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**Sites of Contestation:
Perceptions of Wilderness
in the Context
of Treaty
Claim Settlements**

**Submitted in partial fulfilment of the
requirements for the Degree of
Master of Resource Management
at
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by Ben White

**Te Whare Taoka mo ka Kaiwhakahaere
Te Whare Wanaka o Aoraki
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Abstract

During the hearing of the Ngai Tahu claim before the Waitangi Tribunal, it became apparent that lands currently managed by the Department of Conservation such as Aoraki, could constitute part of the claim settlement. This possibility saw the beginnings of a campaign by various interest groups to prevent any such lands being used in the settlement of any Treaty claims. This study is an attempt to facilitate a better understanding of the conflict through examining the world views of both Ngai Tahu and those who have publicly stated their opposition to Aoraki constituting part of the claim settlement. Having briefly examined the history of wilderness preservation from its North American origins, I turn to the New Zealand context and locate the groups opposed to the use of Aoraki in the Ngai Tahu claim settlement in this tradition. It is argued that their position on this issue reflects little of the sophisticated thought regarding wilderness evident in North America and that they are concerned primarily with defending their rights to recreate on lands owned and managed by the Crown. The way that the traditional world view of Maori has impacted upon the issue is then examined in terms of how traditions function as potentially powerful political symbols. An argument is presented in which contemporary articulations of the Maori world view place emphasis upon the differences between Maori and Pakeha culture, this being especially evident with regard to attitudes to the environment. Given this defines Maoridom relatively narrowly, the study proceeds to examine how a fuller understanding of contemporary Maori society can be engendered especially with regard attitudes to land. Important in this is the involvement of Ngai Tahu in various commercial activities that has given rise to the perception amongst many that vesting title of Aoraki in Ngai Tahu is paramount to privatisation. In seeking an understanding of this perception it is argued that there is evidence of a serious failure amongst groups such as FMC and PANZ to understand the complexities that constitute the reality of Ngai Tahu in the present.

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I dedicate this work to my friends who have died in the wilderness of New Zealand.

Author's note

The conflict surrounding the use of Aoraki as settlement of the Ngai Tahu claim is a tension that I feel in myself. Experiencing the wild areas of New Zealand has long been an important aspect of my life - standing on the summit of Aoraki, culturally insensitive as it may have been, remains one of the most truly 'wild' experiences I have had. As encounters with the 'otherness' of wilderness, such experiences are important to me in that they reveal what it means to be a 'civilised' human being. In terms of my grounding in the culture of Western liberalism, human rights, and especially the land rights of indigenous peoples, occupy an important position in my system of values. Over recent years the Treaty of Waitangi has become significant in any sense of identity as a New Zealander I experience. Partly this project stems from a personal need to reconcile these two aspects of myself and to better understand the tension between the two. Similarly on a more general level I perceive a need for such conflicts to be addressed on a deeper level if they are to be resolved in a satisfactory fashion.

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Chapter one - Introduction

In 1991 the Waitangi Tribunal published its report on the Ngai Tahu claim which validated many of the grievances asserted by the claimants. The three volume report saw the culmination of over two years investigation, in what was hitherto the most extensive claim lodged with the Tribunal. By request of the claimants the Tribunal made very few recommendations on potential settlements, leaving these to be negotiated between Ngai Tahu and the Crown. There are two aspects to the settlement of Treaty claim such as that of Ngai Tahu - the restoration of mana (influence, power) over the claimants rohe (territory), and the vesting of resources in the iwi (tribe) to enable economic development that in the past has been precluded because of their economic bases having been alienated. During the hearing of the Ngai Tahu claim, the possibility of vesting in Ngai Tahu title to Aoraki and other lands currently designated as National Parks, was proposed as potentially constituting part of the settlement.

Concomitant to the work of the Waitangi Tribunal was the increasingly vocal lobby of recreationalists and conservationists who opposed the settling of any Treaty claim by transferring title of lands currently managed by the Department of Conservation to iwi. Since 1989 the Federated Mountain Clubs of New Zealand (FMC), and more recently Public Access New Zealand (PANZ),¹ have published various articles and

¹ Federated Mountain Clubs is a confederation of over 100 affiliated tramping, mountaineering and canoeing clubs that in total comprise some 16,000 individual members. As an interest group they are very active in lobbying central government regarding policies that affect Crown land, especially those managed by the Department of Conservation (DOC). They were one of 3 interest groups who made a submission to the Waitangi Tribunal in its hearing of the Ngai Tahu claim. Their quarterly publication, *FMC News*, has since 1989, been a forum through which the organisations opposition to the use of conservation lands for settlement of Treaty of Waitangi claims has been articulated.

(Waitangi Tribunal (1991) *The Ngai Tahu Report 1991* (vol 3) [WAI-27] Wellington: Brooker and Friend p.1043)

Public Access New Zealand, formed in 1992, are another lobby group that have been very vocal on the issue of vesting lands managed by DOC in iwi. As their name would suggest, they are primarily concerned with the preservation and improvement of access to public lands and waters, a phenomenon they perceive as being under threat from potential iwi control of public lands. According to their own estimate PANZ represents the interests of approximately 250,000 people nationally who

editorials decrying Ngai Tahu's claim to Conservation lands.

To a large extent this controversy is typical of environment based conflicts that stem from the world views of two identifiable groups being rooted in divergent traditions. However it is complicated by the fact that Ngai Tahu are operating in a late capitalist economy, and while espousing traditional values, are also looking to meaningfully participate in such an economy. A similar tension between different ideologies is evident in those opposed to Ngai Tahu getting title to Aoraki. Largely they fit into the dominant social paradigm of the Western world that is rooted in a mechanistic view of the natural world. In such an instrumental world view Aoraki represents a recreational resource, access to which is apparently potentially jeopardised if Ngai Tahu get title to it. This perspective sits in relation to the position of those opposing Ngai Tahu on this issue are preservationist ethics grounded on the premise that the rest of nature has intrinsic value and therefore should be protected. As I argue though, such values are not central to FMC and PANZs' attitude to wilderness.

To my mind this is a classic conflict between human and ecological values. Under the Treaty of Waitangi Ngai Tahu were guaranteed a number of rights in exchange for a cession of their sovereignty to the Crown. The Waitangi Tribunal has found that those rights conferred to Ngai Tahu have been abused with regard to the manner in which land was acquired by the Crown's agents. While FMC claim they agree Ngai Tahu deserve compensation, they believe this must not take the form of Conservation lands. But if Aoraki constitutes a meaningful form of compensation how are the two sets of values to be balanced?

More generally I examine the conflict in terms of world views and ideologies that are shaping the discourse between the two evident factions. By deconstructing their arguments and rationalisations I intend to reveal assumptions and premises upon

share an interest in terrestrial, marine and freshwater conservation and recreation.

(B. Mason (1993) *The Principles of 'Partnership' and the Treaty of Waitangi: Implications for the Public Conservation Estate* Dunedin: PANZ p.16)

which the rhetoric has been predicated. The positions adopted by the two sides will also be looked at in terms of recent history. In this regard I believe thinking historically is not a luxury but an essential aspect of better understanding the conflict generated by the possibility of Aoraki being returned in some form to Ngai Tahu. By adopting such an approach, controversies about wilderness can raise larger issues concerning values and rights and reveal the nature of our wider social and cultural context. Importantly in the case of New Zealand, conflicts such as this study is concerned with, must be understood in terms of the long history of conflict this country has, a history that has largely been denied through the marginalisation of Maori. An understanding of this history is essential to moving towards a more meaningful Treaty-based partnership that can more fully accommodate the values with regard environment of both Maori and Pakeha.

The case study

The conflict over the possibility of using Aoraki as a component of the settlement of the Ngai Tahu claim remains a relatively small and seemingly isolated issue. However I do not think that this is problematic for two reasons. Firstly the requirements of the project I am undertaking demands that the subject matter is relatively discrete. The case study, being relatively small, means that I will be better able to deal comprehensively with the issues involved. Significantly the conflict surrounding Aoraki *vis-a-vis* the settlement of the Ngai Tahu claim has not involved more conservation oriented organisations. This has given rise to my focus primarily on interest groups concerned with recreation. Secondly, while Aoraki may not even be on the negotiating table, my case study serves an illustrative function given that many of the themes I will be addressing are relevant to the context of Treaty claim settlements more generally.

A recent speech by Doug Graham, Minister of Justice and Minister in Charge of Treaty of Waitangi Negotiations, shed some light upon the likelihood of conservation lands being used as Treaty claim settlements. He made it clear "...that the conservation estate is not readily available for the settlement of Treaty claims..."

and that "...it will only be considered for small discrete parcels of land, only where...the alienation will not have adverse effects on the overall management of the conservation estate or place important conservation values at risk." His statement though that "...small discrete areas of great spiritual significance..." could possibly be returned to Ngai Tahu suggests that title to Aoraki could be a likely outcome of the negotiations.²

The issue of using Crown lands managed by the Department of Conservation as part of the Ngai Tahu claim settlement has its origins in the report of the Waitangi Tribunal. The Tribunal observes that in seeking to re-establish their rangatiratanga (self determination), Ngai Tahu expect to have land returned to them. In this there are two aspects; the need for economic resources and the recognition that particular landscapes are of huge importance to Ngai Tahu in terms of their history and mythology. The wording of the report seems to suggest that it was witnesses before the Tribunal, the FMC in particular, that first alluded to the possibility of some lands currently managed by DOC being vested in Ngai Tahu. The report states that: "A number of South Island national parks include mountains lakes and landscape of particular spiritual value to Ngai Tahu", these lands being "...the repository of much mythology and tradition."³ Earlier in the report Aoraki had been identified as being a feature of the landscape with which Ngai Tahu had a strong spiritual affinity.⁴

Given the great importance Aoraki has in the collective conscience of Ngai Tahu, it and other areas of Mount Cook National Park are seen by many as likely to be 'on the table' in the negotiation as part of any settlement. In 1992 FMC claimed that restoring outright title to Ngai Tahu of Aoraki and the Takitimu Range was being

² D. Graham 'Address to a public meeting organised by Public Access New Zealand' 24 June 1994 pp.7-9

³ *Ngai Tahu Report* (vol 3) p.1054

⁴ *ibid* p.829

considered as part of the claim settlement.⁵ While his aspect of settlement has for Ngai Tahu always been about the restoration of mana over their rohe, these aspirations have been seen by many as a desire for ownership and control.

Tipene O'Regan, chairperson of the Ngai Tahu Maori Trust Board, is on record numerous times stating that the iwi believes that areas designated as National Parks should retain that status even if tribal ownership is fully or partially restored.⁶ This year (1994) he wrote that shared title was the only likely form settlement using lands currently managed by the Department of Conservation would take. He stressed that: "Whatever kind of Ngai Tahu interest was eventually to be expressed in the shared title, it would have no effect on current levels of public access to those areas or their management by the Crown" and that regardless of the final outcome, "...National Parks should stay National Parks...". Further, he pointed out that he and other executives of Ngai Tahu, had sworn this under oath during the hearing of the Ngai Tahu claim.⁷ These assertions, that on the face of it appear tenable, make the reactions of FMC, PANZ and other interest groups seem somewhat irrational. It is this reaction that began the conflict that is the subject of this study.

Both FMC and PANZ see even a regime of shared title as being paramount to the privatisation of National Parks. In the FMC submission to the Waitangi Tribunal (published in the *FMC News* in September 1989), its author Dave Henson claims that Ngai Tahu want to be the sole and exclusive owners of the areas of land currently managed by the Department of Conservation in question.⁸ That any legal recognition of Ngai Tahu's mana over any lands will eventually see them establish exclusive ownership appears to be a huge fear of both FMC and PANZ.

⁵ H. Barr (1992) 'Conservation lands at risk from Maori claims' *FMC News* 111:32-33 p.32

⁶ T. O'Regan (1989) 'The Ngai Tahu claim' in I.H. Kawharu [ed] *Maori and Pakeha Perspectives of the Treaty of Waitangi* Auckland: Oxford University Press p.257

⁷ T. O'Regan 'A great sadness' *Forest and Bird* (Feb 1994):18-19 p.18

⁸ D. Henson 'FMC submission to the Waitangi Tribunal re the Ngai Tahu claim' *FMC News* 99:23-27 (Sept 1989) p.24

More recently the concept of partnership in park management and title has been addressed. Hugh Barr, the Federation's president, sees shared title as the Crown risking total loss of control of areas of high conservation value given that in the future the courts could interpret any share more than half as constituting total ownership by Maori. Continuing this line of argument, he makes the somewhat tenuous assertion that such expressions of 'tino rangatiratanga' will be seen legally as being paramount to privatisation.⁹ Any title transfer, it is claimed, creates property rights that are then interpreted by the courts and are out of control of the government.¹⁰

With regard to vesting title of Crown lands in Ngai Tahu as a recognition of manawhenua, FMC ask what of other New Zealanders' mana and spiritual attachment to environment, especially those who fought for the protection of certain areas of wilderness. National Parks, Barr argues, were created to protect scenic, recreational and ecological values and as such are the birthright of all New Zealanders, the majority of which value them both recreationally and spiritually.¹¹ In a newspaper article of 1992 Barr suggests that restoration of title to Maori questions the equality of racial groups in New Zealand by privileging indigenous people in terms of their spiritual relationship with the landscape.¹²

Chapter two of this report is an attempt to facilitate an understanding of the value system that groups such as FMC and PANZ are located in. Using the discourse outlined above as a starting point, it explores the ideological context that groups such as FMC and PANZ can be seen as being grounded in, as is revealed by what they perceive as being placed at risk by the possibility of Aoraki constituting part of the Ngai Tahu claim settlement. In this there appear to be two fundamentals at risk for them; the ethos of free access to public lands, and the 'preservation with use'

⁹ H. Barr (1993) 'Treaty claim legislation threatens National Parks' *FMC News* 113:19-21 p.20

¹⁰ Barr 'Conservation lands at risk' p.33

¹¹ Barr 'Treaty claims legislation threatens National Parks' p.21

¹² H. Barr 'Worries over Maori bid to control parks' *The Dominion* (July 21 1992) p.6

principle upon which national parks in New Zealand are managed. Definite ideas about the relationship between ownership and rights to use are evident in the position adopted by FMC and PANZ and will be examined. In light of Barr's argument that vesting lands such as Aoraki in Ngai Tahu as a recognition of their special relationship with the environment disregards similar relationships Pakeha may have with wilderness, the chapter explores the extent to which the wilderness preservation movement in New Zealand can be seen as being grounded in philosophies that are expressions of a non-physical conception of wilderness.

This idea of a special relationship between Maori and the environment is the theme of **Chapter three**. This relationship, embodied in the 'traditional Maori world view', is of great significance to many environmental problems in New Zealand today. I will outline some salient features of contemporary articulations of this world view, and locate Aoraki in this context. In terms of the issue of vesting title to lands currently managed by DOC in Ngai Tahu, this world view not only establishes the need to do so but also, with its emphasis upon conservation and stewardship, suggests a manner in which these lands may be managed should they be returned to Ngai Tahu.

To my mind a number of problems surround this world view. The existence of a 'Maori' as opposed to various tribal world views appears to be a post-contact phenomenon, and as such has perhaps to some extent been shaped to stand in opposition to aspects of the dominant Pakeha world view. The celebration of Maori cosmology as according primacy to conservation values is such an example. This will be discussed in the context of how traditions and histories are reinterpreted to serve contemporary purposes, drawing on some contemporary anthropological theory. Importantly I want it to be understood that in adopting this approach, I am in no way denigrating Maori culture. That such cultures evolve and to some extent are used towards political ends is to my mind exactly what constitutes cultural reality - ultimately Maori define who and what they are.

Opponents to Ngai Tahu having any future interest in Aoraki claim that Ngai Tahu want "significant economic benefit" from any lands returned to them. Consequently they argue that restoration of title raises the spectre of astronomical rentals being charged to the Crown to retain the areas as National Parks, and the possibility of entry fees.¹³ Such a view is indicative of the fact that Ngai Tahu are grounded not only in their traditions as discussed in chapter three, but are also participants in a market economy. This involvement will be discussed in **Chapter four**.

My approach in this chapter is largely historical. That Ngai Tahu had their economic base almost entirely alienated in the 1840s and 1850s is extremely significant in this context. Through this discussion I suggest that to a certain extent the issue of restoring title in Aoraki to Ngai Tahu can be seen as an issue of social justice. Aoraki, as a cultural icon of huge importance in Ngai Tahu maintaining a sense of identity consequent to their dispossession, can not be viewed as being entirely distinct from economic aspects of the potential settlement. In this, the disparity in socioeconomic status between Ngai Tahu and the constituents of FMC and PANZ would to me appear to be significant. Further, a brief survey of policy with regard Maori land in the nineteenth and early twentieth century suggests that Maori have been forced in to a more instrumental conception of land through such phenomena as the individualisation of title and Maori land policies predicated upon the notion of 'use it or lose it'. In the nineteenth century it was deemed unacceptable for Maori to be in possession of land and not exploit it. Also significant to this discussion is the Ngai Tahu Trust Board's view of wanting to function independently of the state by generating its own income. Through the discussion in this chapter I hope a better understanding of Ngai Tahu's position in contemporary New Zealand society will be possible.

In **Chapter five** I return to the case study and by drawing on the analysis within the preceding chapters, discuss the apparent conflict of interests in terms of underlying themes and assumptions. Essentially it will serve to illustrate the

¹³ Henson 'Submission to the Waitangi Tribunal' pp.24-25

conservation/recreation lobby's failure to understand Ngai Tahu's position, but that there surely exists the possibility of a solution that would be agreeable to both parties. I do however stress that this study is far from being a comprehensive analysis of all the issues and themes pertaining to the use of conservation lands in the settlement of Treaty claims.

Chapter 2 - The historical and ideological context of wilderness preservation

Introduction

This chapter is an attempt to locate those opposed to Aoraki being used as part of the settlement of the Ngai Tahu claim in an historical and ideological context. In so far as groups such as FMC and PANZ appear to be concerned primarily with wilderness values, they must be understood at least partly in the context of the Western 'idea of wilderness'. Emerging around 10,000 years ago, the concept represented humans placing themselves outside of nature, establishing a fence between wilderness and civilisation.¹ The dominant Western view since that time has viewed wilderness primarily as a threat, as representative of the primitive that the project of civilisation, to a large degree, has defined itself in opposition to. Arguably this view continues to this day. In contrast the Romantic, and later Transcendental movements that emerged after the Enlightenment, represented the beginnings of a counter culture that conceived of wilderness positively. Given that these movements were important in the establishment of national parks in North America, an examination of them is important to both an historical and ideological understanding of groups concerned with the preservation of wilderness in New Zealand.

I will trace the development of the idea of wilderness in the context of the emergence of national parks in the United States. Their inception will be examined in terms of the rationales evident in the formation of the first protected areas of wilderness. Turning to the New Zealand context, I will briefly examine attitudes to wilderness in the nineteenth century. Having looked at early state led conservation initiatives and the rationale behind the establishment of national parks in this

¹ M. Oelschlaeger (1991) *The Idea of Wilderness: From Prehistory to the Age of Ecology* New Haven: Yale University Press p.3

country, more contemporary articulations of the need to preserve wilderness will be examined to ascertain the basis upon which groups such as FMC and PANZ are making their arguments. This will hopefully lead to a better understanding of why these groups are so threatened by the possibility of using lands currently managed by DOC as part of the settlement of Treaty claims. Further I hope to illustrate that national parks are far from being a neutral or inherently good phenomenon and that there is a need to critically examine the underlying concept.

The discussion in this chapter falls within definite parameters that are established by the nature of my case study. National parks are the primary focus of my examination of wilderness preservation. This is for two reasons: Firstly, as is the case generally in the Western world, national parks enjoy the highest profile of all categories of protected area in New Zealand.² Given this, much of the discourse concerning national parks, both in the present and future, applies equally to other categories of land afforded legal protection. Secondly they are an appropriate focus given that Aoraki is within the boundaries of a national park.

The other major delineation of this chapter is that, in talking about wilderness preservation in New Zealand, I am only looking at the position of FMC and PANZ. While these groups are in no way representative of the entire movement supporting wilderness preservation in New Zealand, it is FMC and PANZ that are most vocally opposed to restoring ownership of Aoraki to Ngai Tahu. Although the extreme nature of the position FMC and PANZ have adopted can not be entirely attributed to the fact they are interest groups, it is often the case that in engaging in pressure group politics, organisations often adopt extreme positions for strategic reasons. This position however, as I will argue below, is largely an expression of the ideology upon which wilderness preservation has been predicated in New Zealand. Although other, perhaps more sophisticated positions exist as to the need to preserve

² see for example J.D. Shultis (1991) *Natural Environments, Wilderness and Protected Areas: An Analysis of Historical Western Attitudes and Utilisation, and their Expression in Contemporary New Zealand* Phd Thesis, University of Otago p.188

wilderness, in the context of New Zealand, I would contend that FMC and PANZ reflect well established and societal values.

The idea of wilderness and the beginnings of preservation

Despite an apparent concreteness, the concept of wilderness defies a universally accepted definition. As Roderick Nash, author of the seminal work *Wilderness and the American Mind* observes: "Wilderness ...is so heavily freighted with meaning of a personal, symbolic, and changing kind as to resist easy definition."³ While there is clearly more to the idea of wilderness than the justification of the need to preserve wild lands, it is this physical level that dominates our society's conception of wilderness as opposed to a more metaphysical or intangible understanding. Generally contemporary understandings of wilderness pivot on the extent to which an environment is unmodified by humans. While some claim the existence of amenities such as huts and tracks in an area mean that it is not an example of wilderness, I adopt a more general view for the purposes of this study in which the landscapes of New Zealand's national parks are regarded as areas of wilderness. Certainly the idea of preserving tracts of wilderness is a very recent idea, representing the culmination of cultural processes over thousands of years. In this way the idea of wilderness is intimately related to the evolution of human culture and how that culture has articulated itself in different times and places. It is this history that I will now briefly examine.

The idea of wilderness, Oelschlaeger contends, reflects the beginnings of agriculture over 10,000 years ago. The idea illustrates "...a heightened awareness by the agrarian or Neolithic mind, as farming and herding supplanted hunting and gathering, of distinctions between humankind and nature."⁴ Ironically then a

³ R. Nash (1973) *Wilderness and the American Mind* [Second Edition] New Haven: Yale University Press p.1

⁴ Oelschlaeger p.4

conception of wilderness was symptomatic of our alienation from the rest of nature, a phenomenon that lies at the root of the huge environmental problems we are facing today.

Since the beginnings of Western civilisation there has been a prevalent attitude "...that prehistoric humans wanted desperately to escape from the wilderness and dreamed of civilisation."⁵ Although this reflects an inability on the part of the modern mind to recognise its own standpoint, it does speak of the tension between civilisation and wilderness that has prevailed throughout Western history. This bifurcation is based on the assumption that the triumph of civilisation lies in the conquest of wilderness.⁶

Of more relevance to wilderness preservation though is the emergence of a counter culture to the dominant view of wilderness as threatening and something to be conquered. In this alternative perspective wild nature was seen as constituting an end in itself, an endangered phenomenon worthy of preserving.⁷ This new attitude was in many ways a nostalgia for a past way of life that, in the face of increasing urbanisation, was becoming less common. The emergence of concepts such as the 'sublime' and 'picturesque' though, created the possibility of this nostalgia being intellectually defensible, raising it above the level of mere sentimental attachment to nature.⁸

It was such developments that led to the Romantic movement of the eighteenth and nineteenth centuries. Romanticism coveted wilderness for the very same qualities it had once been spurned. As Nash states, it implied "...an enthusiasm for the strange, remote, solitary and mysterious."⁹ Romantics valued an immediate,

⁵ *ibid* p.5

⁶ *ibid* p.1

⁷ *ibid* p.4

⁸ Nash p.44

⁹ *ibid* p.47

personal and affective relationship with nature, conceiving of it more as an organism and less as a machine or clockwork,¹⁰ a view engendered largely by post-Enlightenment physics.¹¹ By the mid-nineteenth century, wilderness was disappearing at an alarming rate in the east of the United States. Consequently wild nature acquired something of a novelty or nostalgia value that concomitantly saw celebrations of wilderness in painting and literature become a potent force of American nationalism. As Nash notes though, this new sensibility did not replace, but co-existed with, the pioneer mentality of wild nature as something to be conquered.¹² Most settlers contending with the frontier, in all likelihood, continued to perceive wilderness as desolate and inhospitable rather than as an arcadian ideal.

Another intellectual movement much related to Romanticism and also significant to the idea of wilderness was Transcendentalism - a matrix of attitudes to humanity, nature and God. Transcendentalists postulated the existence of parallels between spiritual truths and physical phenomena - nature thus being regarded as symbolic of the spiritual. This position left little room for antipathy towards the rest of the natural world, in fact many adherents believe that one's chances of knowing God were maximised through directly experiencing wilderness.¹³ One of the foremost Transcendental thinkers was Henry David Thoreau, a man regarded as being crucial to the genesis of a distinctively American idea of wilderness.¹⁴ Using Transcendentalism as a starting point, Thoreau developed a unique set of ideas concerning nature and the potential benefits to humans from contact with it. In this respect he saw wilderness as a tonic to the ills of civilisation given his conviction

¹⁰ Oelschlaeger p.98

¹¹ see for example - F. Mathews (1991) *The Ecological Self* Savage: Barnes and Noble Books *passim*

¹² Nash p.55

¹³ *ibid* p.85-86

¹⁴ Oelschlaeger p.133

"..that nature teaches a different, truer and more significant moral reality than that found in contemporary society."¹⁵

Importantly in the context of wilderness preservation, Thoreau expounded upon the need to preserve wild nature as being ultimately important in ensuring civilisations continued existence. His famous epithet that "In wildness lies the preservation of the world"¹⁶ was to become the catch-cry of the North American wilderness preservation movement that, from the mid-nineteenth century, became a significant social movement. As Nash observes, the movement was soon to become the major vehicle for discussion about wilderness on a national level.¹⁷

National parks - the North American experience

An understanding of the seminal ideas behind the establishment of national parks is useful in that it can reveal the origin of many contradictions in the management rationales of national parks today, especially the tension between preservation and use.¹⁸ The actual historical origins of the idea of preservation are not entirely clear. It is known that between 700-350 BCE the Assyrians, followed by the Persians, had reserves within which they practised their hunting, combat and equestrian skills.¹⁹ As Runte observes though, it is only recently that the concept embodied in the word 'park' has come to mean both protection and public access. The Greeks are thought to be the first to have democratised landscape with their plazas for public assembly. However the maintenance of open spaces for the ruling

¹⁵ B. Pepperman- Taylor (1992) *Our Limits Transgressed: Environmental Political Thought in America* Lawrence: University Press of Kansas p.12

¹⁶ H.D. Thoreau (1947) *The Portable Thoreau* [ed C. Bode] New York: Viking Press p.609

¹⁷ Nash p.96

¹⁸ Shultis p.188

¹⁹ A. Runte (1979) *National Parks: The American Experience* Lincoln: University of Nebraska Press p.2

elite remained the norm until the Enlightenment and subsequent political revolutions which saw a reduction in the power of the aristocracy in Europe.²⁰

Of equal significance to the precedent of protecting an area is the idea of public access, a principle that first found expression in the phenomenon of urban parks. Following English royal parks being opened to the public in the eighteenth century, an important precedent was set in 1842 when land was specifically purchased by the Crown for the purposes of establishing a public park in London. This was the first reserve not only managed, but specifically purchased, for public use.²¹ In the latter half of the nineteenth century a large number of urban public parks were established in the United States.²² Shultis observes that urban parks were a nascent manifestation of the perceived physical and psychological value of nature, and that the concept of urban parks had a significant influence on the ideology of national parks.²³

Calls for similar protection measures to be applied to areas of wilderness were also evident in the mid-nineteenth century. George Catlin, in 1832, is the first person known to have advocated state led wilderness protection in the form of a park.²⁴ Others joined the chorus calling for protection, ranging from the likes of Thoreau who saw it as fundamental to the survival of civilisation in spiritual or psychological terms, to those like George Marsh who recognised the ecological advantages to society in terms of catchment protection and water and soil conservation.²⁵ Their calls appear to have been heeded when in 1864 the national legislature granted an

²⁰ *ibid* pp.2-3

²¹ *ibid* p.3

²² *ibid* p.2

²³ Shultis p.198

²⁴ *ibid* p.101

²⁵ see Nash pp.104-105 for a discussion of George Marsh's treatise *Man and Nature* (New York: Scribner Armstrong), first published in 1863.

area in the Yosemite valley to the State of California as an inalienable park for public use, by doing so setting an important precedent for the legal protection of wild nature. The first national park was established eight years later in 1872 when 2,000,000 acres around the Yellowstone River in Wyoming were protected by statute.

Despite the relatively high profile that people like Thoreau enjoyed, an examination of the government's motivations in both of these instances, reveals that "...in neither case did the rationale for action take account of the aesthetic, spiritual or cultural values of wilderness which had previously stimulated appreciation."²⁶ The initiative to protect both Yellowstone and Yosemite was driven largely by a desire to preserve the 'museum qualities'²⁷ of such features as thermal springs and waterfalls, and to prevent their capture by private enterprise as had happened in the case of Niagara Falls.²⁸ Not that the government's intention was to exclude tourists. Quite to the contrary, it simply wished to ensure that the special qualities of spectacles that would attract such visitors were not ruined by inappropriate development. Indeed national parks were perceived as a way of deriving revenue from what was considered to be otherwise economically 'worthless' lands. Runte considers that this perceived worthlessness in terms of potential for pastoralism or mineral extraction was the most important criteria in an area of wilderness being considered suitable for protected area status.²⁹

By the mid 1880s though there was evidence of a gradual recognition of the wilderness values of Yellowstone and Yosemite national parks. This was due at least in part, to the activities of John Muir. Much influenced by Transcendentalism, Muir championed wilderness as being the appropriate focus of the national parks

²⁶ Nash p.108

²⁷ I. McTaggart-Cowan (1988) 'Wilderness- concept, function, management' in *Conservators of Hope: The Horace Albright Conservation Lectures* Moscow, Idaho: University of Idaho Press p.159

²⁸ Nash p.108

²⁹ Runte *passim*

movement.³⁰ Like Thoreau, he was steadfast in his belief that wilderness was a necessary antidote to the ills of civilisation, functioning to educate people as to the connectedness of humans to the rest of nature.³¹ This focus upon wilderness led to a great tension in the North American conservation movement as to what was an appropriate management regime for the nation's forests. By the turn of the century a definite schism had appeared between preservationists such as Muir, and the resourcists or proponents of the 'wise use' of natural resources led by Gifford Pinchot, the forefather of the United States Forest service.³² Bryan Norton observes that:

"Conservationists, [like Pinchot] who emphasised the utilitarian values of wise use, attempted to extend their style of management almost everywhere. Preservationists such as Muir, who never denied the importance of wise use in areas devoted to human productivity, emphasised that human values are broader than material ones, and presented aesthetic and moral arguments to limit the seemingly inexorable expansion of management for economic purposes."³³

Influential as Muir may have been, his initiatives to preserve wilderness were essentially reactive in the face of the expansion of civilisation threatening areas of unmodified nature. Significantly he did not formulate a coherent philosophy which could underpin the preservation of wilderness in the United States.³⁴ As such qualitative differences between the rationales upon which the management of the United States national forests and national parks are predicated, is not necessarily that national parks are perceived as being about protecting wilderness or biodiversity. Despite the ecological reasons for protecting wild nature having become ascendant in many peoples minds, it is widely held that 'American-style' national parks have not adequately protected anything near a comprehensive

³⁰ *ibid* p.122

³¹ McTaggart-Cowan p.159

³² *ibid* p.127

³³ B. Norton (1991) *Toward Unity Among Environmentalists* New York: Oxford University Press p.37

³⁴ *ibid* p.37

representation of ecosystem types. This is because historically an area is thought suitable for national park status only if it has no economic potential other than through tourism. This has given rise to an over representation of mountainous areas and very little lowland landscapes. As David Western observes, national parks have not been designed biologically, being largely directed towards protecting natural 'monuments' and catering to the human demand for easy access to wilderness.³⁵

The idea that preservation is compatible with recreational use is deeply entrenched. However in the light of extremely high use of some areas in the period since World War II, this assumption is increasingly being questioned. Jack Hope states for example that 95 percent of visitors to American park use only five percent of park areas. National parks, he states, are often "...used for reasons unrelated or only vaguely related to the richness of the natural environment enclosed within their boundaries; and the activities they pursue are those that largely could be performed elsewhere..."³⁶

Although the concept of national parks has evolved significantly since the nineteenth century, the fact that they are still largely conceived of in terms of the provision of public access to wilderness, suggests they are still largely a reaction against private ownership of land. National parks are significant in that they are an institution indigenous to the New World and as such are an expression of a newly formed national identity.³⁷ In this regard it is perhaps not surprising that the next three countries to establish national parks; Canada, Australia and New Zealand, share a similar colonial past.

³⁵ D. Western (1989) 'Why manage nature?' in D. Western and M. Pearl [ed] *Conservation for the Twenty-first Century* New York:Oxford University Press p.133

³⁶ J. Hope (1971) 'Prosperity and the National Parks' in A. Myers [ed] *Encountering the Environment* New York: Van Nostrand Reinhold Company p.22

³⁷ A. MacEwan and M. MacEwan (1982) *National Parks: Conservation or Cosmetics?* London: George Allen and Unwin p.3

Wilderness in New Zealand - Pakeha traditions and experience

For European settlers in both Australasia and North America, the wilderness they encountered was an impediment to the realisation of their ideal of civilisation. As in the United States, this view of wilderness dominated nineteenth century settler attitudes towards the natural world in New Zealand. Although there is evidence of a counter position during this period, it is neither as prevalent nor sophisticated as was the case in North America. Further I would contend that in New Zealand today, the movement that sees wilderness as a cause for celebration and in need of protection, although much larger, is generally similarly unsophisticated in its ideological foundations. However both nations are inheritors of definite traditions in wilderness protection through systems of national parks and in both instances this functions as a source of national identity and pride.

In an interesting analysis of our immigrant literature, Paul Shepard offers an insight into the attitudes of European colonists to their new environment. As he states:

Puritanical Protestants of the nineteenth century contrasted nature with grace ...[in] the evangelical view, wilderness and paganism were part of the same context. ...it was a grief to see this waste land, desolate and uninhabited, barren and sterile in the absence of man's hand. This dissatisfaction was not based on the appearance of the land so much as the knowledge of its unproductive state. But it was more than a negative response; the wilderness in this view was immoral.³⁸

Given that the majority of the new immigrants would only have ever experienced the modified landscapes of Britain, it was unlikely that they would appreciate land forms other than what they were familiar with.

Most new arrivals experienced a nostalgia for the pastoral landscape of Britain, and consequently felt a necessity to clear and fence the New Zealand wilderness. This was seen as a moral obligation inseparable from that of Christianising the Maori.³⁹

³⁸ P. Shepard (1969) 'English reaction to the New Zealand landscape before 1850' *Pacific Viewpoint Monograph No. 4* p.4

³⁹ There were some notable exceptions such as Augustus Earle, see for example - A. Earle (1909) *A Narrative of Nine Months Residence in New Zealand in 1827* Christchurch: Whitcombe and Tombs

As Graham Wynn observes "...development was an imperative for most colonists and the forest was an obstruction to improvement in many areas."⁴⁰ Indeed for many settlers, their very *raison d'être* in New Zealand was to subdue the wilderness. This engendered in many a hatred and fear of the untamed New Zealand landscape, especially the forest.⁴¹

The unfamiliarity of the landscape gave rise to a process whereby it was signified and restructured through the introduction of English biota and the naming of landscape features after ones in Britain. Drawing a parallel between Adam's naming of flora and fauna in the Garden of Eden, Shultis sees this process as an attempt by Pakeha to conceptualise their possession, knowledge and control over the new natural world they encountered in New Zealand.⁴² As in North America, a fundamental characteristic of the world view of Pakeha settlers in New Zealand was their utilitarian view of nature. Also in accordance with North American settlers was the primacy they accorded individual property rights to land.⁴³

The Pakeha desire for land throughout the nineteenth century is hard to overstate⁴⁴ - the fundamental aspect of the colonisation process being the assigning of use, value and ownership to the land.⁴⁵ The scarcity of land in England precluded upward mobility for much of the middle and lower classes. This meant the demand for freehold title was huge in New Zealand. As Brooking observes freehold title was believed to have "...the power to transform the environment as

⁴⁰ G. Wynn (1977) 'Conservation and society in late nineteenth century New Zealand, *New Zealand Journal of History* 11(2):124-136 p.131

⁴¹ Shultis p.136

⁴² Shultis pp.137-146

⁴³ B. James (1989) 'Protection versus cultural use: Pakeha perspectives on the relationship between humans and the natural environment' *Paper presented at Ecological Restoration on New Zealand Islands - Conference on Island Management* Auckland 21-24 1989 p.5

⁴⁴ see for example A. Ward (1973) *A Show of Justice: Amalgamation in Nineteenth Century New Zealand* Auckland: Auckland University Press / Oxford University Press *passim*

⁴⁵ D. Pearce and G. Richez (1987) 'Antipodean contrasts: National parks in New Zealand and Europe' *New Zealand Geographer* 43(2):50-52 p.50

well as economic and social relations..." and as such "...was considered to be special and almost magical."⁴⁶ Pakeha society in the nineteenth century, imbued with the spirit of colonial enterprise, humanitarianism and democratic idealism, exalted the image of the freeholding farmer.⁴⁷ In this regard the land signified the freedom of the New World - a freedom though conceived of as power over the land.⁴⁸ Kevin O'Connor suggests that, in the South Island at least, this control over nature was initially more important than actual freehold ownership⁴⁹ given that most pastoralism at this time was being undertaken under pastoral lease.⁵⁰ Significant is the importance attached to usufructuary rights with regard to nature be it through freehold tenure or pastoral leases. This underlies O'Connor's characterisation of New Zealand as a 'property rights' society, a state of affairs that had its beginnings in the process of European colonisation.⁵¹

In the nineteenth century however there was some opposition to the world view that encapsulated these attitudes of dominion over nature and fervour for private ownership of lands. Wynn details the advocacy of conservation in the 1860s and 1870s that led to the Forests Bill of 1874, a bill that if enacted would have afforded some measure of protection to New Zealand's indigenous forests. The bill however ran into ferocious opposition in Parliament. As Wynn observes: "In short critics of the Bill echoed the tenets of classic liberalism, placing individual freedom, personal

⁴⁶ T. Brooking (1994) 'Use it or lose it: Unravelling the land debate in late nineteenth century New Zealand' *Paper presented at the New Zealand Historical Association Conference* Auckland University, 21 August 1994 (Chapter of a forthcoming book) p.15

⁴⁷ Shepard p.14

⁴⁸ L. Head (1991) 'Culture on the fault line' in M. King [ed] *Pakeha: The Quest for Identity in New Zealand* Auckland: Penguin Books pp.26-28

⁴⁹ K. O'Connor *Personal Communication* Emeritus Professor in Range Management, Lincoln University (10 November 1994)

⁵⁰ K. O'Connor (1993) 'Rural and mountain land-use' in P.A. Memon and H.C. Perkins *Environmental Planning in New Zealand* Palmerston North: The Dunmore Press p.128

⁵¹ *ibid* p.142

gain and immediate rewards before the common weal and future returns."⁵² It was through this debate though that the term 'conservation' gained currency in New Zealand and is evidence, James suggests, of the influence of North American environmental thought upon local political discourse.⁵³

Some protection however, had since the 1850s, been afforded to small areas of forest through their designation as reserves. These forest reserves were the first non-urban protected area in New Zealand.⁵⁴ Shultis presents evidence that in debates about whether or not protection should be afforded forests, arguments were made against profligate waste and for the conservation of resources for future generations. He also claims that there is evidence of Marsh's thinking given that connections are being made by some individuals between deforestation and increased flooding and climate change. He concludes though that: "The strength of the settlement ethic was such that only areas unsuitable for settlement in the long term were ever to be considered for protected area status."⁵⁵

With regard national parks in New Zealand, as in North America, it was the tourist potential of natural phenomenon such as hot pools, that served as a catalyst for their establishment.⁵⁶ Tongariro was the first national park in New Zealand, established around a nucleus of land gifted to the Government in 1887 by Te Heu Heu Tukino, a chief of Ngati Tuwharetoa. The gift is thought to have been motivated more by political exigencies than any concern that ecological values be

⁵² Wynn p.134

⁵³ James p.8

⁵⁴ Shultis p.165

In New Zealand, as was the case in North America, urban parks were an increasingly common phenomenon in the nineteenth century. In the belief that they encouraged the physical and emotional well being of a town or city's citizens, provisions were made in the planning of settlements in New Zealand for botanic gardens, parks, boulevards and town belts.

(*ibid* p.162-163)

⁵⁵ *ibid* pp.166-169

⁵⁶ The *Thermal Springs District Act* 1881, a statute antecedent to the establishment of national parks, vested powers in the government to prevent the despoliation and capture by entrepreneurs of springs with tourism potential. (Shultis p.196)

protected. Te Heu Heu's action was precipitated by a dispute as to the ownership of the sacred peaks of Ruapehu, Ngauruhoe and Tongariro and the fact that they were perceived to be threatened by the ever expanding enterprise of Pakeha pastoralism. Roche notes that in the debate pertaining to the Tongariro National Park Bills of 1887 and the successful one of 1894, emphasis was placed on the areas' museum qualities, tourist potential and lack of any other economic worth.⁵⁷

The seven year delay between the actual bequest and the passing of the Act in 1894, is thought to have been due to the Government ensuring that absolutely no 'useful' land was included within the parks boundaries.⁵⁸ This perceived economic 'worthlessness' was virtually a criteria for an area to be considered suitable to be designated as a national park. As Douglas Pearce and Gerard Richez note of Fiordland National Park "...it is scarcely accidental that one of the largest national parks in the world is to be found in one of the most inaccessible and remote parts of a sparsely populated country which was colonised by Europeans only last century."⁵⁹ The policy of only preserving tracts of wilderness that only have economic potential compatible with their designation as protected areas, as is evident in the establishment of Tongariro National Park, continues to this day. The area recently gazetted as Kahurangi National Park in the northwest of the South Island for example, does not include certain areas that were in the original proposal that have subsequently been identified as having potential for hydro electricity and mineral extraction. Historically, national parks were perceived as a means through which otherwise economically worthless lands could be developed through tourism.

⁵⁷ M.M. Roche (1987) 'A time and place for national parks' *New Zealand Geographer* 43(2):104-107 p.105

⁵⁸ Shultis p.196

Since 1894 there have been a further twelve national parks established. Up until 1950s each was governed by a separate statute, but since then they have come under the auspices of the National Park Acts (1952, 1980 - see below for discussion of these). Concomitant to the establishment of national parks has been the creation of a raft of other categories of protected area including scenic reserves and wilderness areas .

(see G. Park (1990) 'Changing human perceptions of the natural environment' in B. McFadgen and P. Simpson [eds] *Five Papers Presented at the Science and Research Division, Department of Conservation* Wellington: DOC pp.67-69, and Shultis pp.173-183)

⁵⁹ Pearce and Richez p.56

Importantly in this regard national parks must be understood as not being antithetical to the development of capitalism. Importantly as Hall notes: "A degree of protection for wilderness areas was only a fortunate by-product of national park declaration, not a primary cause."⁶⁰

Up until 1952 national parks were each managed separately under various statutes that reflected the rationales upon which they were established. A greater degree of coordination in management was achieved when all national parks were brought under one statute with the passing of the National Parks Act in 1952. Hall notes that tramping and mountaineering clubs, and the FMC in particular, had a significant effect upon the drafting of the 1952 Act. The wording of the act reveals much about attitudes to wilderness preservation in New Zealand. The act states that national parks preserve wilderness for the benefit and enjoyment of the public and must include unique and exceptional scenery. A similar rationalisation of the purpose of national parks is set out in the National Parks Act 1980 that repealed the 1952 act.⁶¹ As Hall observes: "The current wilderness policy for New Zealand continues the tradition of perceiving wilderness in terms of a recreational experience, rather than the intrinsic qualities of wilderness that give rise to that experience."⁶² Although there may be a shift towards a greater recognition of intrinsic value of wilderness in the policy arena there is little evidence of this amongst groups such as FMC and PANZ.

Clearly the provision of recreational opportunities is a fundamental rationale for establishing national parks in New Zealand, and dominates many peoples' conception of wilderness. Molloy and Wilson for example, in what one would assume to be a more intellectual treatise upon the need to preserve wilderness in the New Zealand context, see preserved tracts of wilderness "...as one of a variety of areas

⁶⁰ C.M. Hall (1988) 'Wilderness in New Zealand' *Alternatives* 15(3):41-46 pp.41-42

⁶¹ Although the 1980 act did include reference to intrinsic value, this has had little impact upon the management of national parks in New Zealand.
(Hall p.43 and Shultis p.182)

⁶² Hall p.44

protected and managed for outdoor recreation."⁶³ Similarly Ron Cooper, Chief Land Administration Officer in the 1950s stated that "...the recreation and enjoyment of the public is a main purpose..." of any initiative to preserve wilderness.⁶⁴ FMC's conception of wilderness as a recreational resource is not all that surprising given they represent the interests of outdoor recreationalists. What is striking though is the apparent totality of their subscription to such a view, to the apparent exclusion of other perspectives. This is evident in their 'Wilderness Policy' drafted at the Federation's 50th Jubilee Conference on Wilderness. The policy states that: "Wilderness is... principally a recreational and cultural concept which is compatible with nature conservation."⁶⁵ This sentiment is also evident in the collection of personal statements on wilderness in the Conference proceedings. Bruce Mason's assertion that there is a need to "...formally recognise that wilderness is one end of a recreation spectrum...",⁶⁶ exemplifies the perception of wilderness as a recreational resource.⁶⁷ While a recreational perspective does not necessarily preclude other rationales for the preservation of wilderness, in the case of FMC and PANZ, all other perspectives appear to be subordinate to their primary orientation towards wilderness as a recreational resource.

Evidence suggests that this recreational view of wilderness is relatively widespread amongst both users and non-users of national parks. In a survey of over 300 Christchurch residents, Kay Booth found that recreation was considered the single biggest reason for the existence of national parks, ahead of the preservation of both

⁶³ L. Molloy and J. Wilson (1986) 'Why preserve wilderness?' in J. Howell [ed] *Environment and Ethics - A New Zealand Contribution* Christchurch: Centre for Resource Management p.10

⁶⁴ Hall p.43

⁶⁵ L. Molloy [ed] (1981) *Wilderness Recreation in New Zealand: Proceedings of the Fiftieth Jubilee Conference on Wilderness* Wellington: FMC p.136

⁶⁶ *ibid* p.87

⁶⁷ Kevin O'Connor's statement of the need to argue for the preservation of wilderness in non-anthropocentric terms, stands in stark contrast to the rest.

(*ibid* p.87)

natural and cultural values.⁶⁸ Similarly in Snadden's survey of climbers and trampers in Mount Cook National Park, the provision of recreational opportunities was considered to be the most important reason for having national parks.⁶⁹ These findings are supported by Hay, himself a mountaineer. In a short article on 'remoteness' he notes of Thoreau's epithet "In wildness lies the preservation of the world" that it represents "...an imaginative response to nature that is all too rare (from what one can judge from hut conversations and journal articles) in New Zealand climbing circles." He goes on to state that wilderness, for most recreationalists in his experience, is simply a physical challenge.⁷⁰

Leslie Molloy, in his keynote address at the FMC's Jubilee Conference on Wilderness, spoke of New Zealanders' reluctance to embrace or participate in a 'wilderness myth'. Certainly the proceedings of the conference suggest that most of the participants were reluctant "...to state the aesthetic case for scenery or wild land preservation in its own right."⁷¹ This clearly represents the self interest that motivated these people to participate in the conference. The majority of people talking about wilderness in New Zealand are recreationalists and it is obviously in their interest to have areas protected and provisions made for public access.

It is this recreational conception of wilderness that largely underlies the concern of groups such as FMC and PANZ that public access to national parks could be at risk if such areas were to constitute part of the settlement of Waitangi Tribunal claims. The public's right of access to Crown lands such as national parks appears to be a fundamental tenet of FMC and PANZ, and presumably the public more generally.

⁶⁸ However if the two preservation figures are combined, they in fact exceed recreation as the biggest reason for the provision of national parks.

(K. Booth (1987) 'The public's view of national parks' *New Zealand Geographer* 43(2):60-65 p.61)

⁶⁹ cited in *ibid* p.62

⁷⁰ R.J. Hay (1974) 'On remoteness' *New Zealand Alpine Journal* 27:99-100 p.99

⁷¹ L. Molloy (1981) 'Wilderness recreation - the New Zealand experience' in Molloy [ed] *Wilderness Recreation in New Zealand* p.6

As was discussed above, a major factor in the motivation of European settlers emigrating to New Zealand was the prospect of owning their own land. This avarice for land was to have an enormous effect upon attitudes towards the New Zealand environment,⁷² and certainly is a major determinant in attitudes to access.

This attachment of fundamental importance to access rights must, at least in part, be understood historically. By the nineteenth century almost all of England was in private ownership.⁷³ The national parks movement of the New World can be seen then as a reaction against the total capture of the national estate by private interests. The pre-eminence ascribed to freehold title in New Zealand would suggest that the national parks movement, as is typified by FMC and PANZ, represents such a reaction. Significantly in this regard, New Zealand, unlike many other Western nations, has a trespass law and not laws that allow access on private land. This abhorrence of private ownership suggests a reason why, in the conflict regarding Aoraki, groups such as FMC and PANZ appear to be unable to conceive of an ownership regime other than one of Crown ownership. That this is the case despite assurances that access rights would not be affected were Aoraki vested in Ngai Tahu, illustrates the preoccupation of groups such as FMC and PANZ with ownership, even when the rights they currently enjoy appear as though they would not be significantly attenuated.

It must be asked though to what extent this reaction against property rights by groups such as FMC and PANZ is in fact a defence of a quasi-property right they enjoy. As O'Connor states: "When a hassle of hunters hoon off into the Kaimanawas, or a bunch of youthful trampers head up the Wilkin... the chances are that some at least are already enjoying quasi-proprietary feelings about their own familiar patch in the mountains, their dream."⁷⁴ In this regard the reaction of

⁷² Shultis p.137

⁷³ The fact that almost all land within English national parks is in private ownership, bears testament to this.

⁷⁴ *ibid* p.144

groups such as FMC and PANZ to the prospect of title of Aoraki being restored to Ngai Tahu is a manifestation of a fear that their rights are at risk of being attenuated rather than a defence of a wider public interest.

It is perhaps unwise though to summarily dismiss anthropocentric articulations of the need to preserve wilderness as simply being the expression of self interest. The possibility must be entertained that this is perhaps a deliberate strategy made necessary by political exigencies, and that there is in fact an underlying rationale of some greater sophistication than mere self interest. Molloy and Wilson, in their above mentioned paper, make a reasonable defence of their almost exclusively utilitarian rationale for the preservation of wilderness. Their argument is that in order for non-users of wilderness to accept arguments for the need to protect areas of wild nature, things must be framed anthropocentrically. This is both in terms of the inability or reluctance of many people to accept notions of intrinsic value, and the fact that appeals can be made to their and future generations' self interest.⁷⁵ Given the pervasiveness of anthropocentrism in Western society, there is an argument that those concerned with preserving wilderness "...must continue to utilise anthropocentric rationales in order to gain public and political support for the perception that national parks and other protected areas positively nurture and support human society and thus have *a priori* value."⁷⁶

Arguments for the preservation of wilderness on the grounds of providing recreational opportunities, can be viewed as being more than simply the manifestation of self interest. Aldo Leopold argues that the primal activities of our neolithic past are now preserved as hunting fishing and hiking. He states that: "Public wilderness areas are, first of all, a means of perpetuating in sport form, the more virile and primitive skills in pioneering travel and subsistence."⁷⁷ In terms

⁷⁵ Molloy and Wilson p.18

⁷⁶ Shultis p.203

⁷⁷ A. Leopold (1966) 'Wilderness' in *A Sand County Almanac with other Essays from Round River* New York: Oxford University Press pp.246-248

of recreation, Holmes Rolston argues that wilderness is more than a sports field given the possibility of focusing outside of one's self on the grandeur of nature. Arguing very much in line with a Romantic conception of wilderness, he claims that in a deeper analysis, wilderness recreation enables one to "touch base" with something that is not present in the urban environment. In this sense the experience constitutes a valuing of 'creation' rather than 're-creation'.⁷⁸ In New Zealand though, such arguments are largely conspicuous by their absence from the discourse pertaining to the need to preserve wilderness. While acknowledging the possibility that more sophisticated rationales underpin the thinking of advocates of wilderness preservation in New Zealand, I maintain that the absence of such arguments in New Zealand is indicative of the relatively unsophisticated level upon which the debate continues to be conducted in New Zealand.

Despite this, wilderness preservation is seen as being linked to the country's sense of national identity.⁷⁹ Certainly New Zealand's (perhaps spurious) 'clean and green' image is largely related to the fact that we have managed to preserve relatively large areas of wild nature. Significantly though, as noted above, these areas are largely of little economic use other than through tourism. According to Stephen Rainbow, wilderness issues dominated New Zealand's nascent environmental movement with campaigns such as that to save Lake Manapouri.⁸⁰ However as Nash observes in the case of the United States, national pride in New Zealand stems from both having and destroying wilderness given that as a source of pride, our relatively high degree of material wellbeing, has been largely brought about by the exploitation and subjugation of wild nature.⁸¹

⁷⁸ H. Rolston (1988) 'Human values and natural systems' *Society and Natural Resources* 1(3):271-283 p.273

⁷⁹ see for example - Hall p.45

⁸⁰ S. Rainbow (1993) *Green Politics* Auckland: Oxford University Press p.11

⁸¹ Nash p.242

Conclusion

Through the discussion in this chapter I have endeavoured to establish a context in which to view the attitudes of groups opposed to the use of Aoraki constituting part of the Ngai Tahu claim settlement. Although I have only examined the position of FMC and PANZ, this focus is appropriate given it is these groups that have been most vocal in their opposition. The area's relatively minor ecological significance is possibly a reason why this issue has not drawn so much attention from groups such as the Royal Forest and Bird Protection Society and the Maruia Society. There does exist the possibility though that such groups simply perceive it as a relative non-issue. I acknowledge that groups concerned more with nature conservation would, in all likelihood, engage in a discourse more concerned with the intrinsic and ecological values of wilderness. Importantly I wanted to make clear the difference between the pursuit of the *enjoyment of nature* (through recreation) and the pursuit for the *recognition of the rights of nature*.⁸² Significantly I think the latter, in this age of heightened ecological awareness, tends to inflect upon the conflict and strengthen the position of FMC and PANZ with out such values being highly significant to their world view. Such groups as I have argued though, appear to be concerned primarily with protecting their rights to recreate on Crown lands and not with defending the intrinsic or ecological values of the natural world. In this regard these groups are not atypical of the rest of society for as Grumbine observes: "Despite all the lofty pronouncements of preservationists, wilderness is still viewed by most citizens of industrial societies as a resource for humans."⁸³

⁸² I acknowledge the help of Kevin O'Connor in helping me see this distinction.

⁸³ R.E. Grumbine (1994) 'Wilderness, wise-use and sustainable development' *Environmental Ethics* 16(3):227-249 p.231

Chapter three - The Traditional Maori World View

Introduction

This chapter is predicated upon the idea that a culture's myths and traditions are powerful political symbols. Given this it is an attempt to look at the conflict surrounding the potential use of Aoraki as settlement of the Ngai Tahu claim, in terms of Ngai Tahu's world view. Certainly on a wider societal level understandings of the traditional world view of Maori frequently define Maori as being conservationists *par excellence*. This often sits somewhat uncomfortably with some perceptions of contemporary Maori as being rampant exploiters of natural resources they enjoy rights to. Also the 'Maori as conservationist' view can serve to preclude rights to develop resources in terms of the view that to do so is 'un-Maori'. This tension I believe has inflected the conflict that is the subject of this study. Is Ngai Tahu's interest in Aoraki entirely of a metaphysical nature, or is this but a thin veil hiding their real motives of deriving revenue from the control of Mount Cook National Park? Personally I fully believe the former but there is a need to better understand the dynamics operating in this tension and to examine the location of Aoraki with regard to Ngai Tahu's world view.

In the context of post-colonial nationalism, the belief systems of indigenous peoples play a significant role. In the Pacific generally, indigenous people, in a quest for identity and in an effort to reinforce claims and demands for political and economic power, specific visions of the past are articulated in the form of a fixed, coherent and timeless 'tradition'. As Keesing observes of New Zealand, "...increasingly powerful and successful Maori political movements incorporate idealized and mythicised versions of a precolonial Golden age, the mystical wisdom of Aotearoa."¹ In this regard land is a site of great contestation. What are held to be traditional

¹ R.M. Keesing (1989) 'Creating the past: Custom and identity in the contemporary Pacific' *The Contemporary Pacific* 1(1-2):19-42 p.22

relationships with the land validate claims to specific areas as well as suggesting ways in which these lands should be managed.

My contention that traditions are articulated and perhaps shaped to some degree to serve political ends, is in no way to denigrate a culture - this process is precisely what constitutes cultural reality. Importantly, in adopting such a view of culture, I am not attempting to reveal the possible inauthenticity of some contemporary articulations of Maori tradition. Authenticity is entirely dependent upon the acceptance of particular articulations by Maori - ultimately they themselves define who and what they are. This chapter is concerned with adopting a more sophisticated view of the role of traditions in environmentally based conflicts and recognising that, as well as remaining central to a peoples' sense of identity, they serve important political functions. Importantly I will argue that essentialist or monolithic views of cultures that fail to recognise the plurality and diversity of cultural forms, both in the past and present, should be abandoned. Accordingly it needs to be recognised that the past was, in all likelihood, as highly political and contested as the present.²

I will begin by outlining some features of contemporary articulations of the 'traditional Maori world view' and discuss Aoraki in this context. Following this the traditional world view will be discussed in terms of how it can be seen as being shaped to serve political ends. I will then return to the case study and attempt to draw some conclusions from the study.

The Maori world view and the environment

The various legal requirements for environmental managers to make provision for the special relationship between Maori and the natural world has led to a profusion of literature on this subject. In these accounts, the holistic nature of the traditional Maori world view has been emphasised and much made of the fact that general

² *ibid* p.25

principles derived from this belief system accord roughly with Western ecological thought.³ Margaret Orbell notes that traditionally in Maori thought,

"...as in their way of life, a balance was maintained between human beings and the environment. Their closeness to nature and the immediacy of their dependence upon it, [and] their intimate and profound knowledge of plants animals and landscape, led to a view of the world which recognised...the sacredness of other life forms and the landscape itself."⁴

After briefly outlining some general features of the Maori world view I will look more particularly at the significance of mountains to Ngai Tahu in this context.

Through a culture's cosmology and cosmogony, an insight into its world view can be gained. Especially important in this context are a culture's myth cycles given they validate its "...world view through the ritual reactualisation of the paradigmatic act of creation."⁵ Although each iwi, and in many cases hapu (sub-tribe), have different accounts of creation, there exists a general account which is believed by many to be universal to all Maori. Undeniably there are many common themes and actors in the various cosmogonies from throughout New Zealand. However the existence of a central myth is largely the result of the systematisation of the chaotic variety and richness of Maori traditions by Pakeha scholars in the late nineteenth and early twentieth century, especially Percy Smith.⁶ This general scheme accords roughly to the cosmogony first popularised by Sir George Grey which located Rangi, the sky father, and Papatuanuku, the earth mother, as primal parents from whom all natural phenomena, including humans, descended.⁷

³ The reduction of aspects of traditional world views to examples of precocious ecological sensibilities can however be seen as yet another example of Western scientific arrogance. It is important that an attempt is made to understand such phenomenon in the metaphysical context in which they occur not abstracted to accord with principles of the Western world view.

(K. O'Connor (1993) 'Life forces of land and people in the contemporary Pacific' *MacMillan Brown Lectures 1993* Lecture 1 (Draft of forthcoming publication) p.13 and footnote 22)

⁴ M. Orbell (1985) *The Natural World of the Maori* Auckland: William Collin p.216

⁵ M.M. Gray, (1993) 'Ka Mauka Tapu Ariki: The sacred Nature of Mountains' *Address to the East Asia Pacific Mountain Association Inaugural Symposium* Lincoln University, 3 May 1993 p.6

⁶ O. Wilson (1985) *From Hongi Hika to Hone Heke: A Quarter Century of Upheaval* Dunedin: John McIndoe p.126

⁷ G. Grey (1956) *Polynesian Mythology* [3rd edition] Christchurch: Whitcombe and Tombs pp.1-9

This essential myth or cosmogony is seen as codifying human's relationship with the natural world. This code is developed in other myths and traditions involving later ancestors and culture heroes.⁸ The Rangi and Papatuanuku cosmogony has been celebrated as engendering a view of the earth as sacred that meant Maori traditionally had a close spiritual relationship with the environment.⁹ In terms of the land this is evident in the notion of 'tangata whenua', literally meaning the nexus between people and the land. This unity was symbolised by the ceremonial custom of burying the afterbirth (also called the whenua) and the umbilical cord (pito) in the land. According to Walker, the central part of the cord, known as the iho, gives rise to the expression 'iho whenua', meaning connection with the land.¹⁰ The practice of naming features of the landscape after tribal atua¹¹ and other ancestral beings, further reinforces this close identification with landscape.

Maori are held to employ a three dimensional view of the Universe, the three aspects being te taha tinana (the physical and economic), te taha hinengaro (the psychological), and te taha mauri (the spiritual). Each of these principles reinforce a reverence for the totality of creation and reinforce the holistic view of the Maori Universe.¹² Perhaps most significant in the context of attitudes to the environment is the concept of mauri. Mauri is the physical life principle possessed by the total

⁸ R. Walker (1983) 'Maori myth, tradition and philosophical beliefs' in Phillips, J. [ed] *Te Whenua Te Iwi: The Land and the People* p.42

⁹ Neil Hopa for example argues that the Maori conception of Papatuanuku is very similar to James Lovelock's Gaia hypothesis. In both paradigms the cosmos is seen as an inseparable perpetually dynamic reality, and the earth as a "living planetary being". Although more recently articulated as a scientific principle by ecologists employing a systems approach, Hopa claims such holistic views of nature show a profound ecological awareness amongst Maori. Importantly though see footnote 3 for a critique of such abstractions of traditional thought.

(N. Hopa (1990) 'Papatuanuku: Spaceship Earth' in K. Dyer and J. Young [eds] *Changing Directions: The Proceedings of Ecopolitics IV* University of Adelaide pp.575-576)

¹⁰ Walker p.45

¹¹ Although today 'atua' is generally thought to be congruent in meaning with 'god', this is likely to be an early construct of European scholarship. Atua are generally regarded as being ancestors and are imbued with characteristics often more human in nature than god-like. (see Wilson pp.127-128)

¹² B. James (1993) *The Maori Relationship With the Environment* Wellington: Department of Conservation / Wellington Regional Council p.5

created reality. It is through mauri that all phenomena of the natural world, including humans, are unified in one coherent whole. This is because in having a shared divine origin, all elements of the natural world possess a universal living spirit. In using natural resources there is a constant risk of damaging a phenomenon's mauri, potentially irrevocably, hence the existence in traditional society of complex rules governing use.¹³ As Maurice Gray observes: "Belief in the physical life force of the natural world and in its protection, exerted a real influence over social, cultural, religious and economic affairs in Maori society. It fostered an atmosphere of respect and fear obviating the deliberate destruction of essential resources or the defilement of sacred places."¹⁴

The interdependence of all aspects of the natural environment is a fundamental principle established by the traditional Maori world view's assertion of all natural phenomena sharing a common genealogy. James states this engenders the responsibility of kaitiakitanga (guardianship) and a general ethic of reciprocity of returning to the environment what you take.¹⁵ This idea of reciprocity and balance is arguably the central principle of the Maori world view. The general principle of interdependence between people and their environment is expressed in whakatauki (proverbs) such as:

Toi tu te marae o Tane,
Toi tu te marae o Tangaroa,
Toi tu te iwi.

If the marae of Tane (atua of the
forest) survives,
If the marae of Tangaroa (atua of the
sea) survives,
the people live on.

The various environmental domains are, in the grand narrative of Maori creation, each presided over by a son of the union of Rangi and Papa. In this way Tane is the

¹³ Gray p.7

¹⁴ *ibid* p.8

¹⁵ James *The Maori Relationship With the Environment* p.5

atua of the forest, Tangaroa that of the sea, Haumia that of all uncultivated foods, Rongo that of cultivated foods, Tawhirimatea that of the winds, and Tu that of humans and war. Distinctive features of the landscape such as rivers and mountains have also been imbued with spiritual significance given they possess a mauri. I will now discuss the importance of Aoraki and mountains more generally to Ngai Tahu in the context of their creation stories.

Aoraki in the traditions of Ngai Tahu

To Ngai Tahu and Maori generally, particular mountains are held to be the physical manifestation of ancestors. This is perhaps no more evident than in the case of Aoraki. A Ngai Tahu cosmogony told by the Reverend Maurice Gray,¹⁶ accounts for the origin of Aoraki and the South Island. In this account Aoraki was the son of Rakinui¹⁷ and Papatuanuku. Aoraki, along with his brothers Rarakiroa, Rakitua and Rakiroa travelled from the heavens in a celestial canoe in search of their mother. Unable to find her they eventually settled on Te Moana nui a Kiwa (the Pacific Ocean) and, abandoning their search, began to recite the karakia (incantations) that would return them to their celestial abode.

The karakia however were recited incorrectly causing their canoe to capsize. The canoe petrified and became the South Island. Consequently Waitaha, the island's original inhabitants, called the island 'Te Waka o Aoraki' (The Canoe of Aoraki). The atua pierced holes in the hull of the canoe and now stand as the peaks Aoraki, Rarakiroa, Rakitua and Rakiroa.¹⁸ The brothers then invoked Tu Te Rakiwhanoa

¹⁶ Gray pp.4-5

¹⁷ In this account Gray uses the Ngai Tahu dialect in which the consonant grouping of 'ng' is replaced with a k (denoted in the text by being underscored)

¹⁸ Rarakiroa is Mt. Dampier, Rakitua is Mt. Teichelman and Rakiroa is Mt. Silberhorn, all peaks within the immediate vicinity of Aoraki.

to come to the new land. He moved across the South Island shaping the landscape.¹⁹

These mountains are consequently of great cosmological significance to Ngai Tahu. They are held to be both Te Tatau ki Te Raki (doorway to the heavens) and the Poutokomanawa (cosmic pillar) linking Raki and Papatuanuku. Further they are symbolic of both life and death. Life is represented by their melting snows that flow down to the plains below giving life to the earth. This water is regarded as being tapu (sacred) given it possesses qualities of the four atua's mauri. In terms of death they are the threshold from which spirits depart either to the heavens or the underworld.²⁰

Gray claims that the four mountains, as manifestations of the four atua's mauri "...denote the indivisibility and the totality of the Universe, the environment and humankind."²¹ Sacred mountains represent manifestations of Maori origins and interaction with atua, and stand as testament to the adventures and discoveries of these ancestral sojourners.²² Gray notes that traditionally the purpose and place of Ngai Tahu individuals is inextricably linked to a particular mountain. In this way the traditional social groupings of iwi, hapu and sometimes whanau, each being associated with a particular mountain. The mauri of the tribal mountain (Aoraki in the case of Ngai Tahu) flows through the peaks of hapu and sometimes whanau to the people.²³ This identification with a mountain is expressed in tauparapara,

¹⁹ Another version of the myth, presented in Ngai Tahu's resource management strategy for Canterbury, holds that the exploits of Aoraki and his three brothers preceded the union of Rangi and Papatuanuku whose subsequent deeds made Te Waka o Aoraki habitable.

(T.M. Tau, A. Goodall, D. Palmer, and R. Tau (1990) *Te Whakatau Kaupapa: Ngai Tahu Resource Management Strategy for the Canterbury Region* Wellington: Aoraki Press pp.3.5, 4.34-36)

²⁰ Gray p.6

²¹ *ibid* p.6

²² *ibid* p.9

²³ *ibid* p.8

a statement made by speakers on marae of the mountain, river and tribe that they are connected with.

Traditional world views as political symbols

The aspects of the traditional world view outlined in the above section suggest that Maori, were in the past primarily conservation oriented. This next section is an attempt to understand the apparent contradictions between this ideological foundation of relationships with the natural world and both contemporary and historical evidence that suggests a less than entirely benevolent attitude towards the environment.²⁴ My contention is that the aspects of the traditional world view that codify the interdependence between environment and people and suggest a holistic conception of the Universe, have been emphasised and presented as dominant themes in traditional thought. Important in this view of the world is that it stands in contrast to the dominant Western world view. As Keesing sees it "...a dialectic in which elements of indigenous culture are selected and valorized...as *counters to or commentaries on* the intrusive and dominant colonial culture."²⁵

This process has, to a certain extent, been encouraged by Westerners, some of whom have been active in the process of construction. As such these articulations of the cultures of indigenous peoples are in part a consequence of disenchantment with dominant Western conceptions of nature by inheritors of those traditions. The belief that the world, largely as a result of those traditions, is on the path to ecotastrophe, has led many in the environmental movement to look elsewhere for salvation, with many, as Anna Bramwell notes, being attracted to "...the transcendental 'other' in primitive tribes."²⁶ Similarly, environmentalists have found that they can sometimes advance their cause through forming alliances with indigenous peoples

²⁴ For a summary of such evidence see J. Diamond (1991) *The Rise and Fall of the Third Chimpanzee* London: Vintage pp.287-291

²⁵ Keesing p.23

²⁶ A. Bramwell (1989) *Ecology in the Twentieth Century: A History* London: New Haven p.243

who share some common values. Certainly there is evidence of this in the context of New Zealand.

The Motunui-Waitara claim, heard by the Waitangi Tribunal in 1983, saw environmental groups supporting the claimants (Aila Taylor and Te Ati Awa, a Taranaki iwi) in objecting to the pollution of shellfish beds caused by outfall from the Motunui synthetic petrol plant.²⁷ Significantly this claim was heard before powers were vested in the Tribunal to hear claims regarding breaches of the Treaty prior to 1975. With this change in policy the alliance between iwi and the conservation movement became somewhat fragile. It became evident that iwi were serious in their demands for resources to be returned to them and any common interest with environmentalists was secondary to their fundamental desire to meaningfully exercise rangatiratanga. This change in policy raised the possibility of lands currently managed for the purposes of conservation by the state, being vested in iwi. As the Tribunal observed in the Motunui-Waitara claim, environmental groups supported the claimants in their call for improved environmental quality as this was in accordance with their interests that they perceived as being a general public good. However as was made clear in the submissions of such groups and agencies with environmental management functions in the area, "...the Maori interest in the reefs could be held to be no greater than that of other special interest groups..."²⁸

The idealisation of the Maori world view by environmentalists (such as in Bev James' paper) are problematic in that they are monolithic representations of Maori culture centred around a particular conception of the environment. As such Maoridom is defined very narrowly as being primarily oriented towards conservation. Implicit in this view of Maori culture is the assumption that to interact with the environment in a manner contrary to this world view, is to somehow be less authentically 'Maori'. As Allan Hanson notes, when cultures are

²⁷ Waitangi Tribunal (1983) *Report on the Motunui-Waitara Claim* [WAI 6] Wellington: Waitangi Tribunal pp.14, 69-70

²⁸ *ibid* p.14

being described by members of a politically dominant culture such as James, the process is quite possibly "...part of a cultural imperialism that tends to maintain the asymmetrical relationship of power."²⁹ Pakeha environmentalists claiming that for an iwi to develop a particular resource is contrary to traditional Maori values, represents such a situation. Evident in such claims is a failure to acknowledge that in contemporary New Zealand society, being Maori is as much 'a way of struggle' as it is 'a way of life' in terms of continuing socioeconomic inequality.³⁰ This is a theme that will be dealt with further in Chapter four.

Similar to the way that environmental groups support for indigenous movements can be viewed in terms of the achievement of environmentalists' wider objectives, the importance afforded to Aoraki by Ngai Tahu, can be at least partly understood in terms of political motives. As O'Regan himself notes of the Waitangi Tribunal process,

"...the historical witness and the witness on Maori tradition, cannot escape the pervading presence of the potential spoils... The continuing presence of the outcome, sits like a cloud over the brow of the historical witness. Scholar or mercenary, the choice, like the cloud, is continual."³¹

Ngai Tahu today is a confederation of various distinct tribal groups and as a cohesive entity is a very recent phenomenon.³² Evidence presented to the Waitangi Tribunal in the course of the Ngai Tahu claim suggests that prior to the land sales of the 1840s and 1850s there were serious conflicts between Ngai Tahu hapu and that it was only in relation to warfare with groups from the north that hapu ever acted as a corporate unit.³³ Significantly the Ngai Tahu claim that resulted largely

²⁹ A. Hanson (1989) 'The making of the Maori: Cultural invention and its logic' *American anthropologist* 91:890-902 p.890

³⁰ S. Webster (1993) 'Postmodernist theory and the sublimation of Maori culture' *Oceania* 63:222-239 p.226

³¹ T. O'Regan (1992) 'Old myths and new politics: Some contemporary uses of traditional history' *New Zealand Journal of History* 26(1):5-27 p.10

³² for a summary of Ngai Tahu origins see H. Evison (1993) *Te Wai Pounamu: The Greenstone Island* Wellington: Aoraki Press Chapter 1

³³ see *Ngai Tahu Report* (vol 2) Chapter 3

from the contracts conveying their land to Pakeha being breached, is arguably the first pan-hapu structure Ngai Tahu has known.³⁴ In getting the claim heard it has been important that Ngai Tahu has appeared as a singular and cohesive group. It is in promoting such a unified sense of identity that Aoraki can be seen as having been imbued with great significance as a symbol of pan-hapu unity. Given that in the pre-contact Maori world, what we today call hapu were far more significant than iwi,³⁵ one would expect that mountains individuals saw in the course of their daily lives were of greater significance than Aoraki.³⁶ In suggesting that Aoraki has perhaps received greater emphasis in Ngai Tahu thought in post-contact times, I am not claiming that aspects of contemporary articulations of Ngai Tahu tradition are unauthentic. What I am attempting is a view of these traditions in terms of the political functions that they serve. I now turn to a theoretical examination of ways in which cultures can be constructed to serve such political ends.

Theories of cultural construction

The ecologically benign representation of indigenous peoples' world views is something of a global phenomenon. In this section I will further explore the idea that this is to some degree a process by which indigenous people select and shape aspects of their traditions that most strikingly differentiate them from the colonisers of their land. Keesing notes that in both Australia and New Zealand "...ideologues are engaged in reconstructing ancestral pasts characterised by Mystical wisdom, Oneness with the land, Ecological Reverence, and social harmony..." and that in this

³⁴ S. Kelly (1991) *The Ngai Tahu Maori Trust Board: An Examination of the Use of a Strategic Resource in the Exercise of Power* MA Thesis, University of Canterbury p.203

³⁵ Lyndsay Head argues that confederations of hapu such as what are today known as 'iwi', were significant only in relation to warfare and the sale of land, that is, in the face of external exigencies. Further, she suggests that linguistically the term represents an abstraction of what originally just meant people that took on the wider meaning of tribe only in the post-contact era.

(L. Head (1994) 'Changing perceptions of Maori land ownership in the pre-1860s' *Paper presented at the New Zealand Historical Association Conference* 20 August 1994)

³⁶ My thinking in this regard has been much shaped by undertaking an extensive research project on Ngai Tahu attitudes to land. In my examination of early nineteenth century sources I came across no references to Aoraki.

process elements of their pasts that contradict this view are omitted.³⁷ He suggests that not only is there evidence of the internalisation of Western concepts but also the borrowing of aspects of other indigenous peoples' world views. Again I reiterate the idea that such borrowings are common in the development of any culture and are a part of what constitute cultural realities.

Allan Hanson's paper 'The making of the Maori: Cultural invention and its logic', published in 1989, was one of the first analyses of Maori culture employing an approach that can be loosely described as 'deconstructive'.³⁸ An important tenet of such an approach is that cultures are not stable realities and that no essential traditions exist at their core. Rather a view is adopted where culture is perceived as a dynamic series of sign substitutions in a constant state of flux.³⁹ Hanson's thesis is that early twentieth century versions of Maori culture emphasised similarities with Pakeha culture, while contemporary accounts place emphasis upon differences between the two. Importantly in both cases this was done with political intent.

The first phase of cultural construction Hanson identifies was an effort by some academics (both Maori and Pakeha) to make a case for Maori being equal, or at least not irredeemably inferior, to Pakeha. This desire saw constructions of Maori culture that emphasised their capacity for sophisticated metaphysical thought (by postulating the existence of a high god in the Maori cosmology similar in nature to the Judeo-Christian God), and by glorifying traditions of Maori migrations to make them appear truly heroic. This according to Hanson was to establish the possibility of Maori being of Aryan descent, and to distinguish them from the savages of colonial Africa. In establishing such a link between Maori and Pakeha, Maori were considered worthy of assimilation.⁴⁰

³⁷ Keesing p.30

³⁸ for a background to Hanson's interests in Polynesian and Maori culture see - Webster p.229

³⁹ Hanson p.898

⁴⁰ *ibid* p.891-893, also see Keesing p.35

It is what Hanson sees as the second phase of cultural construction that is relevant to the theme of this chapter. In what he refers to as the 'Maori renaissance' of the 1970s and early 1980s, Maori culture, Hanson argues, was portrayed to contrast with the less desirable aspects of Pakeha culture:

In New Zealand ...human relations among Pakehas [sic] are often thought to lack passion and spontaneity; the Pakeha approach to things is detached and coldly rational, Pakeha have lost the appreciation for magic and the capacity for wonder or awe inspired by the unknown; Pakeha culture is out of step with nature - it pollutes the environment and lacks a close tie with the land. Maori culture is represented as the ideal counterbalance to these Pakeha failings.⁴¹

Certainly the aspects of the world view of Maori adduced from contemporary expressions of it outlined above appear to fit this description.

A significant feature of the representations of Maori culture that emerged out of the Maori renaissance was that they were historically fixed. Implicit in such articulations of tradition was the idea that they had existed in that form since time immemorial. This phenomenon, Hanson claims, affirms Derrida's idea of 'logocentrism' or 'metaphysics of presence'.⁴² Derrida's view is that a culture has no centre or locus but a sort of 'non-locus' in which a number of 'sign substitutions' come into play, observably taking the form of discourses.⁴³ Hanson claims a logocentric view would assert that traditional Maori culture existed in a determinate form at the moment of contact with European culture, and that the subsequent history has given rise to any disjunctures between tradition and contemporary society.⁴⁴ In accordance with Derrida's thinking he argues that today, as in pre-contact times, Maori culture has always been a series of sign-substitutions constructed differently in accordance with variations in political and social circumstances: "Certainly Maoris [sic] of the 1760s, no less than contemporary Maori

⁴¹ Hanson p.894

⁴² *ibid* p.898

⁴³ J. Derrida (1978) *Writing and Difference* Chicago: University of Chicago Press, cited in Hanson p.898

⁴⁴ Hanson p.898

activists, were moved by their own political agendas to appeal selectively and creatively to the traditions of their ancestors..."⁴⁵

In these processes of cultural construction, Western intellectual traditions are thought to have been influential. Keesing for example suggests that in presenting a coherent singular world view, indigenous people have perhaps been influenced by Western anthropology. He claims that, similar to the functionalist school of anthropology, they have given their traditions the qualities of concreteness and timelessness. Further, indigenous people's characterisation of their world view in terms of "... what pervasively and eternally distinguishes Them from Us", is evidence of them having grasped the notion of 'Otherness'.⁴⁶

In discussing the Maori renaissance, Webster makes the observation that as an abstraction of Maori culture, it has functioned to direct attention from the objective social reality of Maori society. He argues that socioeconomically Maori are no better off as a result of the renaissance, but that the State has a definite interest in promoting the appearance of it. This in part, is that it fosters the idea that if a people are culturally rich, they are less impoverished by being denied access to material resources.⁴⁷ His assertion that the renaissance and concomitant increase in academic interest in traditional Maori culture diverted attention from understanding the contemporary context of Maori society⁴⁸ is significant in the context of the conflict surrounding the possibility of using Aoraki in the settlement of the Ngai Tahu claim. The prominence ascribed to the environmentally benign nature of the Maori world view has led to a narrow definition of Ngai Tahu culture, and meant they have been left open to attacks by groups such as FMC and PANZ for having business interests, implicit in which is an assertion that this is 'un-Maori'.

⁴⁵ *ibid* p.898

⁴⁶ Keesing p.33

⁴⁷ Webster p.226

⁴⁸ *ibid* p.228

Conclusion

In the context of moving towards a post-colonial era, land is a site of great contestation in the struggle of indigenous peoples to re-establish themselves both materially and symbolically. Fundamentally this is the context in which the conflict surrounding the possibility of Ngai Tahu regaining a legal interest in Aoraki must be viewed. Hopefully this and the preceding chapter have illustrated that the landscape of Aoraki means vastly different things to the groups discussed in this study. As I have argued, it is unlikely that the significance to Ngai Tahu of particular landscapes has not changed through time. Importantly for a dispossessed people, their relationship to their environment is something that can not be entirely colonised nor controlled. In this way landscapes can retain cultural significance regardless of who holds the property rights to a particular area. Equally significant is that in these traditions being relatively fluid, they can be reinterpreted and reconstructed in accordance with emancipatory goals. The significance of Aoraki to many contemporary Ngai Tahu can be understood in the context of it being emblematic of a relatively recent tribal unity, a unity that was perhaps critical to their claim being heard, and will remain important in the negotiation of a settlement. However in articulating a specific relationship with the environment characterised by interdependence and respect for other natural phenomena, Maori leave themselves open to attacks when they choose to act in a manner that appears to be inconsistent with this world view. Significant in this regard is the possibility of deciding to develop natural resources more in accordance with the principles of modern capitalism than any dictates of traditional thought. It is this tension that I examine in the next chapter.

Chapter Four - Understanding contemporary Maori attitudes to land and development

Introduction

As discussed in the preceding chapter, the representation of Maori culture in an ecologically benign form can be seen as an idealisation of the past that can serve to divert attention from the reality of contemporary Maori society. Significantly the values integral to such a past sit somewhat uncomfortably with the fact that Maori are today in such a situation where many iwi are determined to develop resources they have rights to in order to improve the welfare of their people. As Keesing observes, it is ironic that "...those in the Pacific who in their rhetorical moments espouse these idealised views of the past are mainly... hell bent on technology, progress, materialism and 'development'."¹ This tension between 'traditional' and development oriented values is a significant factor in the conflict regarding the use of Aoraki in the settlement of the Ngai Tahu claim. The Ngai Tahu Maori Trust Board's involvement in various commercial ventures since its inception has given rise to the perception amongst many New Zealanders that Ngai Tahu is simply a private entity whose prospective interest in any conservation lands is simply privatisation.² This is largely a result of people's reluctance or inability to view groups as being grounded in more than one set of traditions.

Importantly contemporary Maori society is a result of a particular colonial history. As I argue in this chapter, this colonial history must be afforded a similar significance as to that of Ngai Tahu's pre-colonial past in order to understand the tension between traditional values and values more in accordance with participation in a capitalist economy. The colonial history of Maori, is by and large, one of oppression and dispossession. That Ngai Tahu had their economic base almost

¹ Keesing p.23

² O'Regan 'A great sadness' p.18

entirely alienated in the nineteenth century (in many instances fraudulently) is crucial to an understanding of attitudes to development amongst Ngai Tahu leaders today.

I will begin by briefly discussing what the Waitangi Tribunal saw as being the effect that Crown Treaty breaches in the South Island had upon Ngai Tahu society. That these breaches were seen to effect Ngai Tahu society to its extreme detriment is a context in which Aoraki as a symbol of tribal unity and revival can be viewed. The next section is concerned with the policies of successive governments affecting Maori land. My concern is not so much with the substantive aspects of the policies, but with the rationales that underpinned them. The two major themes I identify are the general thrust of forcing Maori into the new individualistic order of nineteenth century Europe that had been transplanted in New Zealand, and the 'use it or lose it' phenomenon where Maori were deemed only to have a moral claim to land if they were exploiting it in accordance with British notions of land use practice. In no way though am I suggesting that many Maori did not want to participate in a capitalist economy. Rather I am attempting to identify the influence policies can be seen as having had on contemporary Maori attitudes to land and development. If nothing else this analysis serves to reveal the irony that, arguably to the present today, Maori have been denied the opportunity to enjoy their lands in the very manner in which groups such as FMC and PANZ promote - that is *without* exploiting them. I then turn to a cursory examination of the attitude of some Maori leaders with regard development, especially members of the Ngai Tahu Maori Trust Board. Maori today are the inheritors of a specific colonial history that must be better understood for conflicts such as that surrounding the use of Aoraki in the settlement of the Ngai Tahu claim, to be comprehended. Importantly this history, as an example of the uneven development of capitalism, suggests the issue I am concerned with in this paper is about social equity as environmental values.

The economic dispossession of Ngai Tahu

In seeking an understanding of the objectives and attitudes to land and resources of elements of contemporary Ngai Tahu, a knowledge of their post-contact history and the effects that this has had upon them as a people is important. This history was largely determined by events in the nineteenth century. In the Ngai Tahu claim the Waitangi Tribunal was unequivocal that the claimants were effected to their extreme detriment by Crown actions that in many instances were in direct breach of the Treaty. In the deeds of sale for the Ngai Tahu blocks, all the land was included and reserves were to be subsequently surveyed and excluded for the sole use of the iwi. The pitiful size of these reserves, considered to be only nominal in character by the Tribunal,³ represents one of the major injustices suffered by Ngai Tahu.

In the initial contact period with European settlers,⁴ many Ngai Tahu prospered through supplying much needed commodities to the new arrivals and exporting produce to the North Island and Australia. However as more settlers arrived and took up residency Ngai Tahu were increasingly confined to their reserves, being prevented from procuring food from their mahinga kai (areas from which food was gathered) which in many cases was now the private property of Pakeha. In other instances the all important resource was simply destroyed as swamps were drained, and scrub and forests cleared. The effect of this was to "ghettoise" Ngai Tahu on tiny reserves that in many instances were inadequate even for subsistence.⁵ The Crown's failure to reserve Ngai Tahu sufficient lands also precluded the opportunity to engage in the new settler economy based on agriculture and pastoralism. The average land holding of less than 10 acres per Ngai Tahu individual was pitiful in

³ *Ngai Tahu Report* (vol 3) p.828

⁴ The first European sealers visited Fiordland in 1792 and were soon trading with Ngai Tahu of Murihiku (Southland).

⁵ *Ngai Tahu Report* (vol 2) p.501

comparison to the blocks of up to 30,000 acres being allocated to the newly arrived runholders.⁶

The Tribunal observed that by the 1860s Ngai Tahu were in a parlous condition, describing them as "...an impoverished people largely confined on uneconomic patches of land, almost entirely isolated from mainstream European development, neglected by government at both central and provincial levels, marginalised and struggling to survive both individually and as a people."⁷ Through this economic marginalisation, Ngai Tahu's traditional social structure was also eroded. This was compounded by the Crown having individualised Ngai Tahu's title to lands which had been reserved to them. Traditionally in Maori society individual rights were subordinated to maintain tribal unity, but in the new Pakeha order the individual's rights were paramount. The effect upon the traditional social order was further exacerbated by the attenuation of customary rights to mahinga kai. Given that these rights were generally predicated upon the actions of ancestors, reduced access to these resources constituted the severance of a vital link with the past. The loss of Ngai Tahu's economic base further weakened their social cohesion by forcing individuals to leave their kainga (settlement) in order to seek paid employment. As Evison concludes: "It was only after the Crown deprived Ngai Tahu of their economic resources that their prosperity, their industry, and eventually their morale faltered."⁸

The effects upon Ngai Tahu's social structure caused by their traditional economic base being alienated are arguably still being felt by Ngai Tahu today. The disproportionate representation of Maori in the lower echelons of most socioeconomic indices, cannot be disassociated from the alienation of the majority of their lands and the ensuing pressures that has placed on their traditional systems of social organisation. The sense of cultural alienation some Maori feel can be understood

⁶ *ibid* p.503

⁷ *Ngai Tahu Report* (vol 3) p.821

⁸ Evison p.492

in the context that the opportunity to practice traditional economic activity, important in engendering a sense of place and connection to one's ancestors, was, as a result of colonisation, denied large numbers of Ngai Tahu.

The Ngai Tahu claim that they had been subject to serious injustices through dealing with the Crown was first articulated in 1849. Although it has been heard by the Waitangi Tribunal, the claim continues through until the present day given that it is still to be settled. As Stephanie Kelly argues, the claim has been important in defining Ngai Tahu given it is the only pan tribal structure Ngai Tahu has ever known.⁹ Prior to its inception, Ngai Tahu was rarely anything more than a very loose confederation of hapu frequently embroiled in bitter conflicts with each other.

Some responses have previously been made by the government in an attempt to settle the grievances of Ngai Tahu. The most significant of these was the establishment of a Trust Board in 1946 to administer compensation money paid out in respect of Kemp's Purchase. The Board's role however evolved far beyond that of a mere trustee. In 1955 it became the Ngai Tahu Maori Trust Board with the passing of empowering legislation and the granting of a perpetual annuity by the Government. Significantly, although its membership is elected by tribal beneficiaries (which by no means include all people of Ngai Tahu descent), it is legally accountable only to the Government and not to the iwi. Today the Trust Board derives more income from its investments than its annual payment from the state.¹⁰

Importantly then, in the context of the conflict between Ngai Tahu and interest groups such as PANZ and FMC, the relative economic position of Maori is significant. Ngai Tahu made numerous requests for sufficient land to be vested in

⁹ Kelly p.203

¹⁰ T. O'Regan (1989) 'Ngai Tahu: Into the twenty first century' *Race Gender Class* 9/10:97-103 p.98

them in order for them to initially retain, and later regain, their economic independence. The refusal of these requests gave rise to a situation whereby Ngai Tahu, by the twentieth century, were dependent upon wage labour and such hand outs as the state saw fit.¹¹ This must be seen as being as much a part of Maori history as any pre-contact period that was typified by ecological harmony. Again I reiterate Webster's assertion of contemporary Maori life, as a result of this recent history, being as much a 'way of struggle' as a 'way of life'. Clearly Ngai Tahu were placed in extreme poverty as a result of European colonisation. This context is important in understanding the attitudes of contemporary Ngai Tahu leaders to development. It is these attitudes that have largely given rise to the perception that Ngai Tahu's interests in lands currently managed by DOC, is primarily commercial in nature. Importantly, as will be further discussed below, like many iwi, Ngai Tahu's colonial history has created an economic inequity and state dependence that its leaders are attempting to redress.

The ideological impact of Maori land policy

As well as alienating the economic base of iwi, the actions of successive governments also operated on an ideological level. In this way policies can be seen as having engendered a more utilitarian conception of land amongst Maori. By 1900, the main lines of policy that were to dominate the administration of Maori land until the present had been established by settler politicians.¹² Hence an examination of the attitudes underlying government policy in the nineteenth century is instructive to an understanding of contemporary Maori attitudes to land. Obviously the relative success of the colony depended to a large extent upon the rapidity with which the government, or when the right of pre-emption was waived, the settlers themselves, could acquire and settle Maori land. The fate of Maori was somewhat incidental to the general thrust of the settler desire for land. Some held that Maori were a race doomed for extinction while others believed they were worthy of assimilation into

¹¹ Evison p.473

¹² Ward p.217

Pakeha culture. One thing however was clear, severe obstacles were placed in the way of Maori wishing to continue their traditional way of life.

As noted by Webster: "Since 1840 the patient and persistent goal of capital accumulation under Crown and later state authority has been the legal extinguishment of Native title and the commercialisation of Maori land."¹³ This is significant in the context of attitudes to land in that policies directed to such ends largely destroyed the traditional basis of many iwi and forced them into a much more utilitarian conception of their lands. The arrival of land hungry settlers created a land market which saw land become a commodity for the first time.

The communal nature of traditional Maori society was seen by Pakeha settlers, imbued with the democratic and individualistic spirit of nineteenth Europe, as being the single biggest impediment to the eventual civilisation of Maori. To the settlers: "Maori communism represented a backward and inefficient system that had been thoroughly superseded by individualism...".¹⁴ Maori were regarded by many Pakeha at the time as being "...lazy, indolent and regressive people who could not 'utilise' their land nearly as effectively as the individualistic British settler."¹⁵

Many politicians (and presumably other settlers) believed that to overcome this communitarian ethic, Maori must lose their lands in order to be introduced to capitalism through becoming wage labourers. In 1871 Martin, a former Chief Justice, spoke of people who believed "...the sooner all [Maori] alike are brought to the condition of day-labourers the better."¹⁶ Fitzherbert (Member for Hutt) appears to be of that inclination stating that it is imperative that Maori do not solely rely on

¹³ Webster p.227

¹⁴ Brooking 'Use it or lose it' p.8

¹⁵ T. Brooking (1992) 'Busting up the biggest estate of all: Liberal Maori land policy, 1891-1911' *New Zealand Journal of History* 26(1):78-98 p.92

¹⁶ 'W. Martin to D. McLean' 29 July 1871 *Appendices to the Journals of the House of Representatives* 1871 A-2 p.7

their cultivations.¹⁷ Graham (Member for Franklin) likewise, claimed that Maori landowners "...would have to be found in employment, and to find it for them the land must be sold... for if they were not employed there would be no end to difficulties and troubles."¹⁸ The extent to which such rhetoric is simply an attempt at rationalising settler greed for Maori land, or is genuine sentiment, is irrelevant to the point that Maori were clearly being pressured to conform to the nineteenth century European ideal of individualism and the economics of *laissez faire*. Importantly though as Webster points out, "...colonial policies sought to accumulate capital through the control of Maori labour as well as land. Earliest policies explicitly intended to force most Maori into a landless working class by acquiring all 'waste' Native land for the Crown."¹⁹ Maori labour was a significant factor in many public works of the nineteenth century and was especially significant in the industrialisation of New Zealand.

The communal basis of Maori society was drastically affected by the workings of the Native Land Court.²⁰ The Court was set up in 1862 to rule on which Maori had interests in particular lands and to make provisions for their customary title to be converted to a Crown derived freehold title. Subsequent to the Native Land Act of 1873 a policy was adopted of individualising titles to land that were put through the Court. Although clouded in the rhetoric of being the key to civilising Maori, the Land Court was instrumental in alienating huge tracts of Maori land given its effectiveness in breaking communal resistance to land sales. The Court was hugely significant in the displacement of communal ethics in many Maori communities with those of competition and individualism.

A stream of thought very much related to the imposition of an individualistic order upon the Maori world questioned Maori's moral right to land if they were not using

¹⁷ *Parliamentary Debates* 23 August 1873 p.612

¹⁸ *Parliamentary Debates* 1 August 1867 pp.276-277

¹⁹ Webster p.227

²⁰ Since 1947 the Maori Land Court

it in a manner consistent with European utilitarian values. Unless Maori were actively exploiting their rohe, their rights to it were seriously questioned. This attitude gave rise to the adage 'use it or lose it'. This ubiquitous threat lies at the origin of the phase of Maori development that has led to the view by groups such as FMC and PANZ that Ngai Tahu are primarily a commercial entity today. Ironically Maori were penalised for exactly what these groups are promoting today, that is owning large tracts of land and not exploiting them.

Despite the existence of the English Common Law doctrine of 'aboriginal rights' (which holds that a people have a legally cognisable interest in land through autochthonous occupancy) a much more popular theory of property amongst settlers was that of interests deriving from the input of labour. Made popular by Locke, this theory is seen by Paul McHugh as representing a secularisation of the Genesis maxim of 'man' going forth and subduing the earth.²¹ As Peter Adams observes: "Since Europeans theorised that land only acquired value as labour and capital were expended upon it and that individual property rights arose originally from this expenditure of labour and capital, they were only prepared to recognise aboriginal rights to land which... [Maori had] tamed and cultivated."²²

The Treaty of Waitangi, although recognising Maori customary rights to their estates, also established a legal basis from which these rights could be eroded. As Douglas Sinclair notes, the first Land Claims Ordinance of 1841 "...constituted the whole land of the colony as the demesne of the Crown subject to certain (or uncertain) rights of the Natives."²³ Although trying on numerous occasions to claim virtually all of New Zealand as 'waste land' the Crown was forced to recognise the extent of Maori rights were in fact considerable. This however did not stop it or its subjects from putting extreme pressure on Maori to sell land they perceived

²¹ P. McHugh (1991) *The Maori Magna Carta* Auckland: Oxford University Press p.72

²² P. Adams (1977) *Fatal Necessity: British Intervention in New Zealand 1830-1847* Auckland: Auckland University Press / Oxford University Press p.189

²³ D. Sinclair (1981) 'Land: Maori View and European Response' in M. King [ed] *Te Ao Hurihuri - The World Moves On: Aspects of Maoritanga* [third edition] Auckland: Longman Paul p.113

as not being utilised to near its full potential.²⁴ In this thinking, Brooking argues, settlers were much influenced by Biblical metaphor: "Most knew the story of and comprehended the allegory of Cain and Abel and accepted that allowing good fertile land to lie waste was sinful."²⁵

Such thinking has manifested itself in the 'use it or lose it' syndrome which has predominated land-use thinking through to the present day.²⁶ In 1905 for example, a Commission was established to investigate why tracts of Maori land were not being utilised, and given the belief that it would be better used under settler ownership, facilitate its sale or lease.²⁷ The taking of land for the purposes of Public Works is another instance where Maori land, if not being put to specific uses, was perceived as not being of great importance to them. Under the Public Works Act of 1894 the Government could commandeer Maori land for the purposes of a road unless it was the site of a habitation or cultivation.²⁸ Today Durie argues, Maori land continues to be favoured for public works because it is generally less developed and consequently cheaper to acquire.²⁹ Similarly because of its often undeveloped state, Maori land is keenly eyed by conservationists as a possible addition to the conservation estate.³⁰ Regimes such as those of Estate duty and rates also

²⁴ An example in Ngai Tahu's rohe is an instance recorded by Edward Shortland on Banks Peninsula in the 1840s. A Mr Greenwood had been grazing stock and felling timber on the north eastern reaches of the Peninsula without the consent of the local hapu. As Shortland notes: "The doctrine which Mr Greenwood advocated... [was] the idea that there were large spaces of what they termed waste and unreclaimed land... to which they had a better right than those whose ancestors had lived there, fished there, and hunted there; and had moreover, long ago given names to every stream, hill and valley of the neighbourhood."

(E. Shortland (1851) *The Southern Districts of New Zealand* London: Longman, Brown, Green and Longman pp.257-259)

²⁵ Brooking 'Use it or lose it' p.19

²⁶ E. Durie (1987) 'The law and the land' in Phillips [ed] *Te Whenua Te Iwi: The Land and the People* p.79

²⁷ *ibid* p.79

²⁸ Brooking 'Busting up the greatest estate of all' p.87

²⁹ Durie p.79

³⁰ *ibid* p.80, and Mahuta p.83

perpetuate the 'use it or lose it' syndrome. Given that they are payable regardless of whether the land is generating a revenue, Maori are often forced to either develop or sell the land in question in order to be able to pay the charges.³¹

Such pressures to either use land or to risk losing it, has given rise to situations where Maori have developed ecologically sensitive areas incapable of sustaining such land-use practices in order to retain it in Maori ownership.³² Durie observes that: "The result has been that the models for the development of Maori land have been based on the expedients of a 'use it or lose it' philosophy rather than upon the dictates of traditional values that call for the more careful use of resources."³³ The phenomenon of Maori needing to develop land in order to retain it was a major factor that led to Apirana Ngata's land development policies and the formation of Maori Incorporations. Under Incorporations individual shares in land were consolidated into more economic units and finance made available for development. Further: "It was envisaged that the adoption of sound business-like methods would bring a new growth of income, which would be available in a realistic quantity to meet the expanding needs... of the Maori population."³⁴

There is a clear link then between the development and business aspect of Maoridom and the 'use it or lose it' nature of various policies impacting upon Maori land management decisions. I am not however suggesting a 'fatal impact' model of cultural interaction between Maori and Pakeha where there was no agency on the part of Maori at all. Clearly many Maori were keen to engage in the new world order that Pakeha brought with them. However my point is that in many instances Maori had little choice, either alienate their lands or develop them. Similarly the force of the new individualistic order was inescapable. Enjoying their lands according to traditional custom ceased to be a practical option for many iwi.

³¹ Durie p.80

³² *ibid* pp.79-80

³³ *ibid* p.80

³⁴ Sinclair 'Land since the Treaty' p.121

Contemporary Maori attitudes to development

The attitudes of contemporary Maori leaders to development are important to an understanding of contemporary Maori society, and the view of groups such as FMC and PANZ that iwi such as Ngai Tahu are today, primarily commercial entities. This perception is a result of iwi such as Ngai Tahu perceiving that self determination will only be realised through attaining economic independence from the State through a more aggressive involvement in the national and international economy. Outsiders' perceptions of Ngai Tahu have also been shaped by the rational and modern organisational forms that the Trust Board has adopted in order to be taken seriously by the brokers of power.

The situation of Maori dependence upon the state can be seen as a direct result of Maori affairs policy over the last 150 years, a cycle of dependence that many Maori leaders are now seeking to break through economic development. Ethicist Tim Dare, in an interview for the magazine *Management*, says that the 'sleeping giant' of Maori business seems to be have been awakened by the perception that the improvement of the social and economic position of Maori, is likely to be achieved today through economic development.³⁵ Certainly many Maori have lost faith in the likelihood of the social welfare system improving their relatively disadvantaged position.³⁶ Manuka Henare argues that Maori have for too long been embroiled in the 'kawanatanga' (government) of the Treaty and that this has created a dependency. He claims that until this cycle is broken 'tino rangatiratanga' cannot be realised.³⁷ In the case of Ngai Tahu, the desire to break the cycle of state dependence, has led the Trust Board to a much more aggressive involvement in the market economy. This is in an attempt to become economically independent of the

³⁵ C. Niven (1993) 'What price success?' *Management* (Feb 1993):40 p.40

³⁶ R. Mahuta (1987) 'Te whenua te iwi' in Phillips, J. [ed] *Te Whenua Te Iwi: The Land and the People* Wellington: Allen and Unwin p.86

³⁷ M. Henare (1990) 'Development: Sovereignty or dependence?' in New Zealand Planning Council *Puna Wairere: Essays by Maori* Wellington: NZPC p.44

Crown and to achieve outcomes independent of the state.³⁸ As its Chairperson states: "The model we're pursuing is active participation in the economy of Te Wai Pounamu, and we see the claim as a device with the potential to recapitalise our people in this society."³⁹

Importantly, as Nick Davidson points out, Maori business development has a far wider meaning than ordinary business activity given "...it is not just [about] the creation of jobs and wealth... [but] the means to that most significant end - Maori economic and cultural revival."⁴⁰ This motivation is a fact that critics of Maori involvement in business tend to overlook.⁴¹ Similarly groups such as FMC and PANZ ignore this point, embracing an attitude that holds all private enterprise as being potentially antithetical to the retention of lands such as national parks in public ownership.⁴²

Another aspect that has shaped the way in which Ngai Tahu are perceived is the ideology the Trust Board has fostered in creating the impression that they are a suitable agency to administer compensation payments and deliver services to Maoridom following the devolution of the Department of Maori Affairs. Stephanie Kelly argues that from its inception in the 1940s, the Ngai Tahu Maori Trust Board

³⁸ Kelly p.37

³⁹ O'Regan 'Ngai Tahu: Into the twenty first century' p.101

⁴⁰ N. Davidson (1994) 'Implementing business management strategies for Maori commercial ventures - trusts versus companies, self help and te tino rangatiratanga' *Paper delivered at the Third Annual Business Development Conference* Wellington, 18-19 July 1994 p.1

⁴¹ see for example M. Horton (1993) 'First there was the Business Round Table, now there's the Brown Table' *New Zealand Monthly Review* 341:14-16

⁴² Interestingly some research has indicated that the pursuit of commercial objectives is not necessarily in conflict with traditional values, there being the possibility of participation in a market economy being a continuation of the 'corporate kinship ethic'. Prue Toft argues that Maori Business leaders can have the autonomy to modify working conditions and the distribution of profits in a manner consistent with more traditional values. The structure of Trust Boards and Incorporations in New Zealand whereby profits are returned to registered tribal beneficiaries is such an example of distribution more in accordance with traditional values.

(P. Toft (1984) *Modern Maori Enterprise: A Study of Economic Adaption* MA Thesis, University of Auckland)

has, especially in public, deliberately engaged in a style of discourse that stresses efficiency and expediency.⁴³ This choice of ideology largely reflects the value Pakeha society affords instrumental rationality. Consequently the Trust Board has adhered to modern, rational organisational forms because these are considered to be the most real and developed, and through employing them Ngai Tahu can gain most in negotiations with the Crown and other agencies.⁴⁴

Importantly, although such discourses may have come to represent the public face of Ngai Tahu, Kelly argues that the Trust Board still engages in more traditional styles of discourse within the iwi. This reflects the reality that (supposedly at least) the power of the Trust Board ultimately lies at the level of the traditional Runanga (marae based councils). Modernity's preoccupation with 'truth' however, means that in the search for a 'rationality of life', modern cultural forms replace traditional oral and ritual based discourses,⁴⁵ and are held to be the grand narrative of a particular phenomenon. The reluctance or inability to acknowledge a 'multiplicity of truths' with regard Ngai Tahu leads to the essentialist view of them defined by their engagement in rational organisational modes of discourse - i.e primarily as a commercial entity. Kelly however, arguing from the position of truth being socially constructed, states that "...by adopting modern forms of bureaucratic organisation and discourse, a group does not have to lose sight of 'traditional' kinship and tribal structures with which its relations of power are interwoven."⁴⁶

It is perhaps in the leadership of Ngai Tahu that this participation in both traditional and modern discourses is most evident. From the mid-nineteenth century there appears to have been a realisation amongst Ngai Tahu that there was a need to have leaders that were comfortable in both the Pakeha and Maori worlds

⁴³ Kelly p.201

⁴⁴ *ibid* p.74

⁴⁵ M. Foucault (1980) *Power / Knowledge: Selected Interviews and Other Writings, 1972-1977* [ed C. Gordon] Brighton: Harvester Press p.170

⁴⁶ Kelly p.70

in order to pursue their claim. H.K. Taiaroa, the first Member for Southern Maori and later a Member of the Legislative Council, was such an individual. Taiaroa was not a significant rangatira (chief) but was most adept in the Pakeha world of politics, significantly advancing the claim of Ngai Tahu.⁴⁷ In most aspects, the career Tipene O'Regan, the current Chairperson of the Ngai Tahu Maori Trust Board, parallels that of Taiaroa. Significantly, like Taiaroa, O'Regan does not enjoy the unqualified support of all iwi members. Undeniable though is his pivotal role in bringing the Ngai Tahu claim before the Waitangi Tribunal. His skilful engagement in rational modes of discourse, and high profile as the public face of Ngai Tahu, serve to create and reinforce the image of Ngai Tahu as more a modern corporation than a traditional iwi. Importantly though within Ngai Tahu there continues to exist a matrix of traditional values. Given that they are rarely expressed publicly, they shape the popular perception of Ngai Tahu to a much lesser extent than modern, rational values publicly articulated by the Trust Board.

Conclusion

In this chapter I have suggested ways that the apparently popular perception that Ngai Tahu today are primarily a commercial entity can be understood. This perception of Ngai Tahu means that vesting title to Aoraki in them is seen as being paramount to privatisation and that they will want to derive significant economic returns from any resource or lands returned to them. My cursory look at the policy of successive Governments with regard Maori land and the thinking of settler politicians that underpinned such policies, illustrates that Maori participation in the new economic order was held to be a fundamental tenet of civilising them. As Ward notes: "A tooth-and-claw system of ruthless competition was thrust upon a people whose social polity was traditionally organised in extended family and village co-operatives."⁴⁸ Undeniably Ngai Tahu were placed in a position of extreme economic

⁴⁷ H. Evison (1990) 'Taiaroa, Hone Kerei' in W.H. Oliver [ed] *The Dictionary of New Zealand of Biography* (Vol 1) Wellington: Department of Internal Affairs pp. 493-495

⁴⁸ Ward p.187

disadvantage through the actions of the Crown. Consequently then there are issues of social justice relevant to this conflict - the Ngai Tahu Maori Trust Board's involvement in commercial ventures must be understood not simply as the pursuit of capital accumulation, but as being directed towards the social and cultural revival of Ngai Tahu. In this regard a desire to end dependence upon the state and exercise self determination or tino rangatiratanga underlies Ngai Tahu business ventures. As I have argued in the last section, the modern, rational face of Ngai Tahu is what they have presented to the public and Government in order to be taken most seriously as an agency capable of managing the potentially large settlement package and delivering state services to Maoridom. Consequently this has led to Ngai Tahu being defined in many peoples' minds solely in such terms.

Importantly there is a need for people to understand the multiplicity that underlies such groups as Ngai Tahu. In the preceding chapter it was argued that Maoridom cannot be defined solely in terms of their traditional world view. Similarly Maori actors should not be viewed purely in terms of their corporate activity. Maoridom is not a homogenous entity underpinned by a singular grand narrative. In the context of conflicts such as that surrounding Ngai Tahu's interest in Aoraki as part of the settlement of their claim, the complexity that constitutes Ngai Tahu means there is likely to always be significant tensions causing potentially great uncertainty. However a greater understanding of the complexity and diversity that constitutes contemporary Maori society is desirable in any attempt to move towards the solution of such conflicts. Important in this is the notion that participation in a market economy is a significant aspect of recent Maori history.

Chapter five - Conclusion

"If you would understand the land, first share in the life force of the people."¹

The conflict that is the subject of this study, far from being a superficial controversy about wilderness, reveals a plethora of complex issues, a few of which I have hopefully managed to identify and suggest ways of beginning to understand. Above all else I have sought to show the failure of those opposed to Aoraki constituting part of the Ngai Tahu claim settlement, to adequately understand the reality of Ngai Tahu's world - to share in the life force of its people. This world, as I have argued in the preceding chapters, must be understood both in terms of Ngai Tahu's history before and after the European colonisation of New Zealand.

Can it also be said though that there has been a failure on the part of Ngai Tahu to adequately understand the position of their opponents? The ascendancy afforded Pakeha values in New Zealand, not only with regard to land management but in all aspects of our society, suggests that Ngai Tahu would understand these values. In fact it is apparent that Ngai Tahu not only understand their opponents, but are willing to make concessions in accordance with their values. This is evident in statistics suggesting Maori support the existence of national parks in New Zealand,² and the assurances made by Ngai Tahu officials that the current status of national parks would not be affected were they to constitute part of the settlement.

A conflict such as that discussed in this study reveals the multiplicity of meanings a landscape has to people located in different cultures. Despite being

¹ O'Connor 'The life force of land and people in the contemporary Pacific' p.10

This motto is the outcome of reflections Kevin O'Connor shared with Maurice Gray on the painting 'Hongi at Tolaga Bay' by Peter Ireland

² A survey of Maori resident in Christchurch showed that over 90 percent thought national parks were a good thing, exhibiting a "...high level of support for the protection of land which is used for public enjoyment or use, and/or preservation of the natural environment."

(H. Lomax (1988) *Maori Use and Non-Use of National Parks* MA Thesis, University of Canterbury pp.54-61)

grounded in a set of diverse and rich traditions, the values of groups opposed to the use of Aoraki as a component of the Ngai Tahu claim settlement, appear to be relatively unsophisticated and largely an expression of self interest in the guise of high moral principles. The position of FMC and PANZ as can be adduced from the discourses they have engaged in, appears primarily to be a defence of their rights to recreate on lands currently managed by DOC, a sort of quasi-property right they enjoy. Absent from their articulations of the importance to preserve wilderness is any mention of intrinsic or ecological values. Significantly they are engaged in the defence of their right to pursue the enjoyment of nature, not as one may have thought, a campaign for the recognition of the rights of nature.

As was discussed in Chapter two, the antipathy with which the European settlers regarded the New Zealand wilderness was inseparable from their similarly pejorative view of Maori. Establishing civilisation in nineteenth century New Zealand was held to be contingent upon the taming of both Maori and the landscape: The former largely involved the displacing of traditional Maori communitarian ethics with ones of competition and individualism; and the latter the transformation of the landscape to one that accorded more closely with the pastoral ideal of the new immigrants. An important aspect of this 'taming' of the landscape involved alienating land from Maori ownership in order for it to be brought into production. Given that nature is hugely significant to Maori as a currency of social connectedness, the alienation of their lands was to have a huge impact upon them as a people. This is perhaps no more evident than in the case of Ngai Tahu.

Groups such as FMC and PANZ, having a predominantly Pakeha membership, are inheritors to the legacy of the dispossession of Maori. As such I believe they, like all Pakeha, must accept a degree of responsibility for the actions of their predecessors and attempt to view Ngai Tahu's interest in Aoraki in the light of New Zealand's colonial past. Their refusal to entertain the possibility of Ngai Tahu regaining a legal interest in Aoraki can be construed as being a continuation of the Pakeha hegemony that for so long has subjugated the rights of Maori. This refusal is also evidence of the failure of Westerners to take seriously a view of landscape

that falls outside the parameters of their largely scientific world view - namely that Aoraki is an ancestor of people of Ngai Tahu descent, and as such they enjoy a special relationship with it. Claims that the preservation of wilderness are above issues of ethnicity and culture should, I believe, be treated with scepticism. Perceptions of landscape are clearly culturally specific and as such the 'idea of wilderness' is clearly a Eurocentric construct. The proponents of wilderness preservation discussed in this study have been identified as acting more in self interest than in defence of nature as a end in itself. As such their position should be viewed relatively and not as the expression of a set of universal values.

In discussing the traditional world view of Maori I have encouraged the adoption of a more critical view of contemporary articulations of this paradigm. I have suggested that traditions can be viewed as being to some extent constructed to serve political ends, a process that in the case of Maori, has given rise to narratives defining Maori in terms of their benign attitudes to the natural environment. Significantly such definitions can be seen as diverting attention from the reality of contemporary Maori society, a reality that in the context of the conflict surrounding Aoraki, is equally as important as the pre-contact Maori world. Certainly such a perspective is crucial to understanding the enthusiasm of many Maori leaders for commercial development. In the case of Ngai Tahu such attitudes have given rise to a perception that the iwi is primarily a commercial entity. This perception underlies the thinking of groups such as FMC and PANZ that restoring an interest in Aoraki to Ngai Tahu is paramount to privatisation, a phenomenon which will in all likelihood see their rights of access affected.

This, I suggest, is a result of a failure of groups such as FMC and PANZ to recognise the multiplicity that constitutes an entity such as Ngai Tahu in the present. The primarily commercial perception of Ngai Tahu is largely a result of the modes of discourse the Ngai Tahu Maori Trust Board has engaged in and the high profile that institution enjoys. This profile can be seen as obscuring the fact that within the iwi traditional discourse continues to be important. The conflict reflects a belief on the part of FMC and PANZ that if Aoraki was a component of the Ngai Tahu claim

settlement, Ngai Tahu would not be guided in their management of it by their traditional values. This, quite apart from assurances that the area's status as a national park would not be affected, even if it were wholly returned to Ngai Tahu, illustrates a serious lack of trust and a failure to treat with Ngai Tahu as an equal Treaty partner. Surely what is important is how an area is managed, not who owns it.

In seeking to resolve conflicts such as this, close attention must be paid to what a landscape can mean to different ethnic and cultural groups. In view of the legal requirements of the Treaty, these differences are required to be expressed in the management of Crown lands, and in the case of Treaty claims, quite possibly expressed in ownership regimes. Although we should not underestimate the difficulty in reconciling these cultural differences, the situation with regard to Aoraki and the settlement of the Ngai Tahu claim, would appear to be relatively simple. Ngai Tahu, as a Treaty partner, has an interest in Aoraki above and beyond that of groups opposed to the mountain constituting part of the claim settlement. This interest should be legally recognised if we are at all serious about moving towards a truly bicultural future. Perhaps a useful perspective to adopt is that opposition to such a recognition, is a manifestation of a culturally specific set of values. These values need to be reconciled with Maori values, which in this instance, should be afforded at least an equal status. A resolution of this conflict that is satisfactory to Ngai Tahu could stand as a powerful symbol of New Zealand's commitment to moving towards a truly bicultural and post-colonial future.

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