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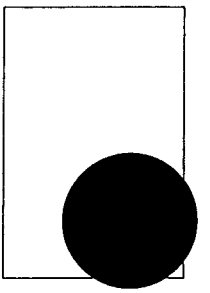

Late capitalism and ethnic revivalism

A 'New Middle Age'?

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Abstract

A new settlement between global capitalism and non-democratic forms of political regulation is emerging from the contingency between the neotraditionalist ideologies of ethnic revival movements and the modes of regulation of late capitalism. The discussion of the emergence of Maori neotribal capitalism illustrates the ways in which a neotraditionalist ideology (such as ascribed leadership and the assumed restoration of communal social relations of production) and non-democratic neotribal modes of regulation create the social conditions that guarantee the stability of capitalist accumulation. It is argued that this contingency threatens the historical and contradictory settlement between liberal democracy and capitalism and signals the possibility of a 'New Middle Age' (Minc cited in Friedman, 1994: vii). This 'New Middle Age' would be characterized by doubly oppressive social and economic structures: the oppressive political and social relations of traditional societies in conjunction with the exploitative economic relations inherent to capitalism.

Key Words

capitalism • democracy • ethnicity • indigenous • Maori • New Zealand • regulation • traditionalism

INTRODUCTION

This article examines the proposition that a contingent relationship[1] exists between late capitalism and ethnic revivalism in that the communal non-democratic ideologies of neotraditionalist movements are supportive of late capitalist accumulation. Using the recent emergence of neotribal capitalism amongst the Maori tribes of New Zealand, I argue that the support is the result of the ways in which revivalist ideologies (1) provide tribal, rather than pan-Maori, access to traditional resources such as land, waters and knowledge, (2) legitimate the processes by which traditional resources are brokered into national and international capitalism, (3) conceal the subsequent emergence of class relations in respect to the capitalization of the traditional resources, and (4) juridify and

institutionalize non-democratic modes of regulating the relationship between capitalized resources and the classed social relations. The article begins by examining the proposition that a contingency exists between late capitalism and ethnic revivalism. This is followed in Part Two by a brief discussion of the four mechanisms just identified. References are made to some of the empirical studies that led to theorizing the emergence of these mechanisms of neotribal capitalism. Studies of the revival and retribalization of an extended Maori family and the establishment by this family of a marine farm on tribal lands, a history of the Ngati Kuri tribe of New Zealand's far north, and the establishment of the national Maori fishing industry are available in Rata (2000, 2001b), as are studies of the establishment of the separate Maori education system of kura kaupapa Maori as a neotraditionalist education mode of regulation (Rata, 1996a and 2001a). Part Three analyses the implications for democracy of the late capitalism–neotraditionalism settlement. I conclude by suggesting that the hypothesized 'New Middle Age' is not inevitable. This will depend upon the willingness of liberal democratic forces to challenge the reactionary nature of non-democratic ethnic structures and to establish liberal egalitarian societies based upon meaningful economic and civic rights, as well as upon the legal rights of liberalism.

PART ONE: LATE CAPITALISM AND ETHNIC REVIVALISM

The theory of the emergence of Maori neotribal capitalism in New Zealand (Rata, 1999, 2000) is located within the 'debate about the putative transition from one dominant phase of capitalist development in the post-war period to another thirty to fifty year cycle of development based upon very different economic, societal and political norms' (Amin, 1994: 3). This new phase is referred to variously as late capitalism, flexible capitalism, post-fordism and global capitalism (Harvey, 1989). Ethnic revivalism amongst Maori is illustrative of the 'very different economic, societal and political norms' that have emerged within the global–local interaction of this historical phase. According to Jonathan Friedman (1994: 116–17), the character of the local–global dialectic is shaped by 'western dehegemonization and dehomogenization' as 'the conditions that empowered a dominant modernist identity' deteriorate, thereby enabling the emergence of a new 'arena of potential identity formation'. Ethnic revivalism is one such arena.

The argument developed in this article uses Friedman's (1994: 169) identification of 'a strong functional relation between changes in the flows of and accumulation of capital in the world arena and changes in identity construction and cultural production' that characterize such revivalism. I claim that emergent societal and political norms, identity construction and cultural production occurring amongst groups of Maori since the 1970s have arisen in response to and are shaped by the contemporary character of the global–local interaction and should be understood within that context. Furthermore, I argue that these emergent norms contribute to the ideological conditions required by late capitalist accumulation. This argument is in contrast to the more commonly accepted position that the emergent societal, political and cultural norms are the revival of a traditional society.

My purpose is to examine the ways in which the asserted contingency between late capitalism and ethnic revivalism is the result of the suitability of neotraditionalist ideology for the establishment of the social and political norms that support late capitalist accumulation, and at the same time, but in a contradictory way, support ethnic

revivalism. This contradictory support for capitalist accumulation is achieved in the following ways. Firstly, the traditional resources returned under the government's historical grievance settlement scheme are brokered into national and international capitalism as tribal property rather than as the traditional inheritance of both tribalized and de-tribalized Maori. Secondly, the tribal brokers are considered to be traditional leaders of a revived communal tribe rather than a class elite in an exploitative relationship to tribal and non-tribal Maori. This is despite their privileging relationship to the newly capitalized lands, waters and financial compensation packages. Thirdly, tribal organizations are recognized by the government as the modes of regulation of tribal economic and social activity, despite the non-democratic nature of the tribes. Finally, the neotraditionalist ideology of the revived traditional tribe and revived communal social relations is widely and uncritically accepted[2] by both Maori and Pakeha (white New Zealanders). By legitimating the capitalization of traditional resources, by enabling the creation of neotribal modes of regulation, and by concealing the bourgeois status of a section of Maori in traditional status and authority, neotraditionalism links ethnic revivalism and late capitalism in ways that contribute towards both the stabilization of accumulation and the entrenchment of inequalities.

The power of ideology in creating a traditional consciousness, despite the real material conditions of class exploitation, may be explained in terms of the unique structural features of capitalism with the interdependence between the dominant ideology dimension and the determinancy of the economic (Althusser and Balibar, 1971; Poulantzas, 1978). Mocnik argued that one of the consequences of the interdependence identified by Althusser (1971) is that 'the economic sphere runs by itself, i.e. it must be capable of producing any of the ideological conditions eventually needed for its reproduction which, directly, takes care of the reproduction of the effect of the "social totality"' (Mocnik, 1999: 111). Marx (1976 [1867]: 899) clearly identified the regulatory function of ideology in ensuring the stability of capitalist accumulation. 'The advance of capitalist production develops a working class which by education, tradition and habit looks upon the requirements of that mode of production as self-evident natural laws.' The more recent concept of a mode of regulation as the social environment of accumulation echoes Marx's 'mode of cooperation or social stage' (Marx and Engels, 1965 [1846]: 41). Regulation theory enables the 'homology of structures' to be conceptualized by theorizing the interaction of regulation and production within the total social structure of accumulation (Aglietta, 1979; Arrighi, 1994; Boyer, 1990; Gottfried, 1995; Harvey, 1989; Lipietz, 1992; Overbeek, 1990).

The strength of neotraditionalism as the ideology of neotribal capitalism can be located in the peoples' movements of ethnification, indigenization and retribalization from the late 1960s to the present day. Many Maori sought refuge in ethnic revivalism from the increasing impoverishment and disempowerment of the proletariat that is a feature of the crisis of fordism (Lipietz, 1994). This tendency to traditionalism as a response to the psychological crisis of modernity created by the fundamental changes of global accumulation has been identified by several writers. Friedman (1994: 243) refers to the

> security and even salvation provided by traditionalist identity in times of crisis. It is fixed and ascribed, provides a medium for engagement in a larger collectivity, and

> provides a set of standards, values and rules for living. In such periods, traditionalism is expressed in the desire for roots, the ethnification of the world, the rise of the fourth world, the return to religion and stable values . . . an age of tribalism in which individualism is declining and being replaced by increasingly strong collective pressures. Alain Minc has referred to all this in terms of a 'New Middle Age'. (Friedman, 1994: 243)

I argue that this 'New Middle Age' maintains the capitalist relations of production that characterize the modern period but recreates the social and political relations of the pre-modern period. This means that the contradictory but symbiotic class relations and democratic relations of modernity are replaced by a new association of class relations in conjunction with non-democratic political relations. However, because the non-democratic relations are understood as revived communal relations (and hence non-exploitative), this doubly oppressive new alliance of exploitative class relations of production and traditional ideological relations is concealed.

Ethnic revivalism is not an organic response emerging from its own history in order to revive traditional 'more humane' communities. It is a response to the recent crisis of capitalism. However, it takes its ideological character, if not its causation, from the colonial history. Amin (1994: 2) discusses the nature and direction of the 'post-Fordist debate' by referring to the 'eight potential new ages of post-fordism identified by Stenberg'. These include 'an age of fundamentalist rejection in many parts of the world of the technocracy and consumerism of the new information age, in defence of territorial or ethnic identities rooted in pre-enlightenment religious or communitarian traditions and values'.

Similarly, Touraine contrasts the modernist project of rejecting tradition with the new forms of traditionalist revival.

> Today's advanced industrial societies are far removed from this initial liberation [to escape political and cultural controls and . . . proclaim their right to satisfy their needs, to criticize princes and priests and to defend their own ideas and preferences], and feel trapped by their products rather than by traditional privations, but they are also in danger of being drawn to the dream of a closed communitarianist society which is protected from change. A critique of the modernist ideology must not lead to the return of what it destroyed. (Touraine, 1995: 32)

Significantly (and with echoes of Minc's 'New Middle Age'), Touraine warns that 'a critique of modernity must not stray into irrationalism and traditionalism' (1995: 33).

However, Maori revivalism has increasingly become characterized by a primordialist neotraditionalist ideology that ignores the Kantian *a priori* contingent conditions of time and space. Within that Kantian tradition of historical and spatial contingency, Poata-Smith criticizes the 'cultural nationalist explanations' that underpin 'cultural' or 'ethnic' explanations, arguing that ideas of a fixed primordial nature support biological determinism. 'Attitudes and values in and of themselves, have no determinacy. They do so only in particular material and historical contexts' (Poata-Smith, 1996: 38). Similarly, Webster (1998: 255) criticizes explanations that 'mislead by the traditionalist ideology of the (Maori) Renaissance'. Despite some academic (albeit muted) criticism of

primordial neotraditionalism, its dominance can be traced to the widespread influence of the Waitangi Tribunal, the institution established by the 1975 Treaty of Waitangi Act to investigate Maori grievances. Paul Temm (1990: 104), an influential member of the Waitangi Tribunal during the 1980s, demonstrates the absolutist nature of this position. '[T]he tribe, the *hapu* and the *whanau* are the very foundation of Maoridom. Every Maori is identified by his or her *whakapapa* or genealogy, and that *whakapapa* relates him or her to the parent, to the *whanau* (the family), the *hapu* (the clan), and from the *hapu* to the tribe itself.'

The Maori revival is widely understood by its participants, academics, politicians, educators and other commentators as the restoration of a traditional communal society. This is despite the character of the contemporary tribe as a capitalist organization in which the relations of production are the exploitative class relations of any economic regime based upon the extraction of surplus value within the production of commodities. The contradiction between the class relations of neotribal capitalism and the communal relations of ethnic revivalist idealism is concealed in the ideology of neotraditionalism. The inclusion of traditional means of production, that is, lands, waters and other resources, into the national and international capital circulation is understood as the modernization of a traditional economic system in which traditional social relations are maintained (Waitangi Tribunal, 1988). The establishment of a neotribal mode of regulation to control and order the relationship between the capitalized economic resources and the people is understood as the revival of traditional forms of sociopolitical relations which retain a communal and non-exploitative character. The emergence of a class elite is understood as the revival of traditional leadership rather than a self-interested and self-privileging relationship of those who brokered the capitalization of traditional resources to those resources. Neotraditionalism enables and legitimates the emergence of class relations out of the changed relationship between groups of tribal Maori to each other and to the traditional resources.

PART TWO: MECHANISMS LINKING LATE CAPITALISM AND ETHNIC REVIVALISM

In this section I provide an overview of the mechanisms that link late capitalism to ethnic revivalism within the discussion of neotribal capitalism. Illustrative references are made to the range of empirical studies that support the theory of neotribal capitalism (Rata, 1996a, 1996b, 1996c, 2000, 2001a, 2002). Late capitalism and ethnic revivalism are linked by the ways in which pan-Maori revivalism became reshaped as neotribal capitalism. Despite the pan-Maori nature of the revivalism movement in the 1960s and 1970s (that led to the government's acceptance of reparations for historical injustices), pan-Maori claims were redefined as tribal claims within the process of the reparation settlements. By the 1985 Treaty of Waitangi Amendment Act, the government had accepted tribal demands that 'traditional meant tribal'. Detribalized Maori were excluded (not without challenge) from the settlement claims that followed the Act as the resources were legislated as tribal economic property. My studies of the Rimu family's revival and return to tribal lands (1996b, 2000, 2001b) demonstrate those Maori, who, after enduring colonial dispossession and detribalization were able, as a consequence of the pan-Maori revival, to identify their tribe and restore lost tribal connections. Many other families were unable to accomplish this. The dispossession of detribalized Maori

from access to the traditional resources, and the capitalization of the resources as tribal property available for commodity production (Treaty of Waitangi Settlement Act, 1992), demonstrates the mutually shaping link between ethnic revivalism and late capitalism.

Maori indigenization (the process of claiming priority belonging to place) enabled the claim to traditional resources to be made (Rata, 2001b, 2002). Pakeha bicultural idealism, based upon settler descendant desire for place identity, enabled that claim to be recognized (Dominy, 2001; Rata, 1996c). However, recognition involved the structuring of indigenization into the institutions of the state. In turn, this process meant identifying and recognizing the social structure to be incorporated into the state. Because the leaders of the indigenous movements were also tribal leaders whose commitment was to tribal economic development (Mahuta, 1995, 1996; O'Regan, 1994), state recognition changed from a pan-Maori concept to the recognition of Maori as tribal Maori. The move during the second half of the 1980s to have the tribes recognized as representative of Maori and owners of the traditional resources was confirmed in the 1992 Treaty of Waitangi Settlement Act. According to the previous chairperson of the Commission (the leader of the large South Island Ngai Tahu tribe), 'the only justification for the Treaty of Waitangi Fisheries Commission is that it's required under its Act to shift its assets to the tribes. That's its function' (O'Regan, 1994: 9). The traditional means of production became available for capitalist economic development as a consequence of government legislation and policies that recognized the resources as capital owned by the corporate tribes.

The Maori Congress, an association of the larger tribes, was established during the 1980s. It played an influential role in the retribalization process, particularly in ensuring that the government recognized the tribes as both claimants and inheritors of the grievance settlement reparations. Within the 'revived' tribe itself, the possibility of economic development based upon the resources received from the historical grievances influenced the regulation of social relations. The ideology of traditional hierarchical leadership revival was an important mechanism linking ethnic revivalism and capitalist accumulation. The concept of traditional aristocratic ascription contributed to the acceptance of a hierarchy of social relations and the legitimation of a contemporary class elite. In reference to the recent disputes in the Tainui tribe between members of the democratically elected Management Board and the Maori Queen's appointees, regarding the leadership of the tribe's economic development, Ranginui Walker (himself a leading strategist in the Maori revival) referred to the importance of resolving the dispute so that the aristocracy was not undermined. 'Professor Walker dismissed the emphasis being placed on democracy . . . "*Tainui* must adopt a more collegial and consensual leadership or they will continue to self-destruct and undermine the aristocracy"' (*New Zealand Herald*, 19/20 August 2000). Despite the privileging relationship between the new class elite and the capitalized tribal resources, the concept of an elite is understood in traditionalist terms. Sydney Mead, an influential Maori academic and tribal leader, emphasizes that 'the social system of traditional times is still in place, though greatly changed. . . . There is still a Maori leadership system' (Mead, 1997: 203).

Another crucial mechanism in the linking of neotraditionalism to contemporary capitalism was the brokerage or 'comprador' strategy (Overbeek, 1990: 203; Poulantzas, 1976: 42). Local traditional lands and waters were brokered into the national and international sphere of capitalism by an elite group of Maori leaders who emerged as a

comprador bourgeoisie in relation to these resources. Initially this group of Maori agents had become incorporated into state institutions through their role as the exponents of pan-Maori revivalism and indigenization. Their self-interest in the capitalized resources of these agents developed as a consequence of their brokerage positioning – both to the traditional resources through their role as tribal leaders, and to the state, as representatives of the tribes. The class character of the tribal agents emerged in the pursuit of self-interest and the growth of a self-conscious relationship to that self-interest. Godelier (1972: 294) has identified the ways in which 'social inequality becomes greater and may become permanent when a minority has exceptional rights over the conditions of production'. This was the case with the tribal brokers. Although they did not own the forces of production, they were positioned to acquire those 'exceptional rights' through the transformation of the social functions.

Although the economic resources are the same lands and waters of the traditional economy, the function of these resources changed in fundamental ways. As capitalized resources, the lands and waters have become the source of surplus-value. According to Marx (1976 [1867]: 769), '[t]he production of surplus-value, or the making of profits, is the absolute law of this mode of production'. It is the 'determining purpose of capitalist production' (Marx, 1976 [1867]: 383), a purpose which enables capitalism to provide the social conditions for the contradictory outcomes of liberation from traditional oppression and exploitation by class division.

Such a fundamental change to the purpose of the resources has resulted in a similarly fundamental change in the relationship of people to the resources. Those in possession of, and those in control of, the resources have moved into a privileging relationship to these sources of wealth, a position denied to those who remained without access or without control. However, this controlling position is understood in terms of traditional leadership roles based upon status rather than in terms of the class position of the tribal elite. According to Godelier (1978: 213) this 'contradictory structure', that is, in the 'combination of community structures and embryo of an exploiting class . . . unity lies in the name of the higher community . . .' and emerges out of 'the movement from a classless to class society . . . [which] requires development of inequality inherent in the appropriation of the means of production'.

If a single event can be regarded as the 'moment' of the transformation of traditional resources into neotribal capitalism, it would be the 1992 Treaty of Waitangi Fisheries Claim Settlement Act. The tribes had been recognized as the owners of traditional resources during the juridification processes of the 1980s. However, property per se is not capital. A further step was required. The Fisheries Settlement Act was the most visible of the 'steps' into neotribal capitalism. It provided the mechanisms (the finance, the legal framework, the partnership with a major fishing company and the allocation of fish quota) for traditional waters to be used for the production and circulation of commodities.

The establishment of tribal modes of regulation that link the economic and ideological dimensions of the new corporate tribes was essential to the emergence of neotribal capitalism. In the neotraditionalist ideology of Maori revivalism the structuring principle of contemporary Maori society is considered to be a tribal kin-based social structure and the culture form of a person's identity is a tribal or communal-self. Temm (1990: 103) illustrates the pervasive belief that communal relations have been restored by the Maori

revival and must be protected by government policy. 'Clearly the first right [of partnership] must be that of preserving the integrity of Maoridom; of its culture, of its scale of values, of its self-esteem and of its tribal nature'. To achieve this the first and absolutely predominant requirement is to preserve (and in fact re-establish) its tribal nature.'

The new exploitative structure of the tribes was concealed in the collapse of the concept 'traditional' into the concept 'tribal'. The assumption that 'if it is tribal it is traditional' enabled neotribal capitalist activity to be regarded in terms of the revived communal relations of a traditional society. Mason Durie, an influential Maori writer, demonstrates this conceptual collapse in a statement that captures the confused and uncritiqued idealism of neotraditionalism.

> Promotion of group rights has been less energetic in the West, than the rights of individuals, and efforts to restructure tribal authorities, which are concerned with both group and individual wellbeing, have had to contend with strongly prevalent views that afford less status to the group, whether family or tribe. Yet, for Maori people at least, the focus on individualism has been costly, and the social and economic foundations of the group have been eroded. (M. Durie, 1989: 288)

The mistaken assumption that group rights can be equated with individual rights is another important confusion, which is a commonplace assumption of neotraditionalism. With reference to Jacob Levy, Brian Barry (2001: 107) points out that 'groups cannot be rights-bearers, for while they are group-differentiated they are not "group rights" in any meaningful sense'.

Throughout the 1980s and 1990s processes of juridification and institutionalization have consolidated tribal modes of regulation. In the Tainui tribe,

> [a] number of management committees [were established] to facilitate and direct economic and social programmes at the local level. In addition, a number of board committees were formed to oversee initiatives in areas such as farm development, health, education, welfare and youth. The goals of these committees include the expansion of *kohanga reo* (early childhood Maori language centres), bilingual schools and *kura kaupapa Maori* (Maori primary schools), as well as marae-based health, education and welfare programmes. (Mahuta, 1995: 28)

On a national scale the insertion of the principles of the Treaty of Waitangi into institutional charters and protocols has provided the structural sites for cultural brokerage. This is the case with separate Maori teacher education unions and in some church denominations. Bishop Wakahuihui Vercoe refers to the 1992 Anglican Church's constitution which is 'based on the principles of the Treaty of Waitangi, that we are two partners and have our own method of government, of structure, of organisation' (Vercoe, 1994: 115). The principles of the Treaty requirement also enabled a comprador role through the operation of the institutional positions, such as pro-vice chancellorship (Maori) at the University of Auckland, and Maori positions on a range of boards: research ethics committees, student selection boards for colleges of education, tertiary staff employment boards, and similar such bodies.

Partnership principles (although non-statutory) have also been evoked in education, welfare, health, the church, the union movement and other areas of social interaction.

This institutional partnership is demonstrated by the new type of nursing training, which incorporates 'cultural safety'. The concept of a person feeling culturally safe in the interaction with a nurse was designed in corporation with *iwi* (tribes) in different parts of the country.

> Much of the basic theoretical work evolved at Christchurch Polytechnic Department of Nursing and Health Studies as well as at the Otago Polytechnic Department of Nursing and Midwifery. Both departments have important relationships with Ngai Tahu [the main South Island tribe]. Otago Polytechnic, for instance, has extended to this *iwi* (tribal) co-ownership of the cultural safety component of the curriculum. (Ramsden, 1997: 120)

The recent government 'capacity-building' policy shows that the concept of tribal modes of regulation is now acceptable to the state although not debated in the national community. The policy

> would help *hapu* (sub-tribes), *iwi* (tribal) and other Maori organizations produce their own community development plans that would eventually go to Government agencies for financing. 'Capacity-building focuses on enhancing capabilities so Maori become the managers and controllers of their own development,' said Ms Turia [the Associate Minister of Maori Affairs]. (*New Zealand Herald*, 14 June 2000)

The devolution of state regulation to non-state institutions (including charitable, tribal, urban Maori and other 'private' organizations) and the shift to 'decentralised forms of labour process and work organisation' (Hall in Amin, 1994: 4) has resulted in the juridification of non-democratic bodies such as tribal organizations into state regulatory roles. Robert Mahuta (1996: 117), one of the leaders of the powerful Tainui tribe throughout these decades, traced policy devolution from the state to the tribes from 1984. 'From the *Hui Taumata* (Maori Economic Summit 1984), the then Minister of Maori Affairs and his Secretary advocated a policy of *iwi* development that became the basis for departmental policy and in 1988, eventually became government policy'. A decade later, Eddie Durie, Chairman of the Waitangi Tribunal, considered that the regulatory function being developed by the tribes should be extended to pan-Maori activities under tribal control. 'The Waitangi Tribunal emphasis has been on tribal development but there is a special need for some national Maori unity to develop . . . to create employment opportunities and assistance to our people that is not dependent on the state but comes from the tribal organisations' (E. Durie, 1994: 20, 27).

This movement into social regulation by non-democratic bodies is not uncontested. The inclusion of a clause in the Health and Disability Bill before Parliament in 2000 that recognized the tribes, rather than the state institutions, as the legal providers of health and social services to Maori drew protests from a range of diverse groups. The Bill required health administrators to interpret the law in 'a manner consistent with the Treaty principles and establish "partnerships" with local *mana whenua* [indigenous people of the locality]'. The insertion of treaty obligation clauses has also being considered for legislation concerning trade agreements, employment and local government. However, the protests moved the debate beyond issues of preferential treatment

for Maori, to a growing public awareness that deeper constitutional concerns are involved in the devolution of government social services to the tribes (Lange, 2001). In response to growing unease about tribal institutionalization, the government has attempted to counter charges of ethnic preferential treatment by developing the 'capacity building' policy discourse for tribal development.

Despite concerns over the increasing movement of non-democratically accountable tribal organizations into the state, political discussion of the meaning of 'partnership' is limited by the overriding role of the courts in determining the political relationship between the state and the tribes. Originating in a clause in the 1986 State-Owned Enterprises Act which stated that 'nothing in the act [is] to allow the Crown to act in a manner inconsistent with the principles of the Treaty of Waitangi', the concept of a partnership between the state and the tribes has become the basis for the tribes' role as a mode of regulation in economic and social areas. According to Mike Ross (NBR, 11 August 2000), the 'judicial activism' of the preceding decade has 'elevated the treaty to the status of a founding constitutional document'.

A former Minister of Treaty Negotiations, Sir Douglas Graham (*New Zealand Herald*, 30 August 2000), refers to the constitutional issues of the meaning of 'partnership' in a warning against the tendency to locate partnership in the Treaty of Waitangi. 'This so-called partnership concept came into common parlance after a Court of Appeal case in the 1980s. The judges were attempting to describe the duties the parties to the treaty owed to each other. They likened it to the obligation partners in a partnership had, but they did not say that the treaty actually created a partnership nor did it'. However, the idea of a treaty partnership has become widespread in political discourse. The 1995 Crown Proposals addressed the treaty partnership as a constitutional concern, referring to the treaty as the 'founding document of New Zealand' (*Crown Proposals*, 1995: 5). Within this discourse, the two different issues that flow from treaty obligations are merged and there is little or no distinction made between them. On the one hand there are the historical grievances, such as unfair land confiscation, which did arise from the treaty conditions and which should therefore be settled in accordance with the treaty, while on the other hand there is the post-1986 concept that the treaty established a sovereignty partnership. This latter concept underpins the movement of the tribes into a state type regulatory role in the provision of services such as health, housing, welfare, education and social services.

Concepts of governance and citizenship are now derived from the partnership principles that emerged from the emphasis on possessions and resources that are the subject of Article Two of the Treaty of Waitangi. Extrapolating the concept of governance from Article One into Article Two, from where it acquired a determinacy which rebounded back upon Article One, has enabled tribal members to be re-conceptualized as subjects of the resource-possessing tribe. In this interpretation (one driven by the Waitangi Tribunal), the right to govern (by establishing modes of regulation) results from resource possession. In other words, if the tribe is considered to be the possessor (or, more recently, 'owner') of the means of production, then the right of governance proceeds from that status. The effect of basing the political right to regulate a social group upon the economic right to acquire possessions shifts both governance and political subjectivity from the democratic state to the non-democratic capitalist tribe. In this interpretation the undemocratic nature and class structure of the contemporary tribe is

unacknowledged because the tribes are conceptualized as communal and non-exploitative structures. As in the traditional tribe, leaders are seen to be acting in the best interests of their peoples. Temm (1990: 104) makes explicit this assumption: 'If there is to be a partnership, as envisaged by the Treaty, that partnership must be between the Crown on the one hand, representing all people who live in New Zealand and who are not of Maori descent, and the tribes of Maoridom on the other hand, who will speak through their *rangatira* (leaders)'.

However, both traditional resources and tribal members are now regulated according to capitalist class relations as a consequence of the new relation between people and the capitalized resources. People are either in possession of tribal resources as a consequence of their tribal affiliation, or, for the non-tribal Maori, dispossessed from the traditional lands and waters. Amongst tribal members, the nature of possession is determined by the extent to which a person has control over the use and profits of the resources. The inclusion of the traditional means of production as capital within the sphere of commodity circulation has altered the process of valorization of those means. The resources have acquired a new value through the exchange mechanism of the capitalist sphere of circulation. The new mediation of the traditional means of production within a new totality, the totality of the capitalist regime of accumulation, also applies to the placement of the tribal agents, those Maori in authority over the means of production through ascribed forms of leadership. These agents have become mediated by their new placement, a repositioning which fundamentally changed their relationship to the tribe. Although the people themselves appear as the same people, just as the lands and waters remained the same lands and waters, they have changed in fundamental ways. Those in control of the capitalized means of production have acquired a class character as a consequence of the interests that arise from their new privileging relationship to the capitalized traditional economic resources.

The divisions and antagonisms of capitalism, which are the result of mechanisms of possession and privilege in relation to economic resources, are explained and justified within the neotraditionalist ideology of ethnic revivalism rather than in the global context of fundamental changes to regulation of capitalist accumulation. Divisions are understood as ethnic divisions between Maori and Pakeha, rather than as divisions between different socio-economic classes in a particular unequal power relationship.

PART THREE: THE CONTINGENCY BETWEEN LATE CAPITALISM AND NEOTRADITIONALISM

Accumulation stability in the era of late capitalism is contingent with neotraditionalist ideology in several important ways. First, the incorporation of traditional resources into global capitalism without the privatization of the capitalized resources enables revivalist beliefs in the restoration of communal property – and the non-exploitative social relations that are assumed to exist when property is held communally. Secondly, the 'resurgence of patriarchical practices and home-working' (Harvey, 1989: 153), along with the decentralization of industry that characterizes post-fordist production, supports revivalist beliefs in the restoration of traditional, albeit technically modernized, economic practices. Capitalism is thus able to contain civil unrest from ethnic groups, and the exploitative class relations that are integral to capitalism emerge in the guise of

revived traditional social relations. In this way, indigenous neotraditionalism and other forms of ethnic and pseudo-ethnic revivalism serve as the ideology of late capitalism.

In neotribal capitalism, capital and labour meet each other through the neotraditionalist ideology of shared ethnic and cultural identity. The antagonism between capital and labour, which is based in the real material conditions of existence of commodity production, is replaced by the ideology of revived traditional communality. This is the new communality of post-fordist production: the family business, the village co-operative, the tribal enterprise. Despite the appearance of a revived communal economy, however, capitalist accumulation creates fundamental social divisions. Indeed, I argue that the revived communal organization is repositioned in the service of capitalist accumulation in the form of the mode of regulation of neotraditional capitalism.

The neotraditionalist modes of regulation are, like other post-fordist modes identified by Overbeek (1990: 86), the 'ensemble of regulatory agencies and practices at the level of society which are created in response to the problems threatening the smooth operation of the Fordist mode of accumulation'. In the New Zealand example retribalization created this 'ensemble' by enabling the social forms and practices based upon kinship ideologies to be institutionalized with the inclusion of the traditional means of production into capitalist circulation. This process occurred in a range of processes: in the juridification of the resources as capital owned by the tribes; in the brokerage of these resources by the emergent comprador bourgeoisie; in the exclusion of non-tribal Maori from resource ownership; in the creation of tribal modes of regulation to organize the newly capitalized tribal resources; and in the political recognition by the state of these tribal modes of regulation as political entities.

Throughout the fordist production period of industrial capitalism large numbers of Maori belonged to the trade union movement (Thorns and Sedgwick, 1998). However, from the 1970s the fundamental shift in global capitalism from fordist to post-fordist methods of production and distribution reshaped worker consciousness of the social relations of production. The rise of ethnic revivalism was one of the consequences of the shift to late capitalism (Friedman, 1994). Consciousness of social division and exploitation on the basis of class location that had been developed in the trade unions of the late 19th and 20th centuries was reshaped as, firstly, pan-Maori ethnic and indigenous consciousness, and later as the consciousness of tribal identification. According to neotraditionalism, ethnicity and indigeneity are understood to be the essential subjectivity of the late capitalist worker, replacing and concealing class consciousness. To this end, ethnic and tribal consciousness is a mechanism in the depoliticization of the worker. The worker-in-community of late capitalism, as a communal-self, becomes merely one of the productive forces, to be regulated and managed in the non-democratic modes of regulation of neotribal capitalism, rather than an antagonistic protagonist in the political contestation for the rewards of capital accumulation.

Post-fordist capitalism favours the small, fragmented production location, with the on-site depoliticized regulation of labour relations. In neotraditionalism, workers-in-community experience their conditions of existence as ethnic subjects, within the depoliticized community. Democracy, as the political expression and regulation of an acknowledged and tense class antagonism and the location for the expression of this antagonism, is expensive for the capitalist ruling class. Wages are raised, welfare is demanded, and workers' conditions are improved in the open political battle for the

distribution of economic resources. The nation state and the individual democratic citizen are the site and the subject for the political regulation of the capital-labour antagonism and for control and influence over the politics of production, distribution and consumption.

Neotraditionalist regimes of accumulation offer an alternative to the messy conflicts inherent to liberal democracy and its expense to capital. The localized community of ethnic subjects, the ideology of communal relations of production, and the de-classed and de-politicized worker-in-community enable post-fordist capitalism to bypass the class protagonists of capitalist production and their site of conflict, the democratic arena of the nation-state. Without the class-conscious worker who is able to experience his or her real material conditions and express them through the individualized political subjectivity of the democratic citizen, and without the contradictory state as the site for class politics, the nation-state becomes an administrative rather than a political location. The economic power relations that establish and mediate inequalities, that are, in turn, able to be challenged in the contradictory democratic-capitalist state, are redefined as communal relations. Without acknowledged antagonistic and unequal power relations based within unequal economic production and distribution, a political arena for challenges to capitalist inequalities is no longer required.

The emergence of neotribal capitalism, with its non-democratic modes of regulation, has changed the relationship between the subject and the state in fundamental ways. By changing its role in regulating the relationship between subjects, fundamental changes occur both to the subject who is recognized and to the state as the recognizer. Individual Maori can be recognized either as the non-tribal democratic citizen (and therefore ineligible to receive the historical grievance settlements), or as the communal-self tribal member. However, the communal-self is not a political subject vis-à-vis the state. The new relationship between the state and its subjects is mediated through the non-democratic institutions and processes of the tribe. In this way the tribe and the state are the political protagonists rather than the citizen and the state.

The state has moved from being the ensemble of institutions and activities which structured and mediated the relationship between people in terms of their subjectivity as legally equal citizens, to the site within which the relationship between people is structured in terms of ethnicity. In turn, ethnicity is itself mediated through concepts of indigeneity (belonging to place), and group belonging (tribal membership). The changing function of the state in its role as the institution that structures and mediates the type of relations of a social formation has profound implications for democratic relations. This is the case because democratic relations require the recognition of the subject as an individual, politically linked to others as a consequence of legal, not ethnic, status.

I argue that two conditions in the contingent settlement between late capitalism and neotraditionalism threaten liberal democratic political relations and institutions. First, the individualized political subject is replaced by the reified ethnic subject whose consciousness is that of a worker-in-community. Secondly, the removal of the site of political regulation from the democratic state to the non-democratic institutions of the tribe removes the site for challenges to the inequalities of capitalism. The contradictory disempowered classed worker/empowered democratic citizen of the equally contradictory democratic-capitalism settlement is further disempowered by his or her regulation within an unequal economic system (neotribal capitalism) and an unequal

neotraditionalist ideology of aristocratic ascription and the communal-self as the prescribed cultural identity.

Despite the dangers of neotraditionalism to the democratic relations and institutions established during modernity, neotraditionalism is attractive to those groups identified by Friedman (1994) and Lipietz (1992). The 'collective idealism' of these groups, their reaction to the harsh conditions of late capitalism and the failure of modernity's promise of continued progress lead them to 'take refuge in archaic forms' (Lipietz, 1992: 106). Neotraditionalism offers the hope that political equality exists in a revived communality, that has regulatory control over the traditional aristocratic ascription because it is based in the communal 'ownership' of the traditional means of production. Such a claim, however, overlooks the fact that, first, the communal 'ownership' of the traditional resources of a redistributory economic system is completely different from the control of capitalized resources by a privileged elite in an accumulatory economic system. Secondly, the non-democratic forms of regulation of neotraditionalism do not have a subject position of ascribed equality, such as the liberal democratic citizen who is equal before the law of the nation-state. Thirdly, the sites of struggle between economic inequalities and democratic equality, that is, the site of the contradictory free yet classed subject and the contradictory capitalist yet democratic state, are absent from a neotraditionalist regime.

As demonstrated by neotribal capitalism, the institutionalized settlement between neotraditionalist modes of regulation and late capitalism has the potential to threaten the emancipatory role of democracy in the political regulation of unequal class relations. The emancipatory potential of democracy is embedded in the struggle between liberal citizen rights and capitalist inequality that results from the fundamental contradiction at the heart of the capitalist-democratic state. This argument does not deny the ideological character of either liberal or socialist forms of democracy in the regulation of the classed relations of capitalist regimes. However, the contradictions that exist in the shared site of the subject (the free citizen and the classed worker) and the shared site of the political process (the state as both the organizer of capitalism's inequalities and democracy's equalities) enable class antagonism to be expressed and contested. Neotraditional ideology does not have these sites of contradiction, and hence, does not have institutional sites for the political struggle between unequal economic classes.

CONCLUSION

Using the example of the emergence of neotribal capitalism in New Zealand, I have argued that the 20th-century settlement between democracy and capitalism (a settlement contingent with modernist hegemony emergent in the West, but not exclusive to the West) and fordist production is in danger of being replaced by a new settlement. This new settlement is between late capitalist forms of production, distribution and consumption, and non-democratic political forms of regulation emerging from localized responses to western de-hegemonization. Ethnic revivalism is one of the main localized responses to the changes in global patterns of hegemony and accumulation.

The political regulation of late capitalism will depend upon the extent to which the emergent forms of localized regulation can guarantee accumulation by providing political stability. The New Zealand experience indicates that non-democratic forms of regulation, based upon neotraditionalist ideologies of the communal-self and ascribed

leadership, may well challenge democratic forms of political regulation in the age of post-fordist capitalism by guaranteeing capitalist accumulation in conjunction with a neotraditionalist ideology. If this is the character of the new settlement between the political and the economic dimensions of a society, then the exploitative class relations of capitalism will be doubly oppressive as unequal neotraditionalist political relations reinforce, rather than challenge, the inequalities of capitalism. Unless democratic forces challenge this 'New Middle Age', the future is a return to the tyranny and oppression of the pre-democratic world.

Any such challenge will require a re-commitment to the liberal democratic character of the New Zealand nation-state. The continued marginalized position of many Maori must be re-addressed along with the inequalities generated by neotribal capitalist modes of regulation. This will require a vigorous critique of the assumption that the contemporary tribe is the 'revived' traditional tribe and is, therefore, the legitimate inheritor of traditional resources and of the newly entrenched position of the tribal élites, a group enriched by the very settlement process intended for impoverished Maori.

Such a recommitment to egalitarianism can only occur within a national civic discussion which addresses the way in which a liberal democratic state is able to recognize ethnic difference without compromising its non-negotiable features of universal human rights and freedom of association. The discussion must also confront the extent to which other outcomes of Maori revivalism are compatible with liberal democracy. These include the use of kinship (genetically-based) forms of social structuration (the very concept of a tribe), the institutionalization of the tribes into the democratic state, the validity of the Treaty of Waitangi (an ethnic 'boundary' marker [Barth in Ausenda, 1997: 253]) as a constitutional document for a democratic nation, and the use of the treaty to claim national resources for 'privatized' tribal ownership, for example airwaves, water and minerals.

Some commentators have expressed concerns about the politicization of culture, the ideological nature of neotraditionalism, the illiberality of the tribes, the inequality of grievance settlement distribution, the role of the Treaty of Waitangi and its interpretation by the Waitangi Tribunal, as well as other issues arising from Maori revivalism (Goldsmith, 2002; Graham, 2000; Lange, 2000; Munz, 1994, 2000, 2001; Rata, 2000; van Meijl, 2000; Webster, 1998). There are signs, however, that anti-democratic forces may be sufficiently institutionalized and powerful to block attempts to instigate a national discussion. The limited critical scrutiny that has occurred has resulted in attacks on the motives and ethnicity of the critic rather than in free and open debate about the actual issue. For example, the chairman of the Waitangi Fisheries Commission, Shane Jones, in rejecting the right of a Pakeha lawyer to criticize the tribal fisheries allocation process, commented, 'If a Pakeha QC wants to embroil themselves [sic] in Maori politics of a parliamentary nature, then that individual needs to get a blood transfusion. He needs to know his place' (Young, 2000). A second example concerns the current attempts by tribal leaders to have a member of the Waitangi Tribunal, Michael Bassett, removed from office. In a recent national television programme (Assignment, TVNZ, 9 May 2002) Dr Bassett expressed his deepening concerns at the historical 'bias' and 'emotional' language that characterize Tribunal decisions regarding tribal claims for settlement reparations. In 1999 – also with concern for historical scholarship – four professors of history attempted to initiate critical public discussion about the distorted portrayal of the

Moriori history at the National Museum of New Zealand in Wellington. The omission of the genocide and cannabilism of Moriori in 1835 by invading Maori was 'justified' in terms of the museum's 'commitment to the recognition of different knowledge bases' (Munz, 2000: 14). In the anti-intellectual climate of political correctness and cultural relativity that characterizes the discussion of Maori issues, this much-needed debate was effectively silenced before it began.

A national discussion about ethnic recognition in a liberal democracy requires citizens who think of themselves as contributing to a common discourse about their shared institutions. Whether it is too late for New Zealanders to re-establish such a common discourse will depend to some extent on the willingness of academics to play a leading role in this discussion and to insist upon the right of intellectual freedom for all commentators in such a discussion, regardless of their ethnicity. Unfortunately, New Zealand social scientists have tended to 'provide what Hobsbawm calls the "raw material" of nationalist and ethnic ideologies' (Turton, 1997: 37). Turton refers specifically to the disciplines of history and anthropology. In the New Zealand case, I would add education to the list of disciplines that reinforce neotraditionalist ideologies rather than provide the critique that would expose their ideological nature.

Brian Barry has examined the fundamental incompatibility between ethnic revivalism and liberal egalitarianism. With reference to Mills' *On Liberty*, Barry (2001: 127–8) rejects the 'pervasive strange idea' that the liberal doctrine of tolerance means the acceptance of multicultualism and cultural relativity. He points out that 'freedom of association, a core liberal value, and the value underwriting the freedom of groups to operate in illiberal ways is not respect for their culture but rather an acknowledgement of the significance in people's lives of free association'. Indeed, 'liberalism cannot accommodate "deep diversity" and 'it is right not to do so'. Its essential ingredients are the democratic state which recognizes individuals as citizens with rights before the law, and the citizen who is the bearer of those rights. The state recognizes the individual, not the group, whether an ethnic group or a religious group. However, liberal egalitarianism cannot justify its claim of democratic provision for all its citizens if that provision is limited to legal rights and excludes economic and civic rights. Equality of opportunity has meaning only when it is based upon all three rights.

Ethnic revivalism is the 'assertion of political and economic self-interest' (Turton, 1997: 28) with the neotribal capitalist extremes of wealth endangering the liberal egalitarian agenda. Although New Zealand has not (yet) been characterized by ethnic violence, it is familiar with the techniques described by Gallagher (1997: 47–75) used by Serbian and Croatian political and intellectual élites to whip up ethnic hatred and violence. These include the assertion of inalienable historical rights, the cultivation of a persecution complex by reminding people of past wrongs committed by ethnic opponents and an insistence that guilt for past wrongs is both hereditary and collective. Indeed, Turton's (1997: 37) assertion that 'ethnicity is unlikely to become a lethal force in human affairs except through the deliberate calculation of political élites' sounds a warning for New Zealand. The creation of essentialist ethnic boundaries has provided the condition for the emergence of a privileged tribal élite. The maintenance of that boundary through the promotion of neotraditionalist ideology and the silencing of critical scrutiny is in the interests of this élite.

New Zealand, like most other nations, must accommodate the fact that its people

have different ethnic origins and different cultural identifications. However, ethnicity has no greater claim to be the 'essence' of a person's identity than does any other form of an individual's socially constructed identity. National identity, for example, is no less able than ethnic identity to provide the social identification that human beings require to identify with a community. Indeed, 'identity does not have to have a distinctive cultural content at all' (Barry, 2001: 82). The case can be made for the one form of socially constructed identity over another form (for example, national identity over ethnic or indigenous identity) if that preferred form of identity offers basic human rights in a decent society.

Such a society is one that enables legal, civic and economic rights to be meaningfully exercised. It is a society characterized by institutionalized social justice, equality of opportunity for all individuals, a fair and just system of wealth distribution which accommodates both achievement and need, and by an education system which develops individual autonomy and critical inquiry. This society contains distinctive cultural, religious, and other lifestyle communities which satisfy individuals' civic needs for community support and belonging. If a liberal democratic nation can supply these conditions for its citizens then it establishes and justifies 'deep identification' of the citizen with the nation, ahead of the strength of the person's identification with other groups to which he or she belongs.

The 'New Middle Age' which would result from a settlement between the emergent political structures of ethnic revivalist groups and late capitalism is not the only possible outcome to the decades of various forms of revivalisms, ethnic or otherwise. Despite the contingency that has emerged between ethnic revivalism and capitalism (and that has a localized form in neotribal capitalism), the inability of neotraditionalism to provide conditions of social equality (despite the earlier promise) renders it vulnerable to sustained attack from liberal democratic forces.

Such attacks, however, firstly require that liberals recognize the threat to democracy posed by ethnic relativism and neotraditionalism. The emergence of increased inequalities amongst Maori as a consequence of retribalization suggests that the egalitarian doctrine of liberalism, its human universalism and its location in the democratic nation-state may yet offer an alternative to the oppressive and anti-democratic structures of 'closed' kinship societies (Munz, 1991, 2001). This will depend upon the extent to which the inequalities and oppressive structures of neotraditionalism can be replaced by a liberalism that, in recognizing the need individuals have to feel part of a supportive community, provides a strong concept of, and recognition for, *civic* rights as well as the more commonly recognized economic and legal rights.

Notes

1 'Contingent' is used in the Kantian sense of an *a priori* contingency of time and space. This means that events and experiences are located in particular historical and spatial conditions. 'Whatever perceptions you may attain to, you are still confined to conditions – in space, or in time – you cannot discover anything unconditioned . . .' (Kant, 1993 [1781]: 352). Ethnic revivalism is a relational concept and cannot be understood except within the historical and global conditions in which it occurs. Turton (1997: 26) emphasizes that not only are 'globalization and localization linked, but they are not simply reflexes of one another: globalization is a *precondition* of localization' (italics in the original).

2 The almost complete acceptance of neotraditionalism in New Zealand education illustrates the pervasiveness of this ideology. Bishop (1996) is one of many educationalists who exemplify the reification of culture and primodialism that characterize this uncritical approach. 'We know that there is a way of knowing, that is different from that which was taught to those colonized into the western way of thought. We know about a way that is born of time, connectedness, kinship, commitment and participation'. An essentialist Maori curriculum and pedagogy is actively promoted in university education departments and colleges of education despite its grounding in biological determinism. The following advice from a teacher to his colleagues demonstrates this biological approach. 'Maori children generally work best as individuals when they know that they are part of a group which in turn is part of a larger group, a secure *hapu* (sub-tribe) and *iwi* (tribe) base in the classroom' (Cormack, 1997: 165). In contrast, research by the anthropologist Toon van Meijl (2000: 101) suggests that 'large groups of predominantly young Maori people resist the increasing attention for traditional culture with which they are unable to identify'. However, this research, along with other critical research, is simply ignored by educationalists. Van Meijl's explanation for this sidelining of criticism in 'tribal interest in controlling and constructing political ideology in terms of culture' (2000: 93) is supported by my own research findings into *kaupapa Maori* education (Rata, 1996a; 2001b). However, the influential position and writings of one of the main Maori educational researchers, Professor Linda Smith, at the University of Auckland, who claims that research by non-indigenous people is a way of colonizing the indigenous and amounts to imperialism (1999), ensures that criticism of the neotraditional approach in New Zealand education remains effectively muted.

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