whole process of adaptation aimed at producing a satisfactory and harmonious amalgamation of the two races, in such a manner that the sum of the two would be greater than the two separate parts.¹⁶

This quotation, with its emphasis on English language and a new gloss on the nineteenth century concept of amalgamation, suggests that the adaptation policy was not in substance all that different from pre-1930 policy. Indeed an undated but initialled marginal note handwritten beside the above quotation in the archival records makes that very point: ‘Was the policy “abandoned” or just modified. The term, assimilation, was abandoned but at least in part the principle remained’.¹⁷

2.2 Assimilation Not Abandoned

As a matter of fact, however, even the term assimilation continued to be used frequently and that political philosophy continued to imbue Crown policy for many years to come after 1930. This was most clearly set out in the transcript of an interview of Shepherd, Under-Secretary of the Native

16. ‘Maori Language Teaching In Maori Schools’, E, 2, 1956/4B, 29/2/97, part d, NA Wellington, fols 3–4

17. Ibid, fol 4 [emphasis in original]

Department by Dr Lambert from the Western Pacific Health Service in February 1937. The initial focus of the interview concerned the government provision of housing for Maori. Shepherd acknowledged the work of Ngata in building good homes on Native Land Development Scheme units and in proposing the Bill that became the Native Housing Act 1935. Now there was a Labour Party government (elected with a large majority in the 1935 general election). It was 'very anxious to promote the Housing Scheme for Europeans' (which we now refer to as 'State housing') so the government was also trying to develop a policy on the Native Housing question. Was housing for Maori to be 'an act of philanthropy' or a 'business proposition'? Shepherd stated that it 'must contain a considerable quantity of philanthropy'. Dr Lambert then raised the conundrum that Carroll had not resolved in 1908 as between the respective roles of self-reliance and government assistance:

Dr Lambert:

It must also contain self-help.

Mr Shepherd:

Yes, and if we are going to do any good for Maoris we must seek to develop the character of the Maoris themselves. In Native administration, I think the essential or primary factor for success is the building up of the character of the Maori. Unless we can develop and build up the character of the Maori, we might just as well say we cannot do the job. It is no use giving him the house to live in without furniture, without food, without 'house consciousness' without the thoughts of the conception of a house that we Europeans employ. If we are going to give him a house we must give him a means to sustain himself and if we give him a house without those means we are not benefiting him at all. We had much better give him a tent so that he need not incur any liability.

Dr Lambert:

Give him a house and means for him to maintain himself in the way that the house entitles him to.

Mr Shepherd:

In other words, it is simply a factor in the economic condition of the Maori. We have lots of ideas. I have many piled away in my drawer waiting for a time when I have the necessary authority to put them into operation.

The interview then turned to the underlying government policy of assimilation:

Dr Lambert:

What are the main factors that must be taken into consideration?

Mr Shepherd:

To put it in the broadest sense we must assimilate the Maori into useful and self-respecting citizenship. That is the general proposition. If we are going to assimilate him into useful and self-respecting citizenship we must give him the same chances from the moment of his birth as we give the Europeans, the same outlook as the European in regard to his advancement in the world. You know that when you were a small boy someone probably said 'What are you going to be when you are a man?' 'I am going to be a doctor' you might have said. Everyone of us says, almost from infancy that one is going to be so and so when one grows up. Well, we have a path – we might change the path, we might think that the line we are following is not suitable, but we are all brought up with the idea that in our future life we are going to carve out a career for ourselves. In my opinion that is the failing of the Maori people. They have no personal ambition. They grow up around the Pa and there is no thought in their minds that they will have to carve out their own career in the future. Until we can instil that idea into the minds of the Maoris we are going to have an uphill fight because it is no use tackling it when they are adult – when the economic shoe begins to pinch – we must get them at an early tender age to think 'I am going to be a useful man, and I shall be a carpenter , a clerk, a doctor etc.'¹⁸

The focus on housing and careers may have been influenced in 1937 by the fact that the first Labour government was now in power. Yet the racial stereotyping could have been spoken at any time in the previous 40 years since the survival of Maori, rather than their extinction, had become clear. The lofty assumption by a Pakeha official serving as the permanent head of the Native Department that the government must force Maori to be assimilated to European ways and modes of thinking might have been uttered by any number of Crown ministers and officials during the preceding century.

Of course, not all Maori wished to be lumped into the sort of racial categories that Shepherd propounded. One who strenuously objected was Lou Parore. He wrote in 1936 to Michael Savage, the Prime Minister

18. Native Department, 9 February 1937, MA, acc W2490, 36/3, pt 1, box 74, Health and Hygiene 1932–56, NA Wellington

and Native Minister, after the Government had convened in Wellington a national gathering of Maori leaders as a 'Conference of Maori Representatives'. Some extracts from his bitterly sarcastic letter follow:

You will appreciate the fact, that Pakeha penetration more or less destroyed tribal organisation, without providing an adequate substitute, and that after many years of dangerous experimenting, the Maori people are stripped of their health and wealth, remaining, only bleeding stumps.

The tendency has been to disrobe the Maori of his Mana, to rob him of the soil, curb his vigor and vitality, deny him liberty and freedom, and reduce him to become a worker. Whereas after a hundred years contact with Civilised peoples, the Maori should be surrounded by wealth, but now he is more like the driftwood on the ebb-tide. ...

Legislative provisions are introduced, and funds created for the preservation of Native plant life, Native game, to collect our history, and dig up our bones, but nothing is done for the Native human beings.

At present there are no laws granting, the full rights and privileges of British subjects, to the advanced Maori, to freely put into operation all that he has learned in the development of the country. And in spite of all his theoretical and practical training, his secondary and university education, the law of old – Savage peoples unable to govern themselves must be governed and protected by civilised peoples – which applied to his untrained grandparents, must also apply to him. Where is the progress? ...

The barriers of legislative restrictions forbids the Maori people, even in time of need to bask in the sinking rays of full rights and privileges, because, that is a reward for the hereafter. Appealing through the Native Department, regarded by the Mushroomites, as an institution for the Administration of Affairs concerning a Backward-Savage-Race, is seldomly heard by the Superior Departments, Keepers of the Mighty Coin of the Realm. And a request to the Trading Banks for a shilling to purchase medicine for a dying person, would be courting a criminal charge for tendering a counterfeit, the shadow of a Maori's rights to his land. What would happen to the Pakeha race, if they too were encircled with the same restrictions, as enforced against the Maori and his lands? Britons! Never, never shall be slaves.¹⁹

19. Parore to Savage, 18 November 1936, MA, acc W2459, 1/1/3, pt 1, box 1, Criticism of Departmental Policy 1936–59, NA Wellington

Savage's response hardly matched the rhetoric of Parore, but it firmly restated the government position that Maori as a race were not ready yet to manage their own affairs:

I have received your letter of the 18th November last in which you describe the difficulties under which the Maoris labour as regards their business and financial transactions owing to the legislative restrictions which exist at present. I am not unmindful of these restrictions which as you know have been imposed for the protection of the Maori partly against himself no doubt but more particularly against the designing pakeha.

I would like to think that the time had arrived, or might soon arrive when it would be prudent to allow the Maori to manage his own affairs untrammelled by this protection but while there may be some Maoris who like yourself are versed in business technicalities, the greater number are still in need of some measure of protection.²⁰

The only comfort the Prime Minister could offer to his fellow citizen of the 'Backward-Savage-Race' was to point out that, under section 257 of the Native Land Act 1931, the Native Appellate Court had the power to make an order declaring land individually owned by a Native for a fee simple estate to be held as European land. When faced with someone like Parore claiming to be an 'advanced Maori' – a 'success' one might argue of assimilation policies – Crown policy fell back on the need for paternalistic protection over the Maori race as a whole. No timetable for an ending of the legislative cocoon surrounding Maori was proposed. Their 'protection' was to be continued until the government in its own wisdom decided to modify its policies. As is noted below, the ensuing decades saw government policy move from an imposed protection of Maori based on an assumption of inequality to an imposed integration of Maori based on an assumption of equality. Difficult issues arise for the Tribunal in assessing these policies. Maori such as Parore objected to the paternalism of the state and demanded equality. Later on, when Governments did move towards treating Maori as integrated equal citizens, there would be Maori who objected that uniformity in the treatment of all citizens is unfair and unjust. This denies Maori the uniqueness of their culture and heritage as tangata whenua. Principles of the Treaty of Waitangi now suggest that the Crown should have been actively protecting many aspects of Maori language and cultural knowledge as a taonga. The focus of attention

20. Savage to Parore, 30 December 1936 (dispatched 5 January 1937), *ibid*

ought, no doubt, to be on the extent to which Crown policies at different periods were being imposed upon Maori – rather than on abstract assessments of notions of equality or inequality, integration or segregation, uniformity or diversity.

An abiding problem was that there was no mechanism in place to enable the government regularly to consult with, receive advice from, or take direction from Maori leadership. Ad hoc meetings such as the Maori Congress in 1908 and the Conference of Maori Representatives in 1936 might take place and pass resolutions, but the government felt under no obligation to implement those resolutions. This indeed was one of the points made by Parore:

In view of the new legislative machinery 'Native Land Amendment Act' recently passed by Parliament, the evidence of the specially selected Maori Delegates of New Zealand on the important issues effecting the Maori people, and their lands, so valuable to the Bill will now be left unheard. And the remedies required by the suffering Maori people for their ills will remain in abeyance, while the new prescription receives a trial.²¹

Savage's reply did not address this concern.

2.3 Sale of Liquor

A particular instance of Crown policy that dealt with Maori on a different basis in comparison to other citizens concerned the sale of liquor. The sale, state control or prohibition of liquor was a particularly contentious social and political issue in the first half of the twentieth century. It was usually dealt with as a conscience issue rather than as a party political issue. There were considerable differences of opinion on liquor licensing issues within Maori communities as well as the fierce debates in Pakeha communities. The most contentious issues were dealt with in a series of national referenda and local option referenda on continuance, prohibition and state control – usually held on the occasion of each general election. The licensing laws imposed strict controls on the sale and purchase of all alcoholic liquor, but North Island Maori had further specific restrictions imposed on them. They could consume liquor only in licensed premises. It was a criminal offence to purchase liquor for consumption

21. Parore to Savage, *ibid* [The 'new prescription' of the Native Land Amendment Act 1936, far from empowering Maori in the development of their own lands, increased bureaucratic control over the development of Maori land by granting extensive new powers to the government's Board of Native Affairs.]

off licensed premises and to supply liquor to Maori kainga. Some Maori leaders, such as the religious prophet Rua Kenana, deliberately challenged these laws that gave publicans total control over liquor consumption by Maori without any of the social controls of Maori communities. Racial discrimination in liquor licensing was one of the issues drawn attention to by Rua Kenana when he flew a special flag at Maungapohatu emblazoned with the slogan: 'Kotahi Te Ture Mo Nga Iwi E Rua' (One law for both peoples).²² The Young Maori Party, with its very different perspective, was also concerned about the licensing laws but took a different line. At its conference at Rotorua in 1908 the Party resolved 'That this conference is of the opinion that the time has come when the principle of local option be extended to the Maoris'. Following that resolution, a petition on this issue was presented during the Maori Congress held that year.²³

Maori leaders seeking to uphold traditional values and ensure the transmission of cultural knowledge were often very anxious to prohibit or severely limit the availability of alcohol. This was especially the case in predominantly Maori districts where tikanga Maori values had been least affected by colonisation. Maori society, unlike most social formations in the world, did not – it seems – make use of mind-altering substances prior to European contact. This may have been a reason for traditionalist Maori leadership to favour laws on prohibition which were promoted by the well organised Christian Temperance movement. In October 1908 a total of 23 separate petitions from various parts of the North Island were presented to Parliament. The main thrust of these petitions was that the supply of liquor to Maori should be prohibited. Alternatively, if prohibition was not agreed to then a special local option right should be given to electors in each Maori electoral district, or in each Maori Council district, to vote on the question of prohibition for the supply of liquor to Maori. These petitioners were of course, contrary to the ideas promoted by Rua Kenana and others, specifically seeking a differential application of the licensing laws as they affected Maori. The select committee hearing the petitions stated that because a question of policy was involved it had no recommendation to make.²⁴

Petitions and letters to ministers for and against equal application of the liquor laws to Maori and Pakeha were regularly received over the years. Hone Turei Tuhaka of Waioomatatini writing in 1937 was one of

22. J Binney and others, *Mihaia: The Prophet Rua Kenana and His Community at Maungapohatu*, Wellington, Oxford University Press, 1979, p 99 [There were earlier calls for 'one law', such as an 1882 petition from Paora Ngamoki of Omaio and 13 others, 20 April 1882, LE, 1, 1882/146, Sale of Liquor to Maori, NA Wellington: 'In the days gone by the Maoris and the European were one. Now drink is given to the Europeans and not to the Maoris:']

23. Young Maori Party conference, Rotorua, 14 April 1908, MA, 31/49, Memo on the Re-extension of Local Option on Liquor to Maori 1909, NA Wellington

24. Petition 325/1908 and 22 other petitions to similar effect, AJHR, 1908, I-3, p 17

those who argued for the right of Maori to consume liquor off licensed premises and he invoked the Treaty of Waitangi in support of his argument. The government response by Frank Langstone, Minister of Lands, is interesting for its elaboration of Crown understandings of the Treaty and for the suggestion that the gross abuse of liquor by Maori was a problem justifying the unequal application of the licensing laws:

It is true that the status of the Maori and Pakeha under the Treaty of Waitangi are equal, but, owing to the misuse of drinking alcohol by the Maoris in the old days, Parliament and the Maori Members of Parliament of those days, thought it wise in the best interests of the Maori race that spiritous liquors should not be sold to Maori for consumption off licensed hotels and legislated to that effect.

We have all seen examples of the misuse of drinking by Maoris in the past, when liquor could be supplied to natives for consumption off licensed premises. We then saw drunken orgies amongst the Natives and drink being supplied to Maori women and even to the children in the Maori settlements. It was because of this misuse that it was considered necessary to make the distinction you referred to between the Maori and the Pakeha and impose this restriction on the Maori. Perhaps the day will come when the Maori will learn the proper use of liquor, and consideration could then be given to the removal of that restriction, which was imposed for the good of the Maori race. From reports received, that day has not yet arrived.²⁵

As to the factual basis of Langstone's reasoning, it should be noted that current research has found no evidence for the proposition that Maori rates of drunkenness were ever worse than Pakeha. It was certainly not a 'Maori problem' as such.²⁶

For traditionalist Maori leadership the special status of the King Country as a no licence area was of great importance. This status was entrenched at the time of the 1884 agreement with the Crown to permit the main trunk railway line to be surveyed and built through the region. It was an issue that was frequently the subject of governmental and parliamentary attention in succeeding years. The traditional leadership of Rohe Potae firmly held to 'the pledge made with our Fathers' and the 'path marked out by Tawhiao, Rewi Maniapoto and Wahanui'. By many letters and petitions such as those in 1923, 1926, and 1936 they vigorously defended this sacred pact.²⁷ A letter from 33 leading rangatira handed per-

25. Langstone (for the Native Minister) to Tuhaka, 5 March 1937, MA, 1, 36/14, vol 1, Drinking and Related Matters 1936–47, NA Wellington

26. See M Hutt, *Te iwi Maori me te inu waipiro: He tuhituhinga hitori: Maori and Alcohol: A History*, Wellington, Health Services Research Centre/ALAC, 1999

27. Petition 41/1936, and 'The Solemn Testamentary Declaration of the Chiefs of the Maniapoto, LE, 1, 1936/16, Native Affairs, NA Wellington

sonally to the Prime Minister, Gordon Coates, in 1926 is significant for the interpretation it gave to the Treaty of Waitangi and for the desire to maintain traditional values and laws without the threat of a local option vote to destroy the covenant upheld by the elders:

OFFICIAL TRANSLATION

To the Premier,

Native Minister of New Zealand.

Greetings to you, Hon Sir.—

You are the Protector of your Maori people. Thus we send you the ***last testament** of our Chiefs, asking that 'No hotels be opened in the King Country.' That Law was made between our Fathers and the Government in the year 1884. At that time there were no Pakehas in the King Country, and when the Government granted our request the Pakeha was permitted to enter under the conditions of that Law, and the Railway and the European settlement followed. This was the result of Wahanui's visit to Wellington and his appearance before the 'Bar of the House.' Now, O Sir, some of these Europeans whom we permitted to enter, are asking to break that Law, and are persuading some of our young people to sign a petition, but we assure you our chiefs and elders are all opposed to that Pakeha petition. We trust our prayer is not too late to hasten this, our last request, O, Sirs, do not permit the pledge made with our Fathers, to be broken. Our hearts are grieved at the efforts of the Pakeha, and we are helpless, as we have no money to fight our cause like the Pakeha who want to sell their drink. We do not want a vote, because our young people would be bribed to break the sacred law of their elders. We trust in [you], O Sir, as the representative of our Mother, Queen Victoria, to continue that Royal protection so faithfully bestowed to us, her children, under the Treaty of Waitangi, and thus prevent the introduction of anything that would do us harm. O Sir, hear our prayer. Our words to our Pakeha friends are these: 'If they want Hotels, let them go to those parts where there are hotels, but if they wish to remain in the King Country, they must honour the 'Sacred Law' of our fathers.' We have no objection to the Pakeha as such, and would welcome others in their place who are prepared to honour our Covenant. We do not want a vote. We want the Law made by [Tawhiao], Wahanui, Rewi Maniapoto, and the Government to remain. This was the prayer of our petition to Parliament in 1923, and resolutions to this

end have been unanimously passed by meetings of our Native people throughout the King Country. This is enough.

(This letter was signed by the 33 leading Chiefs of the King Country.)²⁸

It is interesting to note that the Prime Minister in 1926, during the reign of King George V, was addressed as 'the representative of our Mother, Queen Victoria'. The personal aspect of the Treaty relationship between the Queen and Maori was thus emphasised. A marginal note by way of explanation for the term 'last testament' was added, presumably by Rev Tahupotiki Haddon of the Methodist Church (Maori Section) who was responsible for the re-publication of this letter in 1936:

** This wording was intended as a strong protest against their being so frequently compelled to spend time and money maintaining the integrity of a sacred pact which they contended, should be kept without argument by all honourable men.*²⁹

It is evident that Maori leaders outside the King Country continued to show respect for the special status of that area. Thus a petition of northern Maori in 1948, promoted by Hone Heke Rankin, sought equality for North Island Maori in laws governing the purchase and consumption of liquor. The petitioners were particularly concerned at the differentiation 'especially felt by Maori returned servicemen'. This petition was withdrawn from the select committee by Tapihana Paikea, MP for Northern Maori. Rankin immediately re-submitted a very similar petition calling for 'equal rights with the pakeha', but this time he added an extra clause excluding the King Country from his request, unless the Maori people there 'so desire that the present restrictions' be removed. The revised petition was then referred to the government 'for consideration'.³⁰ Shepherd, for the Department of Maori Affairs, noted the findings of a Royal Commission on Licensing and proposed legislation so that the right for Maori to consume alcohol 'should be uniform throughout New Zealand, with the possible exception of the King Country where there are special circumstances.'³¹ The outcome was the passage of the Licensing Amendment Act 1948, section 122, repealing the special restrictions affecting Maori previously contained in the Licensing Acts.

The King Country special status came to Parliament yet again in 1953. A raft of contending petitions from Maori for and against the special status and the sacred pact of 1884 were presented to the House of Repre-

28. 'A Question of National Honour: The King Country and Licensed Hotels'; *ibid*

29. *Ibid*

30. Petitions 53, 55/1948, LE, 1, 1948/18, Native Affairs Petitions, NA Wellington

31. Shepherd to Clerk, Maori Affairs Committee, 21 September 1948, *ibid*

sentatives.³² On this occasion Dr A H McLintock, Parliamentary Historian, was asked to inquire into the matter and he advised the select committee that there was no historical basis for a legally binding pact. The committee as a consequence decided to make no recommendation.³³ That freed the House to proceed to the enactment of the Licensing Amendment (No 2) Act 1953, section 3, that required a single poll of all electors (including Maori electors) on the future status of the region. The referendum outcome was for licences to be allowed. The specific details of the licensing laws are beyond the scope of the present research although the Maori Social and Economic Advancement Act 1945 and the Maori Welfare Act 1962 should be noted. These Acts included a number of provisions empowering Maori Wardens to deal with Maori drunks and banned the supply of liquor in designated Maori villages.

To conclude this matter, it is relevant to note that Crown policy did in this instance permit a special legal status for a predominantly Maori district as demanded by its Maori leadership. This status lasted for 60 years. It remained in force long after the fashion of viewing the Treaty of Waitangi as a guarantee of formal equality between Maori and Pakeha had become conventional wisdom in government circles. On the other hand, governments continued to focus on excessive drinking by Maori as a political issue, so that Maori Land Court judges and the New Zealand Maori Council were called upon to assist with remedies for this 'Maori problem'.³⁴ The norm of non-discrimination prompted by the Hunn Report and the policy of integration prevailed however. Thus the Sale of Liquor Act 1962 included a specific provision, section 199, that no person could be excluded from the purchase and supply of liquor on the grounds of colour or race.

32. Petitions 22, 25, 28–30, 41–43/1953, LE, 1, 1953/13, Native Affairs Petitions, NA Wellington

33. A H McLintock, 'Liquor and the King Country', AJHR, 1953, H-25

34. See Chief Judge to the Secretary, 23 July 1962, AAMK, 869, 36/14, pt 9, 1097D, Drinking and Related Matters 1962–63, NA Wellington [a summary by the Chief Judge of memoranda requested from Maori Land Court judges on the topic of 'Excessive Drinking by Maoris': All the judges agreed 'that there could be no putting back of the clock by the passing of any legislation restricted to Maoris'.] See also Hanan to Wall, 30 June 1964, AAMK, 869, 36/14, pt 10, 1098a, Drinking and Related Matters 1963–75, NA Wellington where Hanan reported that 'to conform with the policy of full integration of Europeans and Maoris' the Maori Council would not support a special campaign on alcohol and delinquency directed only at Maori.

2.4 Maori Social and Economic Advancement Act

Returning to the development of general government policy during the twentieth century, the councils established under the Maori Councils Act 1900 remained at the forefront of Crown policy for as long as Carroll was the Native Minister until the change of government in 1912. They were given a renewed lease of life when the Health Act 1920, section 66, empowered the Governor General to declare Maori councils to be Health Councils to carry out sanitary work and enforce by laws with the ap-

proval of the Director of Maori Hygiene. This legislation was passed shortly after the catastrophic impact on Maori communities of the influenza epidemic in 1918. Dr Rangihiroa [Buck] was appointed the Director of Maori Hygiene, and with a couple of Native Health Inspectors, he believed that exceptional work was achieved because they had intimate knowledge of the Maori language and customs. They had more success he believed than others working in the Maori health field as a result.³⁵

Carroll's death in 1926 apparently left the Maori councils without significant political support. Thus W T Pitt, chairman of the Maori councils in 1929, bemoaned the fact that the councils had 'ceased to be an effective instrument in the regeneration of the Maori Race because of the apathetic attitude of the Government towards its endeavours in not amending the Act to meet present day conditions existing between the Maoris and the Pakehas.' Despite this 'disrespect' by the government of the day towards the work of Carroll, Pitt did not want the councils to be abolished.³⁶ Ngata had become a member of the executive government by then. He directed his considerable energies to promoting the new Maori land development schemes rather than to reviving the languishing councils. Yet he was fully aware of the interconnection of land and social development issues. It is of note that just two days after his resignation in 1934 he wrote to Forbes, the Prime Minister and now the Native Minister, on the question of housing:

I do not think that the Government can evade responsibility for assisting with its resources the carrying out of a housing scheme for the Maori people, which has become indispensable through the operation of so many factors imposed on the race through civilisation and its standards at a time when its resources have been seriously diminished, and in some districts almost depleted by the interaction of those factors. ...

I do not think the Maori people will be satisfied if the housing provision stops at the organisation of their resources without a State contribution towards at least the capital fund for advances.³⁷

This emphasis on housing accorded with the health policy line taken by Te Rangihiroa earlier on. He had argued that the work of the Native Land Court in individualising Maori land would solve the problem of overcrowded housing, because Maori would then 'have their own block of land to build dry and well-ventilated whare'.³⁸ Ngata had sought a ra-

35. Reports of the Director of Maori Hygiene, AJHR, 1921–22, H-31, p 33; AJHR, 1922, H-31, pp 34–35; AJHR, 1923, H-31, p 44

36. W T Pitt, 18 March 1929, MA, acc W1369, 26/3, pt 1, box 13, Maori Councils General 1920–43, NA Wellington

37. Ngata to Forbes, 3 November 1934, MA, acc W2490, 30/1/3, pt 1, box 19, Housing Scheme for Maori 1929–36, NA Wellington

38. Report of the Director of Maori Hygiene, AJHR, 1926, H-31, p 42

tionalisation of individual interests in Maori land to enable individual farmers to build modern homes on development scheme units. Government policy in 1934, however, as indeed in all the Coalition and Labour administrations of the 1930s focused on Government assistance to Maori. This was provided through the government bureaucracy of the Native Department and the Maori Land Boards it established. There was no role in Crown policy at that time for Maori councils, or for autonomous Maori bodies, to play any significant part in the delivery of government services to Maori communities.

In the 1940s the government began to reconsider the role of the Maori councils. The view of Dr Ritchie, Officer in charge of the Hygiene Division, Health Department was that the Maori councils were moribund but should not be abolished. In the past they had acted in a manner conducive to higher civilisation and as a training ground for young administrators who could display leadership. They had seen that the old whare was replaced with wooden buildings, the pa and marae were tidied up, clean water was supplied, animals kept out of the marae, grog prohibited from settlements, tangi regulated and burial grounds improved. The government had allowed them to remain stagnant and denied them the funds to operate properly. 'With comparatively little amendment to the existing law the Maori Councils could be made to form a very fine leading institution.'³⁹ In 1941, therefore, a Bill was proposed to rejuvenate the Maori council system, involve them more directly with the Health, Police and Native Departments, and in particular to focus on control of liquor in Maori villages. Attention turned, it seems, to the work of the Maori War Effort Organisation and the Bill did not proceed to enactment.⁴⁰

With the end of the Second World War, new legislation on an administrative structure for Maori Affairs was passed and the Maori Councils Act 1900 was repealed at last. The short title of the legislation signalled a new direction in Crown policy. It was enacted as the Maori Social and Economic Advancement Act 1945. The Native Department emphasis on land development and on housing was now supplemented by the appointment of Welfare Officers as officers of the Public Service (sections 4, 5). Under this Act the Native Department, re-named the Department of Maori Affairs in 1947, began to finance and/or administer a wide range of services to Maori, especially as the post-war migration to urban centres began a dramatic relocation of the Maori population from kainga in predominantly Maori districts to town and city centres in which Maori were a

39. Interview of Dr Ritchie, 7 February 1940, MA, 23/24, Maori Affairs, NA Wellington

40. MA, acc W1369, 26/3, pt 1, box 13, Maori Councils General 1920–43, NA Wellington

minority group. Departmental services under this Act included maintenance of hostels, trade training schemes, budgetary and counselling services, pre-employment instruction and orientation for urban-heading rural Maori, health services, adoption, subsidies for meeting houses, promotion of cultural activities, publication of magazines, and so on.⁴¹ An early statement of the policy, aim and objects of the Maori Welfare Division, written in about 1948, indicated a continuation of the old assimilationist policy. However overt reliance on the concept of assimilation had dropped out of use and some significant new directions were outlined:

POLICY AND AIM

To promote the advancement in life of the Maori people as an integral part of the economic structure of New Zealand; to associate the human aspect of Maori problems with other Departmental activities, and to implement the Policy enunciated in the Maori Social and Economic Advancement Act, 1945.

OBJECT

To promote, encourage, guide and assist members of the Maori race,—

- (i) To conserve, improve, advance and maintain their PHYSICAL, ECONOMIC, EDUCATIONAL, SOCIAL AND MORAL well-being;
- (ii) To assume and maintain self-reliance, thrift, pride of race and such conduct as will be conducive to their general health and economic well-being;
- (iii) To accept and maintain the full rights, privileges and responsibilities of citizenship;
- (iv) To apply and maintain the maximum possible efficiency and responsibility in their local self-government and undertakings; and
- (v) To revive, preserve and maintain the teachings of Maori arts, crafts, language, genealogy, and history in order to perpetuate the ancient Maori culture.

The extensive provision of services for urban-heading Maori built up over the years, but from the earliest years of the migration in the late 1940s the Department's welfare officers were called upon to play a proactive role in advising and assisting migrants. Thus 'physical welfare' included 'Collaborating and assisting in the establishment and

41. J McEwen, 'The Policy of the Maori Affairs Department', University of Adelaide Study Tour, November/December 1966, E, acc W2522, Box 5f, Maori Education – Miscellaneous Papers 1939–77, NA Wellington, fols 1–3

administration of Maori Hostels'; 'economic welfare' included 'Co-operating with and assisting State Departments, Industrial, Business and Labour organisations in the placement of the growing population in the National system of the Country'; 'educational welfare' included 'Encouraging the adoption of vocations to enable a wider distribution of the Maori population in the national system of the Country'; and 'moral welfare' included 'Collaborating and assisting in the establishment of Hostels for the accommodation of Maoris employed in and around the large cities.'⁴²

The language of this document bears the stamp of Tipi Ropiha, Under Secretary (later known as Secretary) of Maori Affairs from 1948 to 1958. He was the first Maori to serve as a permanent head of department. In late 1944 his predecessor, Shepherd, advising against a change in the succession rights of customarily adopted Maori children, was still re-iterating the general line that 'it remains the aim of those in charge of the administration of Native Affairs to encourage the Maori to assimilate to the European way of life with the rights and responsibilities of full citizenship'.⁴³ By 1948 use of the term assimilation was avoided but the concept of integration had not yet entered official usage. However, advancement of Maori was now directly equated with their becoming 'an integral part of the economic structure of New Zealand'. Well-known policy terms such as 'self-reliance', 'pride of race' and 'full rights of citizenship' continue to find their place in the statement. In addition there was a new emphasis on cultural revival 'in order to perpetuate the ancient Maori culture'. This included not only the teaching of Maori arts, crafts and history that had featured in Ngata's adaptation policy as implemented by Ball in Native schools. There was now an explicit mention of Maori language and genealogy as vital ingredients of Maori welfare. In seeking to implement this new policy virtually all of the Welfare Officers were Maori and most of them were bilingual – a very big change from the staffing of the Native Department in the past. By 1966 the Department was employing 71 welfare officers.⁴⁴

42. Maori Welfare Division, 'Policy, Aim, Object and Activities', c1948, MA, acc W2490, 35/1, pt 1, box 56, General Policy and Administration Maori Social and Economic Advancement Act, NA Wellington

43. Shepherd to Director of Social Security, 31 October 1944, MA, 1, 1/15/-, Adoptions: Main File vol 1, 1933–46, NA Wellington

44. McEwen, 'The Policy of the Maori Affairs Department', University of Adelaide Study Tour, November/December 1966, E, acc W2522, Box 5f, Maori Education – Miscellaneous Papers 1939–77, NA Wellington, fol 3

The object of achieving the 'maximum possible' responsibility of Maori in their local self-government was presumably to be implemented by the provisions of the 1945 Act establishing a structure of Tribal Executives and Tribal Committees to replace the moribund councils (sections 6–21). However these executives and committees were to be superintended and coordinated by the Controller and Welfare Officers of the

Department (section 5) and there was no Dominion-wide body to represent Maori views and aspirations. The lack of a Dominion-wide body was a deliberate omission of Crown policy. The pan-tribal Maori War Effort Organisation had played a significant national role in supporting the 28th Maori Battalion. It included leaders of all major tribes (unlike the Maori effort to support the Pioneer Battalion in the Great War). The Ratana MPs, who held all 'four quarters' of the Maori seats in Parliament by 1943, played a leading role in the organisation. Paraire Paikea, minister without portfolio (and Minister of Maori War Effort in the 1942 War Administration) first directed the effort. After his death in 1943, Eruera Tirakatene (another minister without portfolio) and Rangi Mawhete, a Labour appointee in the Legislative Council, strongly lobbied for a national Maori organisation to build on the work of the Maori War Effort Organisation. They did not succeed in convincing the government, which preferred to retain control of Maori affairs through the centralised bureaucracy of the Native Department. Moreover, the tribal executives established under the Act were very numerous – 63 tribal executives by 1949 and 381 tribal committees. This fragmentation of Maori leadership assisted in ensuring that effective departmental control of all aspects of Maori affairs policies was perpetuated.⁴⁵

2.5 Adult Education

Another initiative by the Labour government pertinent to the focus of this research commission on Maori cultural knowledge systems was the enactment of the Adult Education Act 1947. Under this Act a number of Maori tutors were appointed to the Adult Education extension services of the Colleges, as they then were, of the University of New Zealand. The reports by two of these tutors are indicative of the tensions between outside pressures on Maori to assimilate and the desire of many Maori to retain and/or revive Maori culture. Those tensions had been evident for many decades but there was now the rapid urbanisation of the Maori population to contend with. Wiremu Parker was acutely aware of all of this in a thoughtful report to Victoria University College written in 1950:

For the purposes of adult education it does not matter whether there is no unanimity of opinion as to what is to be the future role of the Maori people in the New Zealand culture nor does it matter what degree and

45. M King, 'Between Two Worlds' in W Oliver, *The Oxford History of New Zealand*, Wellington, Oxford University Press, 1981, pp 295–298

what tempo of assimilation should be aimed at. The fundamental fact is that, whether or not Maori and Pakeha like it, assimilation and acculturation are continuing and will continue at an undetermined rate with the resultant fragmentation of Maori society as we have known it. Whatever the academic diagnosis of the Maori situation today and whatever conclusions the thinkers of our time may arrive at concerning the future of the Maori, it is well for our purposes that we accept as inevitable facts:

- (1) The existence of overwhelming socio-economic factors forever prompting the gradual urbanisation of the Maori, and no longer must we think of the Maori as a rural folk entirely. A scheme of adult education must therefore cater for the interests and needs of the urban as well as the rural Maori.
- (2) All Maoris are influenced to varying degrees by motivating forces of the Maori world on the one hand and of the Pakeha world on the other. Being a product of two cultures a considerable number of Maoris would object – and object bitterly – if adult education did not concern itself with the preservation of some aspects of Maori culture, such as the teaching of the Maori language, Maori arts and crafts, dances, etc. There appears to be little point in pursuing prolonged arguments as to the worth of their aesthetic or utilitarian values and, indeed, of their survival value. The fact is that these are elements of the culture of a living people which is a long way off from complete Europeanisation. Care should be taken not to offend communities by declining requests for instruction and guidance in Maori work proper. A good and safe rule to go by is to supply tuition in Maori subjects to groups that demand them, and not to impose them on groups not requiring them.
- (3) The home conditions of most Maoris are inferior, their wants limited and their social standards poor. Adult education must face the situation as it is and relate its activities as far as is practicable to the general advance of the Maori people. There is no denying that Maoris would be attracted to adult education if it has a message for the masses. The message is surely that of a higher standard of living, better health, etc. Certainly the Maoris themselves are accepting adult education as one of the most effective agencies for the general amelioration in the living standard of the race.⁴⁶

46. W Parker, 'Report on Maori Adult Education', July 1950, MA, 1, 57/1/1, vol 1, Adult Education 1949–51, NA Wellington

Parker's concept of the inevitability of fragmentation arising from assimilation and the consequent need for amelioration of Maori culture

and living standards was reminiscent of Young Maori Party thinking at the turn of the century. His fellow tutor, Maharaja Winiata, took a similar line when reporting that 'the particular conception governing Maori Adult Education springs from a belief that the Maori people, while they must necessarily conform to much of the economic and social patterns of the New Zealand society, yet still vaguely feel after a cultural identity [psychologically] satisfying within a wider framework of life here.'⁴⁷ The context of 1950 was very different from the turn of the century, however. The model of urban re-location that the government was now promoting made 'amelioration' of Maori as a tribal people highly problematic. Most rural Maori communities had been tribally based kinship groups living in the region where they were the mana whenua people. Urban re-location dispersed migrants to a number of urban centres. Within those urban centres the Government insisted on the policy – discussed below – of 'pepperpotting' Maori in Pakeha suburbs in order to hasten integration and to avoid segregation. The needs of urban Maori cut loose from everyday contact with Maori language and cultural knowledge were, as Parker noted at that early period of urbanisation, distinctly different from rural folk. This message was not heard by successive government or, at any rate, was not attended to while integration was the prevailing philosophy.

2.6 Urbanisation

Not all Maori leaders treated the urbanisation of the Maori population as inevitable in the way that Parker did. Mawhete expressed the hope, during Legislative Council debates in 1947, that the future of Maori was on the land and not in the cities where Maori culture would be lost. 'The better wages to be had in the industries in the big centres attract the Maoris', he said, 'and they gradually become absorbed in the pakeha's civilization, forgetting everything connected with Maoridom.'⁴⁸ However Peter Fraser, as Prime Minister and Native Minister in 1947, did not wish Maori to dwell on such matters. His answer to a question on Maori welfare was that 'It is not considered that such migration is necessarily detrimental to the Maori race if it is to take its proper place in the social and economic structure of the Dominion.'⁴⁹ This is a very important statement of Crown policy and it is significant to note that no specific consideration

47. M Winiata, Report, MA, 1, 57/1/1, vol 2 Adult Education 1952–55, NA Wellington

48. 11 July 1947, NZPD, 1947, vol 276, pp 448–449

49. 20 August 1947, NZPD, 1947, vol 277, p 461

was given to the need to put more emphasis on culture retention at that vital time. All the emphasis was on 'a wider distribution of the Maori population in the national system of the Country'. As will be seen below that was to include inducements to sell Maori land interests in order to qualify for migration assistance and the policy of 'pepper potting' Maori nuclear families into housing in predominantly Pakeha urban centres.

The National Party when it came to power in 1949 was somewhat ambivalent on promoting urbanisation initially. They published, as political parties were wont to do once, a detailed Maori Affairs policy as part of their election manifesto in 1949. They then reviewed the implementation of their policy in 1954 prior to the general election of that year. The general principle of their 1949 policy was 'Recognition of complete equality with pakeha; entitled to all privileges, rights and responsibilities of citizens'. There was also an explicit pledge 'To avoid large scale immigration to the towns and cities, assistance to be given to projects for establishment of industries in centres of Maori population.' The 1954 assessment of progress spoke of 'every reason for pride in the great progress and improvements made by the Maoris under this Administration' in commenting on the former point. On the latter point, the only comment made was 'The Murupara scheme will absorb many Maori workers.'⁵⁰ By 1954 there was no question any longer of the Government seeking to avoid large-scale immigration to urban centres.

2.7 Integration

As the pace of urbanisation picked up in the 1950s Crown policy began to embrace the virtues of urbanisation and to promote relocation in a very active manner. It was at this time that the term 'integration' began to appear in the official records. Thus the National Secretary of Adult Education, P Martin Smith, reported his assessment of the work of Maori adult education to members of the National Council of Adult Education in 1956:

I believe that any system of education should change along with changes in the folk life of the people concerned. To fulfil this condition, the educationist needs to study the social and environmental changes taking place and he must consider the stability of the society for which

50. 'Implementation of 1949 Policy, Section 17 – Maori Affairs', AAMK, 869, 1/1, pt 1, 3a, History and Aims of the Department 1940–60, NA Wellington

he is providing the appropriate educational opportunities. I believe then that in any assessment of Maori adult educational work we need to bear in mind the social forces at work on the Maori today, the likely effect of these forces, and the likely future position of the Maori.

My own view is that the social forces acting on the Maori are such as to cause fairly rapid disintegration of the old tribal unit with a consequent loss of the arts and crafts and way of life of the tribal unit. The Maori today is very mobile and in most Maori communities we find representatives of various tribes. ... The Maori seems to be becoming more and more a transient, following job opportunities and seasonal employment throughout New Zealand.

He is tending to follow lines of interest for which the tribal set-up does not provide. Religious divisions cut across tribal affiliations as do sporting and recreational interests, vocational opportunities and a number of other influences.

There is, on the whole, strong evidence that the future of the Maori lies along the line of integration with the pakeha and it is a significant fact that the Maori who has made a successful adjustment to New Zealand life is the Maori who feels most keenly a pride in his Maori race. There may be a danger in directly endeavouring to inculcate a pride in a traditional Maori way of life if this leads to the loss of opportunity for economic advancement.

It is impossible to discuss fully in a document such as this the social forces acting on the Maori today and the likely future of the race. It will have to suffice to say that in devising adult education programmes for the Maori the future will have to be constantly kept in mind. In other words, the policy must be forward looking and my own view is that the main emphasis should be placed on a fairly rapid integration of the two races.⁵¹

Although his tone may sound less harsh to modern ears than earlier formulations of amalgamation, assimilation and then adaptation, it is hard to distinguish Martin Smith's version of integration from the earlier policies. His model of success is the well-assimilated Maori who retained a pride in his Maori race. Yet any education inculcating 'a pride in a traditional Maori way of life' may be dangerous and may impede economic advancement. This is an example of the transmission of traditional Maori cultural knowledge being positively discouraged. Indeed the report went

51. P Martin Smith, 'Assessment of Work of Maori Adult Education, 10 October 1956, E, acc W2522, box 57, Maori Education – Miscellaneous Papers 1939–77, NA Wellington

on specifically to criticise the use of traditional meeting houses as venues for education. They were inappropriate even for the teaching of Maori arts and crafts. 'Here the argument goes completely astray' remarked one of the Maori tutors, Parker, in a remarkably temperate comment on the report.⁵²

In 1957 a lengthy report on the aims and objects of the Department of Maori Affairs explicitly invoked integration as the policy of the Maori Social and Economic Advancement Act, whereas that had only been implicit in the 1948 version of aims and objects quoted above. The 1957 text read:

1 WELFARE

Aims

The legislative basis of the Maori Welfare Programme is the Maori Social and Economic Advancement Act of 1945. The aim of the Act is 'the social and economic advancement and the promotion and maintenance of the health and general well-being of the Maori community'. It is also designed to facilitate the full integration of the Maori race into the social and economic structure of the country.

An important feature of the Act is that it calls upon the Maori people to exercise control and direction of their own communities in the essentials of good citizenship and civic responsibility. It puts responsibility for the advancement of the Maori race on the Maori people themselves, with the State providing trained officers, themselves usually members of the race, to guide and help. The Act also makes provision for State subsidies on money raised by the Maori people to help themselves, in the same way that self-improvement efforts of many pakeha communities are subsidised by the State.⁵³

From this date the terminology of integration was regularly put forward as the basis of policy pronouncements by ministers of the Crown.

Ernest Corbett was the Minister of Maori Affairs throughout the period of the Holland ministries from 1949 to 1957. His valedictory report in 1957 clearly articulated Crown policy on the importance of integration as the Maori population was moving rapidly towards becoming a predominantly urban population. The language was the discourse of progress and optimism:

52. W Parker, 'Some comments on Mr Martin-Smith's Report', *ibid*

53. AAMK, 869/1/1, pt 1, 3a, History and Aims of the Department 1940–60, NA Wellington, fol 29 [This report stated that in 1957 the Department's Welfare work was carried out by a Controller, an Assistant Controller, 6 District Welfare officers and 44 Maori Welfare officers]

These are vital days for the Maori people. They are going through what I believe will be their final stage of development leading to their full integration with their fellow New Zealanders, the pakeha, and to a greater mastery of a way of life involving social and economic change not so much imposed by the pakeha as demanded by circumstances in this mid-twentieth century.

This Department's function is to facilitate this era of social and economic change as it affects the Maori people. In its efforts the Department is endeavouring to raise the status of the Maori people to a condition of full equality, not yet quite attained, without imposing a standard of uniformity with the pakeha. Such a standard, it is felt, would not meet the aspiration of the Maori people.⁵⁴

What Corbett does not spell out is how, if at all, one might distinguish between social and economic change 'imposed by the pakeha' and the Department's function 'to facilitate this era of social and economic change'. Imposition in the eye of one person may be facilitation in the eye of another beholder.

The notion of 'Maoritanga' was now regularly being used in government circles when speaking of racial pride.

It may seem ironical, but I am sure that the fostering of Maori racial pride – pride in the ancient traditions of their own race and an appreciation of its culture – is an aid to this social and economic stability even though the structure of this stability is essentially a mid-twentieth century one. For it is this pride, this Maoritanga, which gives a sense of belonging and confidence necessary to achieve the end described. Not that Maori culture should be fostered merely as a device to bring about these aims, for it is recognised that Maori culture is very precious for its intrinsic value and for its value to the community.⁵⁵

The term 'Maoritanga' is, of course, a modern political construct to include within one over-arching concept the culture and traditions of diverse tribal forms of cultural knowledge systems. As Maori dispersed to the cities, therefore, it is relevant to note that government policy on 'Maori racial pride' preferred to overlook tribal identifications in favour of the pan-tribalist notion of Maoritanga.

The minister spoke of a 'story of progress'. He noted with great pleasure the advances made in Maori communities such as the new housing at

54. E B Corbett, 'Foreword and Introduction', AJHR, 1957, G-9, p 3

55. Ibid, p 4 [The coining of the term 'Maoritanga' is usually attributed to James Carroll. According to research by Dame Evelyn Stokes it was first discussed at a hui in Te Kuiti in 1911: University of Waikato, *Te Matahauariki*, no 1, Nov 2000, p 6. For a criticism of the Government's use of Maoritanga as a means of diminishing the importance of tribal identifications, see J Rangihau, 'Being Maori' in M King (ed), *Te Ao Hurihuri: The World Moves On*, Wellington, Hicks Smith, 1975, pp 232–233]

Ratana Pa. He also proclaimed a victory for integration at Parihaka, previously 'the rallying point of disaffected Maoris', where successive governments 'had previously tried to overcome the prejudices of the followers of Te Whiti and Tohu against accepting Government help to bring their lands into production, but failed.' Since 1951 a vital land development scheme had begun at Parihaka:

Now the scheme is transforming the landscape – and more. As the local Maori people see new material prospects opened up, lingering suspicions, relics of old antagonisms, are being broken. And as pakeha people see land which has long lain idle, weed infested and non-rate-paying, brought into production, they too are pleased. Even more important than the changing landscape is the change in the people's outlook.

The minister was the MP for Egmont electorate and this development clearly cheered him. He left office, following a long pilgrimage to the graveside of Ngata at Waiomatatini 'to say farewell to "the old man's" spirit', satisfied that 'New Zealand is fortunate in having no real racial problems'.⁵⁶

The 1958 report of Nash as Minister of Maori Affairs in the second Labour government, which he led from 1957 to 1960, reverted to the language of the first Labour government: 'The task is to help the Maori people to develop on terms of equality within the social and economic framework of New Zealand society.'⁵⁷ His 1960 report, however, embraced the language of Corbett and Ropiha and set the scene for the Hunn Report which he commissioned:

Relations between people of different racial backgrounds present one of the greatest problems of the world today. What is done about them will have a far-reaching influence upon the future happiness not only of individuals but of mankind in general. This report is concerned with what New Zealand is doing about race relations within its own boundaries.

Whatever may be the best solution for other countries, it has long been the conviction of successive New Zealand Governments, and of the majority of both races, that for this country integration is not only the best path to follow but ultimately and inevitably the only path that will lead to the development of a happy, harmonious, and progressive community.⁵⁸

56. Ibid, p 7
57. W Nash, 'Foreword', AJHR, 1958, G-9, p 3
58. Nash, 'Foreword', AJHR, 1960, G-9, p 5

He noted that 'only a generation ago' it had been maintained that Maori could not be successfully integrated in a city population. This had resulted in a proposal to provide land in the country to resettle the Orakei Maori away from Auckland city. The Labour government was now firmly committed to integration. To advance this policy, Nash announced that J K Hunn, a member of the Public Service Commission, had been appointed Acting Secretary for Maori Affairs from 18 January 1960. 'He will remain long enough to review the aims and policy of the Department along the lines indicated by the Government'.⁵⁹ The lines indicated had already included support for the eventual demise of the Maori schools system:

As you are probably aware Government policy is to integrate Maoris with the European community. This can best be brought about, in the first place, by arranging for Maori and European children to attend school together. Experience so far has shown that this policy has played a part in developing, to a most pleasing degree, mutual understanding among all sections of the community.⁶⁰

Hunn's task was to review all aspects of law and government policy affecting Maori. It was a task he carried out over seven months from January to August 1960.

2.8 The Hunn Report

The Hunn Report 1960 crystallised government policy development during the period since 1945. It firmly fastened the concept of integration to the masthead of Crown policy on Maori affairs and this remained at the forefront of policy until the re-assessments initiated by the third Labour government between 1972 and 1975. It is suggested that the acts and omissions of the Crown during the main period of urban migration from about 1945 to the 1970s are crucial to the issues raised by this research commission. Maori culture and Maori knowledge systems were undoubtedly affected by the many decades of Crown policies based on racial amalgamation and assimilation. Yet prior to 1945 almost all Maori continued to live in cohesive hapu and whanau communities in the vicinity of their marae, wahi tapu and traditional food resources. They lived in

59. Ibid, p 7

60. Nash to Gross, 5 August 1959, MA, 1, 57/1, vol 6, Education: General and Policy 1959-60, NA Wellington

kainga on the remnants of their ancestral lands. Children would be forced to speak in English for a few hours of each school day, but the ordinary language of local communication remained Maori. Enthusiastic Maori modernisers might promote the absorption of Maori into Pakeha civilisation, but *tohunga* (ancient and modern), syncretist Maori religious movements, and autonomous Maori political movements offered a variety of visions to sustain the hearts, minds and souls of Maori people. Maori cultural practices may have been modified, but the important elements of Maori communal life could be and were sustained. This is particularly the case with respect to the proportion of the population speaking and understanding *te reo Maori*. Some facts on language use prior to and after 1945 are discussed in the next chapter.

The pattern of urban migration fostered by Crown policy after 1945 totally transformed Maori social formations. The fragmentation of Maori tribal structures and the awareness that this would seriously undermine traditional cultural values was not something that occurred accidentally. The changes were noted at the time they were happening. If successive governments had wished to engage in active protection of Maori knowledge systems, then matters may have turned out differently. Governments did not choose to act in that way. They were convinced by the logic of their integration policies. It is thus necessary to highlight key aspects of the Hunn Report.

Hunn's terms of reference were simple and broad. He was asked to take 'a new look at Maori affairs from every angle and invite study of the pace as well as the nature of what is being done for Maoris'.⁶¹ At the outset it is worth noting the unproblematic manner in which Hunn spoke of what the government was doing 'for Maoris'. His general conclusions and his premises for future policy were succinctly laid out in five propositions:

(1) The Maoris have taken quite remarkable strides forward in the last two generations; and, in another two generations at the accelerating rate, they should be well nigh fully integrated.

(2) Though the Department of Maori Affairs has achieved solid progress since 1930 in land development, 1936 in housing, and 1946 in welfare, nevertheless the scale of its activities is not nearly large enough to cope with the explosive growth of population (56,000 in 1920, now 158,000 in 1960, and possibly 700,000 in 2000). Relatively the Department is falling behind and needs to redouble its activities.

61. J K Hunn, 'Report on Department of Maori Affairs with Statistical Supplement' [Hunn Report], 24 August 1960, AJHR, 1961, G-10, p 13

(3) An employment problem, barely incipient at present, could easily become the major challenge of the future. Housing and education (including vocational training) should be intensified as the two measures best calculated to equip the Maori to compete on equal terms for a much wider range of jobs.

(4) Urbanisation of the Maori is inevitable, critics notwithstanding. Farming will never support more than a handful; the rest must enter the towns in search of work. Far from being deplored, the 'urban drift' can be welcomed as the quickest and surest way of integrating the two species of New Zealander.

(5) If closely watched and actively nurtured, urbanisation is more likely than rural segregation to prevent a 'colour' problem from arising in New Zealand as the Maori population expands. With some exceptions, people understand and appreciate one another better and mutually adjust themselves easier if living together as neighbours than if living apart in separate communities.⁶²

In a neo-Darwinian expression of his ideological framework Hunn argued that 'evolution will take its course and pay scant attention to statutory formulas.' He believed that evolution governs policy and he rejected the South African attempt 'to force a policy of apartheid on an unwilling people'. In theory, he suggested, there were four possible alternative models of development:

Assimilation:

To become absorbed, blended, amalgamated, with complete loss of Maori culture.

Integration:

To combine (not fuse) the Maori and pakeha elements to form one nation wherein Maori culture remains distinct.

Segregation:

To enforce a theoretical concept of 'apartheid'. One school of thought in New Zealand advocates 'parallel development', which in essence is segregation under another name.

Symbiosis:

To have two dissimilar peoples living together but as separate entities with the smaller deriving sustenance from the larger (seemingly an attempt to integrate and segregate at the same time).⁶³

62. *Ibid*, p 14

63. *Ibid*, pp 14–15

For Hunn, however, it was entirely appropriate that 'Evolution is clearly integrating Maori and pakeha'. It was 'the obvious trend':

Integration, as stated, implies some continuation of Maori culture. Much of it, though, has already departed and only the fittest elements (worthiest of preservation) have survived the onset of civilisation. Language, arts and crafts, and the institutions of the marae are the chief relics. Only the Maoris themselves can decide whether these features of their ancient life are, in fact, to be kept alive; and, in the final analysis, it is entirely a matter of individual choice. Every Maori who can no longer speak the language, perform the haka or poi, or take his place on the marae, makes it just so much harder for these remnants of Maori culture to be perpetuated.⁶⁴

This paragraph is of cardinal importance to the current research. Evolution should govern policy, in Hunn's view, and evolution had decided which were the 'fittest elements' of Maori culture. Government had no role to play in all this. Only Maori as 'a matter of individual choice' could decide. Maori collective values and choices merit no mention. Rather, if key elements of Maori culture such as language did not survive, then they were not worthy of preservation. In any case, the blame for the loss of Maori cultural practices with 'the onset of civilisation' should be laid on Maori individuals who choose not to speak the Maori language or engage in Maori cultural practices. This was none of the government's business, so it could not be the government's fault. What then, according to Hunn, was the government's business?

The Maoris today could be broadly classified in three groups:

A. A completely detribalised minority whose Maoritanga is only vestigial.

B. The main body of Maoris, pretty much at home in either society, who like to partake of both (an ambivalence, however, that causes psychological stress to some of them).

C. Another minority complacently living a backward life in primitive conditions.

The object of policy should presumably be to eliminate Group C by raising it to Group B, and to leave it to the personal choice of Group B members whether they stay there or join Group A – in other words, whether they remain 'integrated' or become 'assimilated'.⁶⁵

64. Ibid, p 15

65. Ibid, p 16

Hunn was aware that such a policy might cause resentment:

Here and there are Maoris who resent the pressure brought to bear on them to conform to what they regard as the pakeha mode of life.

Hunn did not apologise for such governmental pressures however. He explained that in seeking to eliminate Group C the government was pushing Maori to live a way of life that was 'not, in fact, a *pakeha* but a *modern* way of life, common to advanced people'. 'Advanced people' were mostly Europeans but included Japanese. So it was made very clear in this report that government policy fully intended to apply pressure to Maori in order to force them to be *modern*. Hunn stressed that the problem for Maori was 'not one of destination or route, but of pace' and 'the rearguard' could not be left 'to go their gait' because they would 'fall behind into a world of their own that provokes all the frictions of coexistence.'⁶⁶

The Hunn Report did not beat about the bush. If the government agreed with the report then it should not permit Maori the freedom to choose the direction or route or even the pace of their own future. Pakeha did not wish to coexist with a backward people. Maori must progress – all Maori must progress – according to the norms of the integration philosophy. The only choice to be left to Maori was not a choice to be made in a collective way by hapu or whanau. Individuals could choose whether they wished to be fully assimilated and detribalised or whether they desired to retain some vestiges of Maori culture.

2.9 Urban Migration

The general philosophy of the Hunn Report is of particular interest to this research. As noted below, the report's approach to Maori affairs became the touchstone of Government policy for the 1960s and early 1970s. In some respects it has influenced policies on closing the gaps to this day. A number of the practical policy discussions on the report's 84 recommendations are also very important. Hunn rejected the concept of 'urban drift'. He was not at all concerned about the fact that 'urban drift' was 'often deplored by well meaning critics'. For him there was 'not a drift but a deliberate migration to the scene of employment'. He expected and hoped that the migration flow would 'gather momentum indefinitely' until the urban/rural population distribution for the Maori population

66. Ibid, p 16

more or less coincided with that of the European population which reflected 'the real distribution of available jobs.'⁶⁷

There can be no doubt that the Department of Maori Affairs took this section of the Hunn Report very seriously. The land development and housing policies of the past had been oriented to the rural areas where Maori communities lived. This was now seen to have been a mistake. Thus B E Souter, Deputy Secretary, speaking in 1966 was clear that 'land as a source of economic life' for Maori 'had not been the success anticipated'. Improvements to the land policy were not the solution. Rather, 'economic salvation' for Maori would follow from education and technical training. This had been the direction of departmental policy since 1950. Souter accepted that 'Educationally the Maoris still lag far behind the pakehas' and that 'the educational problem will be with us for at least twenty years or more'. 'Twenty years or more' effort should ensure that by about 1986 the educational gap would be closed. The main focus for these efforts was to be on apprenticeship schemes and the re-location policy to bring Maori workers and their families to urban centres. Part of the re-location policy was that the Department would build houses for Maori only in cities where there was work. Souter was highly critical of the fact that governments before the Second World War built houses 'in the wrong areas, i.e. in rural areas where the Maoris happened to be located at the time'. As well as re-locating homes and families in towns and cities, the department aimed 'to contact every Maori school leaver in all parts of New Zealand and to see that he has a clear notion where good regular employment might be available to him.'⁶⁸

67. Ibid, p 40

68. B E Souter, 'Employment and Trade Training', University of Adelaide Study Tour, November/December 1966, E, acc W2522, Box 5f, Maori Education – Miscellaneous Papers 1939–77, NA Wellington, fols 4–5 [As to housing in urban locations only, see Hunn to McKain, 28 April 1961, MA, 1, W2490, 36/3/4, pt 1, box 76, Maori Health Committee 1960–61, NA Wellington: Hunn was concerned to refute the views of a Dr Dowden who 'thinks houses should be built just where Maoris want them' by obtaining information on cases in Northland 'where the Department has capitulated and built houses in remote localities to the subsequent sorrow of both the Maori and ourselves.']

A major theme of this report is that throughout the period of integration policies the government stood back and took an entirely passive, non-interventionist position with regard to the preservation of Maori language and cultural knowledge. This was not because a *laissez faire* philosophy of non-intervention by the state was prevalent at that time. On the contrary, successive governments put an enormous amount of active, interventionist effort into promoting the relocation of the Maori population in urban centres and re-housing them there. It is also worth commenting that the use by officials of language such as 'economic salvation' gives an inkling of the genuine sense of mission that many officials felt committed to. The problem was that they were Crown officials enthused by the Hunn Report and government policy to decide 'for Maoris'

what was best for them. Jobs and houses in the city were important. Maori language and culture were not.

2.9.1 Operation re-location

Although the re-location policy had been gradually developed and put in place since 1950, the Hunn Report provided a significant impetus to further efforts by the department in this area of policy implementation. In late 1960 Hunn was suggesting to the Social Security Department that its assistance with sums of money for re-locating families to purchase furniture would be welcome, with 1000 families a year as an eventual possibility. Welfare officers were keen to visit rural areas 'to stimulate interest' in the re-location scheme. An 'Operation "Relocation" Joint Committee' began to meet.⁶⁹ By 1961 the Department had developed a whole range of bureaucratic procedures to facilitate the re-location of individuals and families in urban centres. They were fully elaborated in Interim Advice No 252 and Interim Advice No 258. The department had established 'recruitment centres' in rural areas and 'placement centres' in urban areas. There were a multitude of forms to be filled in to communicate between these centres. Departmental welfare officers in the rural areas were obliged to provide social preparation and training before migrants departed. The Labour Department provided support in a number of ways including the provision of one-way fares orders. Maori welfare officers were required to meet migrants and to provide continuing social contact during the settling-in period, to assist in the search for jobs and housing in the cities, to provide assistance in the preparation of loan applications and filing family benefit capitalisation applications. They were to encourage homecraft skills and the establishment of good gardens.⁷⁰ Among the forms to be filled out was Form M.A. 602. This was prepared in duplicate by recruiting offices to arrange for the purchase of Maori land interests as part of the preparation for relocation. A policy revision paper described the reasoning behind this aspect of re-location:

One of the conditions of re-location assistance should probably be that any family moving to town should make a suitable disposition of land interests in the country. This would probably involve the sale of interests or the lease of those that are large enough to treat in this way

69. Hunn, Minute, 'Re-location', 11 November 1960; Puriri to Souter, 22 September 1960; Hunn to Assistant Secretary, 15 September 1960, AAMK, 869, 36/20, pt 1, 1101d, Relocation of Maori Families 1958–61, NA Wellington. See also, 'Minutes of Joint Committee on Maori Employment', 30 October 1960, AAMK, 869, 36/20, pt 2, 1101e, Relocation of Maori Families 1960–69, NA Wellington

70. 'Interim Advice No 252', 12 January 1961; 'Interim Advice No 258', undated, AAMK, 869, 36/20, pt 2, 1101e, Relocation of Maori Families 1960–62, NA Wellington [See also A Delamere, 'The Maori Welfare Service and Re-location Schemes', University of Adelaide Study Tour, November/December 1966, E, acc W2522, Box 5f, Maori Education – Miscellaneous Papers 1939–77, NA Wellington, fols 7–8]

The removal of surplus population should reinvigorate the rural communities as the people remaining will have a bigger share of the work available locally and it should also be possible to extend land holdings to some extent. It is suggested that a vigorous policy of community development in the country is the corollary of the re-location of under-employed Maoris in the towns.

To overcome the sense of loss of turangawaewae through the sale of land interests, provision should be made for those leaving to be included as part owners or trustees of their maraes and wahi tapus. This would protect their rights to return to their home community on important occasions and take their rightful part in community discussions and activities.⁷¹

This illustrates just how thorough government policy was to prepare Maori for a clean break from their rural tribal background in order to settle them into their new future in 'the modern way of life'. The government was quite clear that it wished to engineer a modification of Maori notions of turangawaewae and further comments on this matter from Hanan are quoted below.

2.9.2 'Pepperpotting'

For the urban re-location to operate smoothly there had to be a significant pool of rental or low cost housing stock available in the urban areas. The Hunn Report urged the government to provide for a huge increase in the budget vote allocated to the Maori housing programme. The task should be to build over three times as many houses per year compared with the 620 houses target in 1959, so that the target for 1966 would be 2000 houses a year.⁷² This massive house-building project provided homes specifically for Maori families. It was separately administered from the state house building programme organised by the State Advances Corporation. However there was a determined government policy to prevent the development of Maori housing clusters in urban areas. The government was opposed to acting in a manner that might be seen as segregation, so there was a policy officially known as 'pepperpotting': 'sprinkling Maoris among the general community is official housing policy'.⁷³ Hunn was convinced that the pepperpotting policy was particularly important and should be adhered to even if that caused practical difficulties:

71. 'Interim Advice No 252'; *ibid.*, fols 3, 6; 'Policy Revision', AAMK, 869, 36/20, 1101d, pt 1, Re-location of Maori Families 1958–61, NA Wellington, fols 5–6

72. Hunn Report, pp 40–43

73. Delamere, 'The Maori Welfare Service and Re-location Schemes', University of Adelaide Study Tour, November/December 1966, E, acc W2522, Box 5f, Maori Education – Miscellaneous Papers 1939–77, NA Wellington fol 7

The dearth and cost of sections is forcing a departure from the 'pepper-potting' policy of dispersing Maori housing amongst European houses to promote closer integration. In Rotorua, Tauranga, and certain county areas, for example, blocks of Maori land have had to be subdivided into building sites, thus laying the foundations, consciously but regretfully, for all-Maori settlements. A large and growing body of the Maoris themselves prefer the 'pepper-potting' principle. In Rotorua, the situation is virtually: if no Maori settlements, then no Maori houses. The settlements there (Koutu, Ngapuna, Brent's Farm) save the Maori housing programme from extinction in that area. Investigation is under way as to the possibility of buying some of these sections from the Maoris and reselling them to Europeans to achieve a mixed community.⁷⁴

Building houses for Maori in urban areas was the first priority, but measures to ensure 'a mixed community' were also an essential element of government policy. The Minister of Maori Affairs primarily responsible for implementing the Hunn Report recommendations was Ralph Hanan. In 1962, speaking in Parliament, he said:

The Department of Maori Affairs had no absolute bar against Maoris building houses on their own land in rural areas. On the other hand the Department discouraged such building as it was only common sense to build houses near places where employment was available. ... The policy in cities was to build Maori houses among European houses. In the Government's view segregation of Maoris in urban areas should be discouraged. It might be said that certain Maori people, perhaps a little more backward than others, wanted to be together in one part of town, but the Department would agree only in exceptional circumstances. The general rule was that Maori houses in urban areas should be erected among non-Maori houses on the basis that there was no room for segregation in New Zealand.⁷⁵

There were Maori leaders who supported this approach at that time. Thus Iriaka Ratana MP reported to Parliament that within her Western Maori electorate a Maori housing advisory committee had been established involving the Ohakune Borough Council, the Maori Women's Welfare League and the district tribal committee. 'The policy of integration – dispersing the new homes among the pakeha community – has proved most satisfactory and generally acceptable.'⁷⁶

74. Hunn Report, p 41

75. 7 August 1962, NZPD, 1962, vol 331, pp 1258–1259

76. 11 July 1962, NZPD, 1962, vol 330, p 813

In 1965 Hanan regretted that the policy continued to be difficult to implement in some areas. 'It is the policy of the State Advances Corporation and the Department of Maori Affairs to intermingle Maori and European homes but the ability to do this is limited by the availability of sections and State rental houses.'⁷⁷ The name of the archival file in which that memorandum appears – 'Complaints re Behaviour of Maori Neighbours' – no doubt indicates that the 'availability of sections' may have been only part of the problem and that officials were taking into account the unwillingness of some Pakeha to have Maori families pepperpotted next to them.

There are no doubt sound social policy arguments that could be advanced in favour of pepperpotting, if the alternative was the creation of ghettos of marginalised families living disadvantaged lives on urban fringes. However, there were problems with the Government's housing policy from the point of view of the issues pertinent to the commission for this report. As noted above, the Government was willing to play a very significant role in promoting the 'economic salvation' of Maori by steering them to jobs in the cities and building houses. It was not willing to consider the impact of these policies on the resilience of Maori culture in the new and alien social and economic environment. The arrogance of classifying Maori who wished to live in houses built on Maori land as 'a little more backward than others' needs to be noted. More than that though, the housing policy surely ought to have included planning and building of Maori communal facilities in the cities from the outset of the urban migration. The policy was to re-locate Maori and to build homes for Maori. Yet in what sense was pepperpotting a 'Maori housing' policy if there was nothing done at all to enhance and assist the establishment of Maori community links in the new setting? In the absence of active support for Maori to retain their cultural identity in the city, the Government policy of integration in pepperpotting homes looks remarkably like a policy of amalgamation and absorption. As compared with the nineteenth century version of amalgamation – when the policy was to send missionaries of civilisation such as teachers, doctors and sanitary inspectors to work in the kainga where Maori lived – mid-twentieth century integration had the appearance of being a much more draconian version of amalgamation and absorption into the more advanced ways of the European.

77. Hanan to Muldoon, 4 August 1965, AAMK, 869, 36/1/24, pt 1, 1065c, Complaints re Behaviour of Maori Neighbours 1964–73, NA Wellington

2.10 Legal Differentiation

In the process of preparing his report, Hunn scanned all the laws in the statute books 'to take stock of the differentiation between Maoris and Europeans that exists in legislation'. By his calculations differentiation occurred on 82 subjects in 264 pieces of legislation which he classified as follows:

(a)	Maori privilege	58
(b)	Maori disability	35
(c)	Maori protection	69
(d)	Different procedure	102

His recommendation was that all these examples of differentiation 'should be reviewed at intervals and gradually eliminated.' The necessity for periodic reviews was 'to ensure that legal distinctions between the races do not enure indefinitely by default.' Among the many recommendations of the Hunn Report, this one is of importance to an aspect of this research. One of the Maori disability provisions identified as meriting 'sceptical scrutiny' concerned tohunga suppression.⁷⁸ As will be noted in a later chapter, this recommendation soon led to the removal of witchcraft, sorcery and similar offences from the criminal code when the Crimes Act 1961 was passed, and then the repeal of the Tohunga Suppression Act by the Maori Welfare Act 1962 (later re-titled the Maori Community Development Act 1962)

2.11 Defence of the Hunn Report

The Hunn Report was produced at the instigation of Nash and completed shortly before the demise of the second Labour government in 1960. Hanan, Nash's successor as Minister of Maori Affairs, turned out to be an enthusiastic advocate for the integration philosophy and the practical recommendations contained in Hunn's work. Nash had treated the report as an internal matter for the Department. Shortly after entering office, however, Hanan arranged for publication of the report and widespread publicity as to its proposals. Hanan was a senior member of the National party and was ranked third in seniority in the Holyoake administration from 1960 until his death in 1969. He was also a liberal reformer with the

⁷⁸ Hunn Report, pp 77–78 and Appendix F at pp 173–177

energy and ability to achieve results. One reform measure, for which he is perhaps best known in Maori circles, was the Maori Affairs Amendment Act 1967. This Act compulsorily converted Maori freehold land with few owners into general land that was no longer subject to the jurisdiction of the Maori Land Court. The owners were given no choice in this change of status for their land. To reduce the role of the Maori Land Court, and eventually to abolish it, was another aspect of the Government's integration policy but it is not of direct relevance to this report and so it is not pursued here.

Quite contrary to the suggestion above that there is a close similarity between the concept of integration and the amalgamation/assimilation policies, ministers and officials in the 1960s were most anxious to ensure that their integration policy should not be confused with assimilation. A departmental statement in 1960, when Nash was the Minister, suggested that there were two schools of thought on race relations – 'parallel development' and 'integration'. Government policy favoured integration as a 'dynamic and positive way of encouraging the best for both peoples'. The statement stressed the importance of integration by means of Maori and Pakeha intermarrying and by Maori households living 'in a predominately [sic] European area on terms of good citizenship and good neighbourliness'. It was said that 'Those who have believed that integration is the goal to aim at include the present Minister of Maori Affairs, the former Minister (Hon. Mr Corbett) and such Maori leaders as the late Sir Peter Buck and Sir Apirana Ngata'.⁷⁹ In 1962 Hunn was most concerned to correct an Australian academic, Professor Geddes, who was reported to have suggested that 'in recent years the policy of assimilation has been modified'. Hunn declared that 'If there has ever been such a policy I have not yet managed to trace it.' He did admit that the 'term "assimilation" is certainly used quite a lot but is often intended, clearly enough, to be a synonym for "integration". And officialdom is perhaps as prone to this error as anyone else.'⁸⁰ To clarify matters Hunn prepared and published in 1962 a substantial paper on what was meant by integration, the progress of integration and urbanisation, the rate of integration – noting that the policy 'must allow for regional and local diversity' – and general principles to guide integration. The paper began with the boast that 'For many years New Zealand has been recognized as one of the nations in the vanguard of those that are building multi-racial societies.' It concluded with the hope that 'many Pakehas will find time not only to give thought

79. 'Relations Between Maoris And European People In New Zealand', 22 April 1960, MA, 1, 36/1/21, vol 4, Race Relations: Integration and Segregation 1961–62, NA Wellington

⁸⁰ Hunn to Piddington, 30 January 1962, *ibid*

to the important questions involved in this subject of Maori–Pakeha integration but also to extend a friendly greeting to Maori neighbours and workmates who are coming to take a place alongside them, even participating in Maori activities if this is possible.’⁸¹

It seems that there were some semantic games being played in all of this. As noted in chapter 1, Buck and Ngata certainly spoke of assimilation as absorption. According to Hunn, however, this was not assimilation as the government now wished to define it. In any case, his historical research cannot have been very thorough if he had not managed to trace official endorsements of assimilation – in whatever way one might wish to define that term.

Hanan’s successor, Duncan McIntyre, defended Hunn’s prescriptions through into the early 1970s. In 1969 he replied to the South African Consul General who had written a remarkably fair-minded account of New Zealand’s race relations at the time:

So far as the section on the Maori is concerned, there is not a great deal on which I would wish to comment, but there is one basic matter which I would like to draw to your attention. The official policy of the Government in relation to the Maori people is not one of assimilation as your report seems to imply, but rather one of integration. With both of these words there is, of course, a difficulty in that there are many different interpretations. By ‘integration’, however, I mean a policy of ensuring complete equality between the races legally, politically, socially and economically. I do not believe, however, that the Maori should be called upon to lose his identity. I recognise his wish and his right to retain all those traditional and cultural elements which fit into modern society. The Government, in fact, gives a great deal of encouragement in the preservation and teaching of Maori arts and crafts, music and dancing. In other words, we are not asking the Maori to become simply a brown European. I do recognise, however, that the amount of intermarriage which is now taking place will inevitably lead, at some future time, to a merging of the races, but I believe, as you suggest in your report, that the future New Zealander will proudly acknowledge his inheritance from both peoples.⁸²

The statement that the Government ‘gives a great deal of encouragement in the preservation and teaching of Maori arts and crafts, music and dancing’ deserves comment. As explained above, after 1930 there was a

⁸¹ ‘The Integration of Maori and Pakeha in New Zealand’, April 1962, MS Papers 5220-127, Miscellaneous Acts, Maps, Reports and Other Papers 1955–1962, ATL Wellington [The published text had a foreword by Hanan indicating that the paper represented the thinking of the Government]

⁸² McIntyre to Philip, 7 August 1969, MA, 1, 36/1/21, vol 10, Race Relations: Policy and Correspondence with Overseas Countries 1969–71, NA Wellington

policy of teaching Maori arts and crafts in Native schools. In chapter 4 mention will be made of the Arts and Crafts Institute established in 1926. As will be mentioned in chapter 3, however, the promotion of arts and crafts, poi dancing, preserving carvings, and such like were never seen to be inextricably linked to Maori language and cultural knowledge systems. It seems to have been assumed always, and stated openly on occasions, that Maori cultural forms could be preserved even if the language died out completely and tohunga no longer held whare wananga to pass on traditional knowledge.

In 1970, at a Treaty of Waitangi dinner of the New Zealand Founder's Society, McIntyre claimed that considerable progress had been made in the 1960s to improve the Maori condition. He noted that it appeared to some that the government was pursuing a policy of assimilation. 'This is not true,' he said 'assimilation of any of the peoples living in New Zealand has never been policy and Government has always recognised that there are many aspects of life where assimilation is neither necessary or desirable.'⁸³

It is evident that New Zealand Government policy in the 1960s and early 1970s was heavily influenced by a desire to minimise race relations problems in the era of de-colonisation worldwide. It is not surprising that an address by Hunn to Maori boarding school pupils in 1962 was entitled 'The Winds of Change in Maoridom'. This was a direct reference to the famous 1960 speech by Harold Macmillan, Prime Minister of Britain, delivered in South Africa concerning 'the winds of change' that were blowing through Africa and the world. Macmillan's speech was addressed to the inevitability that the era of colonialism was at an end and that indigenous peoples would soon achieve their political freedom. He hoped – in vain as it turned out – that white South Africa's rulers would move with the winds of change. Hunn's speech, on the other hand, was not addressed to changes required of European settlers. Rather, he spoke to young Maori who were urged to become more modern and more integrated:

I want all young Maoris to realise that change is inevitable: it is part of life itself. So you are not being unfaithful to the Maori race when you change with the times. You are simply becoming a modern Maori instead of an old-fashioned one. And a modern Maori is still a Maori, not a pakeha.

83. McIntyre, 10 February 1970, MA, 1, 36/1/21, vol 10, Race Relations: Policy and Correspondence with Overseas Countries 1969–71, NA Wellington

His admonition to the pupils was 'Don't pine for the "good old days" and mourn the loss of Maori culture.' Rather he urged, somewhat simplistically perhaps:

So long as you keep your meeting houses up-to-date, your activities modern and your attitudes in tune with the times, then so long will you preserve Maori culture and Maori identity.⁸⁴

It has to be added, however, that fine nuances of meaning and the distinction ministers and high officials sought to draw between assimilation and integration were not always evident in the community work of departmental officials. A Raglan newspaper reported in 1962 on a public meeting held to promote the recently established Maori Education Foundation. The speaker at the meeting was M Raureti, Maori Welfare Officer for the Waikato. A question put to the speaker asked whether the foundation would help preserve the language and culture of the Maori people:

[Mr Raureti] replied that he found that the major cause of crime among the young Maori people was his culture and tradition as his communal way of living in the past taught him to share things, and when he leaves his home he naturally thinks he can share everything his friends have, which is stealing.

The sooner the Maori forgets his culture and traditions the better, as he has to learn to integrate fully with the white man, and education is the first step towards this living together as one people.

This version of integration did not at all appeal to one member of the audience who introduced herself as the mother of nine children and part of a family brought up in a ponga hut with a mud floor. She said:

We are two distinct people in colour and creed. We as a Maori people have learned the language and ways of the white man. How much more do we have to give? There are good and bad but they have not learned anything about us. We have good to give to each other. My culture and traditions should be preserved. I will support the foundation if the funds are used to preserve my culture. Education cannot change a black man into white. There will always be a social barrier between a Pakeha and a Maori.⁸⁵

84. J K Hunn, 'The Winds of Change in Maoridom', MA, 1, 36/1/21, vol 5, Race Relations: Integration and Segregation 1962, NA Wellington

85. 'Culture and Traditions Blamed For the Crime Among Young Maoris', *Raglan Chronicle*, 11 October 1962, *ibid*

Nothing on the file containing this press report indicated that the Welfare Officer was in error in dismissing the importance of Maori language and culture for Maori educational aspirations.

2.12 Responses to the Hunn Report

From the outset the Hunn Report received a mixed reception from farming interests, academics, church organisations and Maori. There were those who for a number of different reasons had doubts about promoting urbanisation. Catholic Maori Missioners and a Marist priest indicated that they were against a policy of hastening urbanisation which 'will quickly destroy Maori culture'. 'The language is slowly dying' and 'the marae is meeting a similar fate', they claimed, owing to 'a dominant alien civilisation'. The priests recognised that Maori needed to express their own views about the decay of language and culture. It was their opinion that the 'trend of decay in Maori culture is not irreversible' although they admitted that the trend might not be reversed for they saw 'no determined efforts on the part of Maori to preserve the language'. Their objection to Hunn, nevertheless, was that 'the Report is not content to wait the natural outcome of the process. It gives the slipping culture a push.'⁸⁶ Hunn's reply did not directly address the cultural survival issues raised by the clergy. Rather he re-asserted the importance of the government taking an active part in the urbanisation movement:

On discovering the degree and velocity of urbanisation I thought it was the most significant, permanent and growing factor in Maoridom and the one that had to be accepted as axiomatic in deciding what to do. For my part I am sure we cannot stop it, much less reverse it, even if we wish to. Therefore I concluded that, instead of standing passively aside and watching the Maoris drift aimlessly to town in a stream, we should be there to meet them, as it were, with accommodation and jobs. We should step up our housing, trade training and job placement programmes.

The point of the Report is simply that urbanisation is happening, with gathering momentum, whether we approve of it or not. The Hunn Report itself is certainly not the cause of it and indeed can have no influence on it, except, I hope, to make it a more bearable process for all concerned.⁸⁷

86. Cleary to Hanan, undated, enclosing 'Hunn Report – An Assessment ... of the Catholic Maori Missioners for the whole of New Zealand'; AAMK, 869, 1/1/42, pt 2, 8b, Hunn Report 1961, NA Wellington

87. Hunn to Cleary, 25 October 1961, *ibid*

The Maori missionaries also remarked that there needed to be collaboration between the government, farmers and Maori in respect to farm labour in rural areas. Farming leaders and Department of Agriculture advisers strenuously raised this issue. Hanan was most emphatic in rejecting the pleas of a Gisborne farmer to the Minister of Housing for a Maori housing programme in rural areas:

His assumption, too, that because the farmers need the Maoris, and the Maoris need houses, my Department should provide houses for the Maoris near the farms is not soundly based.

This comment has a marginal note 'Kapai' initialled by Puriri, a Welfare officer. Hanan's conclusion read:

My Department in its general efforts for the advancement of the Maori people must help make this transition smooth and successful. The movement among the Maoris towards wider economic, occupational and social horizons is to be encouraged. It cannot be held back by considerations of employers interests or by outdated conceptions of the Maori race as a people of limited needs, limited ambitions and limited capacities; and any suggestion that it be held back by a Government policy of encouraging Maoris to remain in certain localities and accept limited standards of employment and housing is unthinkable.⁸⁸

This became the standard line of the Department, repeated for example by C M Bennett as Assistant Secretary for Maori Affairs in 1965 when replying to a Department of Agriculture researcher concerned about the shortage in farm labour supplies.⁸⁹ No consideration seems to have been given to the possibility that good housing built by the Government should be available both in rural areas – for those Maori families who wished to remain there and who could find employment there – as well as in urban areas. Rather, the Government seemed intent on providing no housing assistance in rural areas as a lever deliberately to encourage Maori to move to the only places where they could obtain government assistance towards living in modern homes – in cities.

Academic comment on the Hunn Report was not all negative. Certainly F A J Caselberg, Burns Fellow at the University of Otago in 1961, was highly critical of Hunn's theoretical assumptions. He wrote an open letter to Hanan stating that Hunn's approach was fallacious because it was based on a 'false evolutionism' that contrasted inapt ideas such as 'primi-

88. Waddington to Lawry, 15 March 1962; Rae to Waddington, 22 March 1962; Hanan to Rae, 3 April 1962, AAMK, 869, 36/20, pt 3, 1101f, Relocation of Maori Families 1962–63, NA Wellington

89. Cartwright to Secretary, 20 October 1965; Bennett to Cartwright, 5 November 1965, AAMK, 869, 36/20, pt 4, 1101g, Relocation of Maori Families 1964–73, NA Wellington

tive' with 'progress' that were based on belief in a 'world civilisation'. His conclusion was this:

The policy of integration is not new. It has been actively promulgated by successive New Zealand Governments since the first settler Parliament was installed, without Maori representation, in 1857. It was written into Fitzroy's Native Trust Ordinance of 1844; and has been pursued by the schools since 1867.⁹⁰

Joan Metge, on the other hand, who had recently finished her doctoral research wrote to Hunn and indicated: 'I am happy to assure you of my fullest support for your conclusions'. Her main reservations related only to the legal definition of 'Maori'. She wished the government to abandon definitions based on degree of Maori blood and 'simply accept as Maori those persons of Maori descent who feel strongly enough to identify themselves as Maoris all the time (and not, that is, just when it is to their advantage)'. Professor James Ritchie stated in a radio talk, which was later published, that he thought the report 'wise, balanced and fair.'⁹¹

A particularly thoughtful contribution on the sociological implications of urbanisation and the policy of integration was given by Stuart Morrison. In his view integration, as compared with either assimilation or segregation, was 'the only policy that is practicable and in accordance with 20th Century ideals.' He was acutely aware, however, of the vulnerability of a minority culture if the majority culture was indifferent to its survival:

In so far as I can assess New Zealand attitudes I suggest that not infrequently integration in practical measures is indistinguishable from assimilation. This attitude is not necessarily a hypocritical one. It in part arises from the fact that one culture is a majority and dominant one and the other a minority and minor one; that one is dynamic and the other passive; that one attempts always to be all-pervading and the other is in retreat; that the dominant one knows little and is not particularly concerned to know more of the other; that the minority culture tends to become exclusive for language reasons as well as others. It would almost seem as if integration is always on the verge of becoming assimilation and in one sense this is probably a correct description. The pressures on the minority culture are such that it is forced to concede ground. As more people of Maori descent are assimilated each age sees

90. Caselberg to Hanan, 14 April 1961, AAMK, 869, 1/1/42, pt 2, 8b, Hunn Report 1961, NA Wellington

91. Metge to Hunn, 5 April 1961, *ibid*: J E Ritchie, 'The Grass Roots of Maori Politics', in *The Maori and New Zealand Politics*, J G A Pocock (ed), Auckland, Blackwood and Janet Paul, 1965, p 85 [based on a NZBC radio talk in 1962]

more cultural areas invaded and conquered. This engagement of two cultures has not been of great concern to the pakeha community until urbanisation of the Maori community became of significant size. It is no longer possible for the two communities to view one another from a distance. If integration is to continue as a policy its nature must be recognised by both communities. The dominant one must be prepared to sanction and support the minority one. That support is hardly practicable if it is ignorant of the other culture. At best under such circumstances, integration is not more than a barely tolerated transition to assimilation.⁹²

At a time of governmental enthusiasm for integration, this was a cautionary message that seemed not to be heeded.

Maori responses to the report were also varied. Rikihana Etana as secretary of the Aupouri Maori Trust Board thought it a shame that the suggestions were not incorporated in past legislation as it would have meant Maori would now be in a better situation. He was keen to have the recommendations implemented as soon as possible.⁹³ The National Council of Churches' Maori Section thought many aspects of the report to be 'soundly based'. Nevertheless they were critical of imposing a definition of Maori. Like the Catholic priests, they were particularly concerned about the report's emphasis on urbanising Maori. Hunn had suggested 'that a Maori might be led to look on ownership of a small dwelling and land in a city as a modern equivalent for "the turangawaewae";' but this, they wrote, 'is to our way of thinking very far from the facts.'⁹⁴ Hanan replied to the Maori Section submission and he was entirely unrepentant. He thought it important that the concept of turangawaewae certainly needed to be modified:

'Turangawaewae' is one of the aspects of Maoritanga that may some day come to be modified not abolished – by the pressure of hard facts. Even apart from the influence of migration to the towns, the tradition has long been breaking down under its own weight; and as the Maori population increases, the individuals' shares in ancestral lands will, unless something constructive can be done to arrest fragmentation, become more and more insignificant. Turangawaewae, carried to extremes, can prevent good land from being used or even looked after, and poorer land from being improved; it can cause Maori children to be brought up in areas where there is no employment for them or their

92. S Morrison, 'Some Thoughts on Maori-Pakeha Relations', 7 July 1961, MA, 1, 36/1/21, vol 4, Race Relations: Integration and Segregation 1961-62, NA Wellington, fol 3

93. Etana to Hunn, 19 May 1961, AAMK, 869, 1/1/42, pt 2, 8b, Hunn Report 1961, NA Wellington

94. National Council of Churches Maori Section, 'The Report of Mr J K Hunn on the Department of Maori Affairs', *ibid*

parents; it can perpetuate inter-family and inter-tribal rivalries; and it can represent a formidable barrier to the advancement of the race. Perhaps it will sooner or later change its character, as other Maori customs have done, to fit in with the changing times.⁹⁵

This is a most explicit example of government indifference to the undermining of Maori cultural values and indeed of governmental policy overtly favouring the modification of Maori cultural preferences and practices as urbanisation proceeded.

Support for the Hunn Report was also expressed by Norman Perry writing on behalf of the interim committee for a Dominion Council of Tribal Executives. He praised Hanan's 'master stroke' of releasing the report 'as the basis for discussion with the undertaking to take the Maori people into your confidence.' This he described as 'a new approach in Maori Affairs administration'.⁹⁶ A year later the government reciprocated this support by at last formally recognising this body as the New Zealand Maori Council in the Maori Welfare Act 1962 (sections 17 and 18). That Act remains in force but with the short title of Maori Community Development Act 1962.

It has to be noted however that, once established, the Maori Council did express some guarded doubts about the department's implementation of the policy. Thus in 1964 the council held a seminar on the Department's re-location programme. The seminar recommended that:

where the Department of Maori Affairs makes available its re-location service it should only be used after careful planning and consultation with the families concerned, avoiding undue pressure to overcome their reluctance to move or to deprive them of their right to make their own decision and assisting them with due regard to their dignity as human beings.⁹⁷

Support for Hunn's recommendations, as reported by newspapers shortly after the report's public release, was expressed by Whina Cooper, a former president of Maori Women's Welfare League; Major H R Vercoe, chairman of the Waiariki Maori Land District Council (later to become Bishop of Aotearoa); C Anaru, secretary of the Arawa Trust Board; and I M Ratana, the Western Maori MP, speaking on behalf of the Ratana Church youth clubs. On the other hand, PT Watene, chairman of the Labour Party Maori policy committee, took a different line from Mrs

95. Hanan to Darvill, 4 August 1961, *ibid*

96. Perry to Hanan, 20 January 1961, MA, 1, 35/2/1, pt 1, Departmental Policy Discussion 1961–62, NA Wellington. [This file also refers to the Maori Purposes Bill 1960 and the Labour government's late deletion from the Bill, at the behest of its Maori MPs, of clauses that would have created a structure of district and national Maori councils.]

97. Booth to Hunn, 12 May 1964, AAMK, 869, 36/20, pt 4, 1101g, Relocation of Maori Families 1964–73, NA Wellington

Ratana and castigated 'the implementing of a policy of integrating the Maoris, as a people, out of existence.' Also in the archival file recording these Maori responses to the report is a passionate letter from Te Ouenuku Rene, 'a member of the Ngati Toa, Ngati Raukawa and also Nga Puhi tribes' residing at French Pass in the South Island. He viewed the report 'with grave misgivings':

The Treaty of Waitangi signed by the hand of many of my ancestors is to me a sacred document – an official recognition by the Pakeha and the Maori that they have to live together in one country. Let it be said that the spirit embodied in the Treaty has been preserved by both races and enhanced by Lord Bledisloe by his gift to the nation – the presentation of the site upon which the Treaty was signed.

Under the Treaty of Waitangi the Maori people accepted its protection, its laws, customs and institutions. When the time came to protect their inheritance the Maori was not found wanting. In World War I and II both Maori and Pakeha fought side by side to defend their way of life – a democratic way of life. Is that way of life, to be altered now by the Secretary of Maori Affairs? Is it to be adapted by a gradual series of laws obliterating the brown skin of the Maori completely because he is to be mass produced into a product named Progressive?

The writer wondered if this report 'has been fostered by the seething unrest in Africa?' He then wrote about education:

It is true that amongst the Maori there is a lack of education. Education would pave the way to progress in housing, health, employment and development of culture – as stated by the Hunn Report. I should like to know to what type of culture does he refer? Would it be Maori culture? The theorist has put forward the forlorn plea of hope that somewhere in the progress of integration and assimilation of the Maori, European and Maori elements would combine to form one nation in which Maori Culture would remain distinct.

For Rene the spirit and pride of the Maori race was of paramount importance:

Reforms for the social and economical development of the Maori people are to be welcomed but they should not be used as a cloak to disguise the point of a dagger aimed at annihilating the spirit of a race.⁹⁸

98. Rene to Hanan, 3 February 1961, and reports from *Auckland Star*, *Dominion* and *Wanganui Herald* newspapers, AAMK, 869, 1/1/42, pt 1, 8a, Review of Maori Affairs Department: General Instructions 1960–61, NA Wellington [This file also contains comments (written prior to those quoted above) from Metge to Hunn]

2.13 Integration Loses Favour

The philosophy for government policy propounded by the Hunn Report remained the cornerstone of Maori policy throughout the years of the Holyoake ministries from 1960 to 1972. From 1970, however, the policy came under attack from a number of quarters. Koro Wetere, newly elected MP for Western Maori, strongly attacked the policy of 'pepperpotting' for promoting the disintegration of Maori communal social organisation. The pattern of urbanisation was individual in nature and Maori could no longer gather together into strong and effective organisations. Wetere said that the relocation policy, implementation of the Hunn Report, and the highly individualistic nature of city life caused great difficulties for Maori and indeed resulted in the 'malintegration of our people'.⁹⁹ Ross St George, Queen Elizabeth II Fellow at the University of Waikato, wrote a critique of the Hunn Report in 1971:

In commenting on aspects of the section on Education in the said report it is not to be taken that Hunn's attempt to distinguish the concepts of assimilation, integration and segregation and symbiosis are necessarily accepted. In fact, as has been pointed out elsewhere, steps advocated by Hunn in the report as integrative have been in consequences primarily assimilative.¹⁰⁰

Jock McEwen, Secretary of Maori Affairs, warned his minister in 1970 of the need for concern. There was, he said, 'a widespread and deeply seated feeling amongst the Maori people that their culture and language have been downgraded by the Pakeha decision-makers.'¹⁰¹ John Booth had worked directly with Hunn in the early 1960s and then went on to serve as secretary of the New Zealand Maori Council. When he retired from working for the Council in 1970, he wrote an article on the Hunn Report:

[Hunn] says in the Report that integration may only be a stage in the process of assimilation and at several points he indicates his opinion that this process involves the gradual loss of Maori culture, of Maoritanga. Whether he intended it or not, this has come to be seen as the by-product of his policies, if not their main aim, 'integration' is not a popular word on the maraes of New Zealand. ...

The Hunn Report advocated a policy of integration but paid no more than lip service to what should have been integration's main point.

⁹⁹. 7 April 1970, NZPD, 1970, vol 365, pp 139–140

¹⁰⁰. St George to McIntyre, 21 April 1971, MA, 1, 57/1, vol 14, Education: General and Policy 1971–73, NA Wellington

¹⁰¹. McEwen to McIntyre, 6 July 1970, AAMK, 869, 36/1/21, pt 1, 1064a, Race Relations: Miscellaneous 1968–70, NA Wellington

Properly applied, a policy of integration would allow a wide range of choices to each individual so that he could shape his life to his own needs and desires. The servicing agencies, such as the Department of Maori Affairs, should ideally put no pressure on its clients to make one choice rather than another. However, the Hunn Report and the policy of the Hanan administration tended fairly constantly to restrict 'Maori' solutions and to promote instead 'Pakeha' answers to the problems of the Maori people.¹⁰²

By the 1970s, of course, the government was also being made aware of a new and more strident voice within Maoridom. The leaders of the Auckland District Maori Council were more outspoken than the traditional leaders from rural areas who dominated the New Zealand Maori Council. Young Maori articulated even more radical demands both in words – including petitions for official recognition of te reo Maori – and in political protest activities organised by Nga Tamatoa and the Waitangi Action Committee.

Government policy on integration did not deviate from its previous track while the National Party remained in power. There was, however, a change of position in respect of the desirability of legislation on racial discrimination. Hanan and Hunn had refused to contemplate such legislation in the early 1960s. Petitions by Bishop Panapa in 1960, and the Canterbury Maori Executive in 1964 calling for such legislation had been rebuffed.¹⁰³ Bills prepared by Opposition members, such as the Unfair Discrimination Bill 1963 and the Contracts (Racial Equality) Bill 1964, had been voted down by the Government. According to Hunn 'prohibition by law of discrimination against the Maori in such matters as accommodation or employment would leave room both here and overseas for an exaggerated impression of the degree to which discrimination operated, would exacerbate existing feelings, and would be virtually unenforceable in practice.'¹⁰⁴ Hanan had accepted that advice. In 1971, however, his successor agreed to the Government's ratification of the International Convention on the Elimination of All Forms of Racial Discrimination and the Race Relations Act 1971 was passed.

Nevertheless, integration still remained as the cornerstone of government policy. It was put at the forefront of the 'Progress Report by New Zealand on Government Activities' for the International Year for Action To Combat Racism And Racial Discriminations:

102. J Booth, 'The Hunn Report In Retrospect', *Te Maori*, Summer 1970, p 4 in MA, acc W 2490, 35/2/4, pt 1, box 62, NZMC Newsletters 1963–67, NA Wellington [This retrospective view did not mention that Booth himself had collaborated with Hunn in writing the 1962 publication 'The Integration of Maori and Pakeha in New Zealand' cited in fn 81 above.]

103. Petition 2/1960, LE, 1, 1960/12, NA Wellington; Lee to Hanan, 25 May 1964 and Hanan to Lee, 31 July 1964, MA, 1, 36/1/21, vol 7, Race Relations: Integration and Segregation 1963–64, NA, Wellington

104. Hunn to Hanan, 4 September 1961, MA, 1, 36/1/21, vol 4, Race Relations: Integration and Segregation 1961–62, NA Wellington

2. Full racial equality is fundamental to New Zealand's way of life. The Government's policy is one of integration. By this is meant the bringing together of different peoples with complete equality in the eyes of the law and with equality of opportunity in all fields of life, social, economic, political and cultural. The Government's objective is that no-one should suffer social or economic disadvantage because of his race. Integration does not mean, however, that minority groups are to be assimilated by the majority; the right of all peoples to maintain their own cultural and social heritage is recognised and encouraged.¹⁰⁵

2.14 Biculturalism

The direction and presentation of Crown policy was significantly affected by the accession to power of the third Labour government in 1972. The policy of integration was repudiated explicitly and a new language of race relations emerged with an emphasis on 'biculturalism'. The Prime Minister, Norman Kirk, when supporting legislation designed to reverse the direction set by the Maori Affairs Amendment Act 1967, castigated integration as a policy designed to force the minority culture to give up its customs and traditions:

The idea of one people grew out of the days when fashionable folk talked about integration. So far as the majority and minority are concerned, integration is precisely what cats do to mice. They integrate them. The majority swallows up the minority; makes it sacrifice its culture and traditions and often its belongings to conform to the traditions and the culture of the majority. ... We are one nation in which all have equal rights, but we are two peoples and in no circumstances should we by any law or Act demand that any part of the New Zealand community should have to give up its inheritance, its culture, or its identity to play its part in this nation.¹⁰⁶

The Minister of Education, Phil Amos, acknowledged that the gaps identified by the Hunn Report had not been closed. On the contrary, he said there was now a crisis among Maori owing to a complex combination of factors, including government policies in the past. These were policies

105. MA, 1, 36/1/21, vol 10, Race Relations 1969-71, NA Wellington

106. 5 July 1974, NZPD, 1974, vol 391, p 2691

leading to assimilation; of urban relocation which split Maori communities and affected language and culture, and social organisation in both settings; of an attitude in the past that Maori language and culture were things to be perpetuated by the people themselves and should not be intrinsic parts of the school syllabus. This had led to the danger of the loss of the Maori language and of the real bases of Maori culture.¹⁰⁷

An Educational Priorities Conference had been established by the previous government late in 1972. Amos now enlarged the work of the appointed working parties to participate in an Educational Development Conference involving widespread community participation. A study group of Maori educationalists, chaired by Robert Mahuta, prepared a report on Maori education for the Working Party on Improving Learning and Teaching in June 1973. They sought to establish the framework for a new direction in government policy. The introduction to their report staked out the key elements:

The development of New Zealand as a truly *bicultural* and *bilingual* nation (1) depends upon policies based on consultation, co-operation and participation. In view of this, and because social and economic status depends so much upon education, a sympathetic understanding of Maori and Pakeha culture must permeate both the educational system and the attitudes of the wider community. Within this context the indigenous Maori culture has a special and unique contribution to make.

(2)

The footnotes elaborated the meaning of the terms used in the introduction:

(1) True bilingualism in New Zealand would imply, firstly, that the English and Maori languages were accorded equal respect and status and, secondly, that most New Zealanders were proficient in both languages. The achievement of equality of respect and status is probably a precondition of the second, long term goal. As a bicultural nation, New Zealand would be characterised as a society in which the Maori and European derived cultures were held in equal esteem, and in which most citizens could function, to some extent, as members of either cultural group on appropriate occasions. National bilingualism and biculturalism in no way imply that minority groups (e.g. Island

107. NZ Department of Education, *Maori Education Policy Statement*, Wellington, Government Printer, 1974, p 2

Polynesians, Chinese, Indians etc) are regarded as inferior or should be denied the right to retain their own cultural identities.

(2) The Maori as *tangata whenua* (people of the land) have had the longest association, physical and spiritual, with New Zealand and hence are able to contribute significantly to our nation's evolutionary search for identity.¹⁰⁸

The recommendations of the report flowing from this approach included – that Maori language be in the formal curriculum at all stages of the education system from pre-school to tertiary; that steps be taken to ensure an adequate and continuing supply of qualified teachers of Maori language; and that Maoritanga form an important part of the curriculum at all stages.¹⁰⁹ Not all these recommendations became Government policy immediately, but the philosophy of biculturalism did begin to loom large in Government thinking.

Another aspect of the deliberate move away from the policies of the Hunn Report concerned the legal definition of 'Maori'. Hunn's view had been that the definition should be uniform for all purposes and should become stricter and more exclusive as time went by and integration progressed:

It is pertinent to suggest at this point that the definition of a Maori be unified. There are 10 different statutory definitions (see Appendix C). The differences are mainly verbal and easy enough to revise in a single definition; but they include two important differences of substance that cannot be reconciled unless certain radical effects are accepted. In essence, the definitions denote either (a) half-blood (or more) or (b) a descendant. A Maori has to be at least half-blood to benefit under the Maori Affairs Act or the Education Act; but for housing, welfare, Maori Purposes Fund or Ngarimu Scholarships, any descendant, however remote, of a Maori is eligible. As each generation of young people is more integrated and self-reliant than the last, the definition of a Maori, entitled to the privileges of special legislation, should become stricter and more exclusive. At first, the 'half-blood' formula should be made universal. Later it may be advisable to confine the special protection of the law to 'three-quarter-blood', before finally removing it altogether. Otherwise the host of eligible 'Maoris' will rapidly become larger than is justified by the merits of their case, and the Department of Maori Affairs itself will become far larger than was ever contemplated.¹¹⁰

108. Education Development Conference, *Maori Education*, June 1973, MA, acc W 2490, 57/1/3, pt 6, Committee on Maori Education 1971–73, NA Wellington, fol 4

109. *Ibid*, fol 1

110. Hunn Report, p 19

As noted above, there had been criticisms at the time of any imposed formula based on 'blood' rather than cultural preferences. The views of those such as Metge who disagreed with Hunn in 1961 were accepted as Crown policy in the Maori Affairs Amendment Act 1974. The Act, promoted by Matiu Rata, Minister of Maori Affairs, sought to repair the invasion of Maori rights brought about, in his view, by the 1967 legislation. The 1974 preamble asserted that 'the present restriction in the legal application of the term 'Maori' to persons of more than a fixed degree of Maori blood should be relaxed'. The new definition in section 2 stipulated that 'Maori' means a person of the Maori race of New Zealand; and includes any descendant of such a person'. Another of the recitals in the preamble was also of importance for present purposes. It included 'official recognition' of 'the Maori language of New Zealand its various dialects and idioms as the ancestral tongue of that part of the population of New Zealand of Maori descent'. There were, though, no provisions in the Act itself that gave substance to this statutory recognition of the language.

Another measure intended to reflect the government's new commitment to biculturalism was the passage of the Treaty of Waitangi Act 1975. This Act, also promoted by Rata (at a time when the Maori Land March was winding its way to Wellington from his own home village of Te Hapua) established the Waitangi Tribunal. At that time the Tribunal was granted a prospective-only jurisdiction to inquire into claims by Maori that they had been prejudiced by legislation and Crown policies. Three features of the Act deserve mention here. First, the long title of the Act included a reference to 'the principles of the Treaty of Waitangi'. This was the first time this phrase appeared in an Act. Secondly, the Waitangi Tribunal was empowered to have exclusive authority to determine the meaning and effect of both the Maori and the English text of the Treaty of Waitangi. Thirdly, the Maori text of Te Tiriti o Waitangi was directly incorporated into a statute for the first time, albeit in a mangled and incomplete wording that remained on the statute books unfortunately until the 1985 Amendment Act. This last point illustrated both an enhancement of the Maori language and history in law, but also an embarrassing lack of competence in te reo Maori amongst those working in parliamentary offices.

After another brief stint in opposition, the National party returned to power in 1975. There was, however, no reversion back to the rhetoric of integration previously espoused by Hanan and McIntyre, even though

McIntyre resumed the Maori Affairs portfolio. On the other hand, Ben Riwai Couch, Minister of Maori Affairs from 1979 to 1984 during the later period of the Muldoon ministries, expressed a strong distaste for any hint of compulsion in the teaching of Maori language in schools. He was satisfied with the 1974 Act's preamble referred to above and thought no further legislative steps to promote the language were necessary.¹¹¹ Nevertheless the National government advanced a number of policies that were consistent with biculturalism under the policy known as 'Tu Tangata'. The main publication produced by the Department of Maori Affairs was now called *Tu Tangata*.¹¹² The Department's view in 1983 was that although its own approach had been revised there remained a deep-rooted allegiance within the Public Service to a philosophy of the integration of Maori as followed in the 1950s and 1960s. Integration was no longer acceptable to the government because of the failure of past policies to close gaps:

While in some respects that philosophy may be sound enough, the results from Government programmes and Maori activities have been quite inadequate to prepare many of our young generation to meet the expectations set them by New Zealand society.¹¹³

A thoughtful official contribution to debate about race relations policy was the publication by the Race Relations Conciliator of *Race Against Time* in 1982. This booklet was a bilingual publication that canvassed a wide range of views on cultural diversity, national identity, equal opportunity and institutionalised discrimination. One of the contentious issues raised in submissions to the Race Relations Office was the relationship between the policy of biculturalism and the concept of multi-culturalism 'often bandied about in political speeches or media articles as a popular cliché.' The report argued for 'Unity through Diversity' and then made this observation:

The first step towards a multi-cultural society is the deliberate development of a bi-cultural New Zealand. The two cultural foundations of New Zealand society must be recognised. It is no accident that the New Zealand crest is flanked by a Pakeha woman and a Maori man – representing the bi-cultural nature of New Zealand society. These two cultural groups are the foundation of a multi-cultural New Zealand.¹¹⁴

111. Couch, 27 July 1981, AAMK, 869, 16/2/1, 627a, Maori Language Committee: Promotion and Protection 1979–82, NA Wellington

112. Department of Maori Affairs, *Tu Tangata*, Nos 1–36, 1981–1987 [replacing former publications known as *Kaea* and *Maori*]

113. I P Puketapu, 'Report of the Department of Maori Affairs', AJHR, 1983, E-13, p 4

114. Race Relations Conciliator, *Race Against Time*, Wellington, Human Rights Commission, 1982, pp 50–51

The report went on to note that the second largest topic to be discussed in submissions was the retention of the Maori language and the development of a bilingual New Zealand. A number of recommendations were made to enhance the status of te reo Maori and the hope was expressed that it would be recognised as an official New Zealand language.¹¹⁵

2.15 Principles of the Treaty of Waitangi

After the election of the fourth Labour government in 1984, the deep-rooted allegiances to past patterns of administration in much of the old Public Service, mentioned by Puketapu in 1983, were thoroughly disturbed. State sector reforms and policies of corporatisation, then privatisation, of state-owned enterprises affected all departments. The Department of Maori Affairs became in turn Manatu Maori, then the Iwi Transition Agency, and then Te Puni Kokiri. The department was 'downsized' drastically with a view to the devolution of government services to iwi authorities in the first instance and then, after a change of government in 1990, by transferring services to mainstream government departments and agencies. With the Ministry of Maori Development Amendment Act 1993, Te Puni Kokiri became a policy advice department without significant service delivery obligations. It had been one of the hopes of the Hunn Report that the time would come for the Department of Maori Affairs to transfer its 'physical operations' to the specialist agency departments 'eventually shrinking to a policy-making and supervising Secretariat'.¹¹⁶ More than 30 years later the time arrived. The 'mainstreaming' of government services to Maori continues to be Crown policy in 2001.

From 1985 onwards Parliament began to make special provision for Maori cultural perspectives in a wide range of legislation. The Law Commission Act 1985, section 5(2)(a), established a permanent law reform body which was required in its work to 'take into account te ao Maori (the Maori dimension)'. The long title of the Environment Act 1986 specifically mentioned the need to take account of the principles of the Treaty of Waitangi and section 17 of the Act required the Parliamentary Commissioner to have regard to the heritage of the tangata whenua. At the end of 1986 the State-Owned Enterprises Bill had amendments inserted at the third reading stage, after an urgent recommendation was received from the Waitangi Tribunal hearing the Muriwhenua claims. Section 9 of the

115. *Ibid*, pp 62–64

116. Hunn Report, p 17

Act as passed stipulated that 'Nothing in this Act shall permit the Crown to act in a manner that is inconsistent with the principles of the Treaty of Waitangi'. This apparently innocuous provision provided the platform for the development by the courts and the Waitangi Tribunal of a considerable body of case law and reports on the meaning of 'the principles of the Treaty of Waitangi'.¹¹⁷

Following the Court of Appeal's elaboration of partnership and good faith as crucial elements of the principles of the Treaty, legal analysis in a number of cases began to take account of aspects of Maori culture in a manner quite unimaginable during the earlier era of amalgamation, assimilation, adaptation and integration. However, no legislation or case law made it mandatory that an application of Maori values would determine the outcome of legal proceedings. Rather, decision-makers were called upon to take Maori values into account in a number of ways. The Department of Conservation was established by the Conservation Act 1987. The Act included an obligation that it should be interpreted and administered so as to give effect to the principles of the Treaty of Waitangi. A similar provision was included in the Hauraki Gulf Marine Park Act 2000. The terminology settled upon in the Resource Management Act 1991, section 8, was that persons exercising functions under the Act 'shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)'. This requirement to take Treaty principles into account, but without those principles necessarily being determinative of outcomes, was strongly criticised by the Waitangi Tribunal in its *Ngawha Geothermal Resource Report 1993* as insufficient to protect Maori interests. Nevertheless, it is now a formula that has been used in some 30 pieces of legislation by successive governments. The Resource Management Act was of particular importance also in its explicit recognition of a number of elements of Maori cultural knowledge. Among the Maori concepts included in that legislation are tikanga Maori, tangata whenua, mana whenua, kaitiakitanga, iwi, hapu, taonga, waahi tapu, tauranga waka, maataitai and taonga raranga. Section 6 of the Act specifies that the connection of Maori, their culture and traditions, with ancestral land, water, waahi tapu and other taonga is now a 'matter of national importance'.

The interpretation of the principles of the Treaty of Waitangi by the Court of Appeal also introduced the term 'partnership' into the vocabulary of Crown policy on Maori affairs. In 1988 the Government produced

117. *New Zealand Maori Council v Attorney-General* [1987] 1 NZLR 641

a bilingual discussion paper on restructuring proposed for the Department of Maori Affairs and Board of Maori Affairs. It was entitled *Partnership Perspectives/He Tirohanga Rangapu*. An idea of what partnership was intended to mean may be gathered from the principal objectives of the government in the Maori affairs area as set out in this green paper. Among them were (in the English text):

- a) honour the principles of the Treaty of Waitangi through exercising its powers of government reasonably, and in good faith, so as to actively protect the Maori interests specified in the Treaty;
- b) eliminate the gaps which exist between the educational, personal, social, economic and cultural well-being of Maori people and that of the general population, that disadvantage Maori people, and that do not result from individual or cultural preferences; ...
- (e) provide for the Maori language and culture to receive an equitable allocation of resources and a fair opportunity to develop, having regard to the contribution being made by Maori language and culture to the development of a unique New Zealand identity;¹¹⁸

Following submissions on this green paper the government then published a white paper, *Urupare Rangapu*, which spelled out its intention of devolving many aspects of service delivery to iwi authorities.¹¹⁹ This was passed into law as the Runanga Iwi Act 1990, the long title of which acknowledged 'the enduring and traditional significance and importance of the iwi'. The Act itself did not endure however. Before it could be implemented there was a change of government and the Runanga Iwi Repeal Act 1991 was passed. The new government continued, however, with the dismantling of the old departmental structures. The Ministry of Maori Development Act 1991 created a new policy advice and monitoring ministry also known as Te Puni Kokiri. All service provision to Maori, including health, housing, welfare, and education programmes formerly carried out by the old department was 'mainstreamed' into the ordinary departments and agencies of the Crown servicing all citizens. The integration policy of the Hunn report was thus finally implemented in terms of government administration, although the expected pre-condition of first closing the socio-economic gaps between Maori and non-Maori had not been fulfilled.

Meanwhile in the latter part of the 1980s governmental concern to address issues of Maori culture began to have an impact on a large range

118. Department of Maori Affairs, *He Tirohanga Rangapu: Partnership Perspectives*, Wellington, April 1988, p 6

119. Department of Maori Affairs, *Urupare Rangapu, te rarangi kaupapa: Partnership Response, policy statement*, 1988

of governmental activities. Consistent with the moves towards mainstreaming, this was no longer a matter for the Department of Maori Affairs only. Thus a Ministerial Advisory Committee on a Maori Perspective for the Department of Social Welfare recommended in 1986 a social policy objective for Social Welfare in these terms:

To attack all forms of cultural racism in New Zealand that result in the values and lifestyles of the dominant group being regarded as superior to those of other groups, especially Maori, by:

- (a) Providing leadership and programmes which help develop a society in which the values of all groups are of central importance to its enhancement; and
- (b) Incorporating the values, cultures and beliefs of the Maori people in all policies developed for the future of New Zealand.¹²⁰

More generally on the whole question of social and cultural policies, the Royal Commission of Social Policy in 1987 and 1988 raised a number of questions about the Treaty of Waitangi and the position of Maori in New Zealand society. A discussion booklet produced by the Commission and its *April Report* dealt in considerable detail with issues of cultural integrity and tribal development.¹²¹

Parliament enacted a number of statutes that acknowledged Maori cultural values. There did not appear to be any consistent thread of policy as to when or on what topics it was appropriate to pass such laws. Rather, in a diverse range of single instances the statute book began to accumulate a number of new provisions that incorporated Maori values in one way or another. Thus in 1989 a new Education Act, section 62, required that the views and concerns of Maori communities should be considered in the preparation of state school charters. Section 63 went on to stipulate that these charters should reflect 'the unique position of the Maori culture', and that schools would take all reasonable steps to ensure that instruction in tikanga Maori and in te reo Maori was available for students whose parents asked for it. By this stage the legal status of the Maori language had been enhanced. The Maori Language Act 1987, with a full translation in *Te Ture o te Reo Maori 1987*, recognised in its preamble that the Maori language is a taonga guaranteed under the Treaty of Waitangi. Unlike the 1974 Act noted above, the 1987 legislation contained substantive provisions to give some practical effect to its preamble. Section 3 declared Maori to be 'an official language of New Zealand' and sec-

120. Department of Social Welfare, *Puao-Te-Ata-Tu (Day Break)*, Wellington, June 1986, p 9 [Appendix I contains some interesting historical material, including comments on the Maori War Effort Organisation and P K Paikea's attempt to convert it into a post-war Ministry of Maori Welfare that was not controlled by the Native Department: Appendix, pp 15–18]

121. Royal Commission on Social Policy, *The Treaty of Waitangi and Social Policy*, Wellington, July 1987; Royal Commission on Social Policy, *The April Report*, Wellington, 1988, vol II, pp 29–151; vol III, pt 1, pp 3–278 [authored by H Manuka and E Douglas]

tion 4 bestowed a right to use Maori in legal proceedings. The Act also established a Maori Language Commission – formally renamed, by a 1991 Amendment Act, *Te Taura Whiri i te Reo Maori*. By section 7, *Te Taura Whiri* has the duty to promote the Maori language and in particular its use as a living language and as an ordinary means of communication. The requirement to encourage Maori as a living language was noteworthy as a formal recognition of an active obligation accepted by the government in respect of Maori language. It contrasts with earlier policies of actively discouraging Maori language use or passively leaving its future to those Maori individuals who chose to use it. Some details about the background to this legislation will be given in the next chapter.

The devolution of governmental service delivery to iwi ‘authorised voices’ was reversed after the election of a National government in 1990. Nevertheless, legislation and Government policy on some occasions continued to require decision-makers to be sensitive to Maori cultural sensibilities. The government was encouraged to keep to this course by a plethora of legal proceedings instituted by the New Zealand Maori Council and a number of other Maori litigants. A major focus of litigation concerned *te reo Maori* as a Treaty guaranteed *taonga*. The superior courts, from the High Court to the Privy Council, consistently reaffirmed the significance of *te reo Maori* as a *taonga* and the need for the Crown’s active protection of the *taonga*. There was less unanimity on the bench as to whether in each case the Government had failed to meet its Treaty obligations by falling below the threshold of doing that the court’s deemed to be ‘reasonable in the prevailing circumstances.’ These cases concerned government restructurings of radio broadcasting services, television services, and the adequacy of government funding for Maori language on radio and television.¹²²

The Maori Affairs Act 1953 was repealed by *Te Ture Whenua Maori Act 1993*. Although amended on countless occasions, the 1953 Act’s major premises were derived from nineteenth century legislation that had been consolidated but not overhauled in 1909 and again in 1931. In 1993, however, the law governing the jurisdiction of the Maori Land Court came to provide for a distinctly different treatment of Maori cultural concepts as compared with Maori land laws in the past. A bilingual preamble emphasised the special relationship between Maori people and the Crown established by the Treaty of Waitangi. The preamble and section 2(2) spoke of Maori land as ‘*taonga tuku iho*’ and that Maori cultural

122. See, for example, *Attorney-General v New Zealand Maori Council* [1991] 2 NZLR 129 (CA); *New Zealand Maori Council v Attorney-General* [1994] 1 NZLR 513 (PC)

conception was left untranslated in the English text of the Act. A number of Maori terms of cultural importance, but never before included in such legislation, appear in section 3 of the Act: ahi ka, tipuna, whanaunga, kai tiaki, whangai and tikanga Maori. Rights to any small parcels of land that have never been subject to Land Court title ascertainment (and thus retain the status of 'Maori customary land') are now defined in sections 129 and 132 by reference to tikanga Maori. The types of trust instruments available for the administration of multiple-owned Maori freehold land are, as set out in section 211, now known as putea, whanau, ahu whenua, whenua topu, and kai tiaki trusts.

The government from 1992 onwards also devoted considerable attention to the development of a coherent policy for the settlement of Treaty of Waitangi historical grievances. The Crown's proposals were published in a bilingual document in 1994.¹²³ The 'fiscal envelope' and 'fiscal cap' proposals were roundly condemned at a pan-tribal national hui and then at 13 consultation hui.¹²⁴ Some of the disliked features of the proposals have since been modified but the policy framework continues to govern Treaty settlement policy in 2001.¹²⁵

Among the many other Acts passed in the 1990s, two in particular were thought to need specific acknowledgement of Maori interests. In the area of health services, Parliament enacted the Health and Disability Services Act 1993. The Crown objectives for health funding set out in section 8 made explicit mention of the special needs of Maori. Then, in part prompted by submissions related to advancing the Wai 262 claim, the Hazardous Substances and New Organisms Act 1996 included in section 8 the obligation to take the principles of the Treaty of Waitangi into account in administering the Act.

The Labour/Alliance government elected in late 1999 continued to invoke principles of the Treaty clauses on occasion. There was the Hauraki Gulf Marine Park Act 2000 mentioned above. Controversy over the New Zealand Public Health and Disability Bill 2000 led to some re-thinking as to what sort of Treaty clauses were suitable in legislation. As originally drafted, clause 4 would have required the Act to be interpreted in a manner consistent with the principles of the Treaty of Waitangi and clause 18 would have required each District Health Board to establish a partnership relationship with Maori exercising mana whenua in its geographical area. In section 4 of the Act as passed into law, after controversy over the Bill's clauses, Parliament reverted to enacting the less onerous obligation

123. Office of Treaty Settlements, *Crown Proposals for the Settlement of Treaty of Waitangi Claims/Nga Kaupapa a te Karauna hei Whakataui nga Kereme o te Tiriti o Waitangi*, Wellington, 1994

124. 'A Report concerning the Government's Proposals for the Settlement of Treaty of Waitangi Claims and related Constitutional Matters based on the proceedings of a hui held at Hirangi marae, Turangi, 29/1/95'

125. Office of Treaty Settlements, *Healing the Past, Building a Future/Ka Tika a Muri, Ka Tika a Mua*, Wellington, October 1999, pp 19, 93–94

that decision-making under the Act ought to take into account the principles of the Treaty.¹²⁶

There seems to be no particular reason for the fact that, of the legislation passed in the last fifteen years that is pertinent to the research for this report, some Acts such as the public health laws do incorporate a reference to the principles of the Treaty of Waitangi and others do not. Thus section 181 of the Education Act 1989, as amended in 1990, does impose a duty on tertiary institution councils to acknowledge the principles of the Treaty. In the Broadcasting Act 1989, as amended in 1993, Parliament established Te Reo Whakapuaki Irirangi to promote Maori language and Maori culture by making funds available for broadcasting and the production of programmes. The matters to be taken into account by Te Reo Whakapuaki Irirangi do not include the principles of the Treaty. Similarly, section 7 of the Radio New Zealand Act 1995 sets out the principles of public radio. These include Maori language and culture as part of New Zealand's cultural diversity, but there is no reference to te reo Maori as a taonga guaranteed by the Treaty and affirmed by the courts at the time the Act was being considered by Parliament. The Children, Young Persons and Their Families Act 1989 and the Museum of New Zealand Te Papa Tongarewa Act 1992 are two more Acts that affirm 'the values, culture and beliefs of the Maori people' and the significance of Maori and other 'traditions and cultural heritages' respectively. Neither requires decision-makers administering those Acts to take account of the principles of the Treaty of Waitangi.

2.16 Closing the Gaps

In 1998 Te Puni Kokiri reported to the Minister of Maori Affairs on 'Progress Towards Closing Social and Economic Gaps Between Maori and Non-Maori'. The report concentrates on data concerning the education, employment, economic and health status of Maori. Despite the title of the report, its executive summary noted:

Overall, the evidence presented in this report does not provide assurance that the economic and social gaps between Maori and non-Maori are closing. Of greater concern is that the statistics do not provide any signals that there is an impending change in the situation.¹²⁷

126. See the submission of the Law Commission on this Bill reproduced in New Zealand Law Commission, *Maori Custom and Values in New Zealand Law*, Wellington, NZ Law Commission Study Paper 9, 2001, pp 83–84

127. Te Puni Kokiri/Ministry of Maori Development, *Progress Towards Closing Social and Economic Gaps Between Maori and Non-Maori*, Wellington, 1998, p 6

This report, which in many respects portrays a situation strikingly similar to the statistical data gathered by Hunn in 1960, became the major focus of Crown policy on Maori affairs in 2000. In that year Te Puni Kokiri produced an updated report with an identical title. The department had intended to continue reporting in this fashion as part of its duty to monitor the effectiveness of mainstream government agencies in their delivery of social and economic services to Maori people. However, controversy over the alleged bias of closing the gaps policies towards providing financial assistance to Maori has resulted in a decision that even the function of monitoring government assistance to the least well-off socially and economically has been mainstreamed as well.

The focus on closing the gaps has not escaped criticism, even within government circles. Pertinent to this research commission are some sections of a critique of the policy by Simon Chapple, a Department of Labour analyst. The thrust of his report is that social class may be more important than ethnicity in understanding socio-economic gaps. The 1974 legal definition of Maori is in any case unhelpful, according to Chapple, as the rising share of Maori in the total population is 'in substantial part a statistical artefact'. This is of course a repetition of the concerns Hunn had expressed in 1960 (quoted above) that an inclusive definition of 'Maori' would lead to a host of eligible Maori that would rapidly become larger than could be justified by the merits of their case. Nevertheless, Chapple's comments on policy reasons that are or might be advanced for closing the gaps policies are helpful:

At least four possible rationales can be discerned behind current policy aims to close the gaps between Maori and non-Maori outcomes.

The first rationale for intervention to close the gap is to suggest that Maori disparity is a Treaty of Waitangi issue. The Treaty argument hinges on an equality of market outcomes based interpretation of Article Three of the Treaty. Translations of Article Three suggest that Maori were given all the rights and obligations of British citizens. Since the rights of British citizens at the time or later did not confer equality of socio-economic outcomes, either for individuals or groups, it seems unlikely that those who drafted or signed the Treaty had such a concept in their minds in 1840. The alternative Treaty line in favour of closing the gap is to have recourse to claim that reductions in Maori disparity are a requirement of the spirit rather than the letter of the Treaty.

The second argument in favour of closing gaps is to consider it a group equity issue: society is offended by ethnic gaps and has a preference to eliminate these disparities. Disparity is a particular social justice issue operating at the ethnic group rather than individual level.

A third argument suggests socio-economic gaps reduce the ability of Maori to sustain a vibrant culture. If positive externalities exist from Maori culture to the rest of the population in terms of tourism, other exporting, national identity and so on, intervention would improve outcomes for all.

The fourth rationale for intervention to close the gap is to argue that disparity is causing or is likely to cause inter-ethnic conflict which may function as a negative externality, imposing efficiency costs on society as a whole. This is a social cohesion argument – gaps undermine social cohesion since they serve as strong ethnic markers.

There is little to say in a policy sense regarding arguments for reducing disparity based on Treaty interpretations and issues of group equity as delivering social justice as these are fundamentally distributional value judgements. Regarding the cultural externality argument, a first best policy solution to such an externality would be to fund culture directly. Reducing existing socio-economic disparities is akin to subsidising an input rather than the final output in which one is ultimately interested. The social cohesion argument will be shown below to be weak, since disadvantage is not a strong marker of Maori ethnicity.¹²⁸

It is the third argument that is of importance for present purposes. It remains to be seen whether sustaining a vibrant Maori culture attains a greater significance in government policy and funding than has been the case thus far.

The materials reviewed in preparing the present report make it abundantly clear that concern by ministers of the Crown to achieve a closing of the gaps between Maori and Pakeha is not new. Carroll and the Young Maori Party leaders strove to address these issues in the first third of the twentieth century. Ratana and Labour leaders then put special effort and energy into the social and economic advancement of Maori in the 1930s and 1940s. National and Labour governments in the 1950s and 1960s saw the policy of integration as vital to closing the gaps. Biculturalism and a re-assertion of the importance of the Treaty of Waitangi have featured in policy reformulations in the last quarter of the twentieth century. As that

128. S Chapple, 'Maori socio-economic disparity: Paper for the Ministry of Social Policy seminar', 15 September 2000, pp 8–9

century drew to a close significant socio-economic gaps remained between Maori (however defined) and non-Maori. Ministers of the Crown continue to focus on this issue even if governmental sources now prefer to use language suggesting that the aim of policy is to reduce inequalities for all New Zealanders.

It is evident that socio-economic gaps often have received a great deal of governmental attention even if policies have not achieved the outcomes hoped for and predicted. On the other hand, a more or less constant fact throughout virtually the whole period from 1840 to 2000 is that policies of active protection by the Crown for Maori cultural knowledge systems have seldom been seen as of crucial importance. Usually they have not even surfaced as being relevant in any way to Crown policies. On the contrary, of course, Crown policy deliberately undermined Maori communal values and Maori knowledge systems for most of that period. Ngata's adaptation approach did have some influence after 1930 in re-asserting the importance of Maori arts and crafts. In the 1950s the term 'Maoritanga' came into prominence and Government policy accepted the importance of Maoritanga for Maori. Yet it was only from about 1974, after more than a generation of government promoted urban re-location, pepperpotting and integration, that policies began to acknowledge the pressing necessity for active protection by the Crown of Maori language and Maori cultural knowledge systems. It would be a matter for claimant and Crown submissions to assess whether this belated recognition of the importance of Maori language and cultural knowledge systems has been sufficient to meet the requirements of Treaty jurisprudence. Tribunal members will then need to assess how, if at all, recommendations should be framed in order to focus the attention of the Crown more sharply upon measures to promote and enhance the vitality of Maori cultural knowledge systems in the twenty first century.