

Critique of Anthropology

<http://coa.sagepub.com/>

Discursive strategies of the Maori tribal elite

Elizabeth Rata

Critique of Anthropology 2011 31: 359

DOI: 10.1177/0308275X11420116

The online version of this article can be found at:

<http://coa.sagepub.com/content/31/4/359>

Published by:



<http://www.sagepublications.com>

Additional services and information for *Critique of Anthropology* can be found at:

Email Alerts: <http://coa.sagepub.com/cgi/alerts>

Subscriptions: <http://coa.sagepub.com/subscriptions>

Reprints: <http://www.sagepub.com/journalsReprints.nav>

Permissions: <http://www.sagepub.com/journalsPermissions.nav>

Citations: <http://coa.sagepub.com/content/31/4/359.refs.html>

>> [Version of Record](#) - Dec 2, 2011

[What is This?](#)

Discursive strategies of the Maori tribal elite

Elizabeth Rata

University of Auckland, New Zealand

Abstract

The Maori tribal elite are identified and their political and economic ambitions discussed with reference to recent strategic documents. Framing and supporting those ambitions is an indigenous discourse that has been crucial to the elite's success. Five discursive strategies are analysed: (1) constructing the indigenous collective as tribal Maori; (2) constructing indigeneity as 'the logic of the gift' in contrast to the "Western" logic of the commodity; (3) promoting indigeneity as an ahistorical primordial category to counter the social reality of ethnic fluidity in New Zealand; (4) promoting a vocabulary in order to control the meaning of key ideas; and (5) constructing indigeneity as a polity in opposition to the nation. A Treaty of Waitangi 'partnership' is promoted as the means by which the indigenous–colonizer dualism is brokered. Despite its efficacy to date, the discourse is undermined by inherent contradictions, including the elite's privileged position as a capitalist class, the growing inequalities within the tribal collective and the incarceration of indigenous people in an ahistorical timelessness.

Keywords

discourse, elite, indigenous, Maori, Treaty partnership, tribe

New Zealand, like other Western liberal democracies, experienced the shift from class to identity politics in the 1970s. In the New Zealand case, a new political positioning developed between a politicized section of the Maori population which increasingly identified in the public space as tribal and indigenous and those in the new professional class who identified as 'pakeha' (i.e. British settler-descendants). Initially the new positioning can be described as 'inclusive biculturalism' – a set of ideals, policies, and practices intended to bring Maori culture into mainstream society and, through social justice policies and historical reparation for illegal land confiscations to assist in the full integration of Maori people into

Corresponding author:

Elizabeth Rata, Critical Studies in Education, University of Auckland, 74 Epsom Avenue, Epsom, Auckland 1035, New Zealand

Email: e.rata@auckland.ac.nz

New Zealand's liberal democratic society. The ideals of 'one nation, two peoples: Maori and Pakeha'¹ and redistributive politics were fundamental to biculturalism. They remained the basis of the ideology until the late 1980s when biculturalism shifted to an 'exclusive' form. This was the period of retribalization, a process activated and shaped by the legal recognition of the incorporated tribe, rather than all Maori, as the recipient of the greatly expanded Treaty of Waitangi settlements.

Large-scale public financial and material resources were transferred to the 'neotribes' (Rata, 2000, 2003a) in a brokerage process (Rata, 2003b) between the first generation of the corporate tribal elite, for example: Sir Robert Mahuta,² Sir Tipene O'Regan, Dr Apirana Mahuika, Sir Hepi Te Heuheu, Professor Sir Sidney Moko Mead, Emeritus Professor Whatarangi Winiata and government biculturalists who identified at the time as 'pakeha'. This group included: the Rt Hon. Helen Clark, Professor Margaret Wilson, Dr Michael Cullen, Sir Doug Graham and Sir Geoffrey Palmer. Although the Treaty settlement process was initially justified as reparations for historical injustices it quickly gained its own momentum with justification shifting to the concept of a Treaty 'partnership'. Claims moved from reparation for the illegal confiscation of land to fisheries, forests, the radio spectrum, energy resources, and the foreshore and seabed, and, from 1987, to a new interpretation of the Treaty as a political 'partnership' between the tribes and the government. Despite the fundamental role that partnership discourse plays in justifying the tribal elite's political and economic claims through constitutional change, this interpretation of the Treaty of Waitangi has never achieved widespread support. A 1999 survey of attitudes to the Treaty and the Waitangi Tribunal found that the Treaty 'is a major point of division within the country'. Only 5 percent of those surveyed 'think that the Treaty should be strengthened and given the full force of law'. 'About 34 percent want the Treaty abolished' (Perry and Webster, 1999: 74). Ten years later, and despite considerable promotion (see for example the Treaty Roadshow that toured the country for four months in 2006), the Human Rights Commission's annual progress report on Treaty issues for 2009 (HRC, 2010) found *declining* numbers who agree that the Treaty is the country's founding document (a central idea of the latter period of biculturalism). The public disquiet concerns three main issues: (1) the fundamental shift in Treaty settlements from historical reparation and redistributive politics to corporate tribal claims for major public assets; (2) the corporate tribes' claims for a 'partnership' governance of public resources and services; and (3) the concentration of the wealth generated by the Treaty settlements under the control of a small tribal elite.

The elite operates through the Iwi Leaders Group and the Iwi Chairs Forum (*iwi* – tribe), organizations that have developed since 2005 out of the Federation of Maori Authorities (FoMA). The FoMA comprised the first generation of Treaty brokers formed in 1987 under the leadership of Sir Hepi Te Heuheu. Second-generation brokers concentrated in the Iwi Leaders Group are: Mark Solomon (Ngai Tahu, chair), Sonny Tau (Ngapuhi), Naida Glavish (Ngati Whatua), Harry Mikaere (Hauraki), Tukoroirangi Morgan (Waikato-Tainui), Ngahiwi

Tomoana (Ngati Kahungunu), Sir Archie Tairaroa (Whanganui) and Matiu Rei (Ngati Toa Rangatira) (Iwi Leaders Group, 2010). The smaller Iwi Chairs Forum is: Sir Tumu Te Heuheu, Mark Solomon, Tukorirangi Morgan, Sir Archie Tairaroa, and Toby Curtis. These groups draw on about 100 to 120 Maori tribal and business leaders (Ministerial Taskforce on Maori Economic Development, 2010a: i) and enjoy the support of the Maori Party, whose co-leader, Dr Pita Sharples, established and chaired the Maori Economic Development Taskforce. The Taskforce has produced reports from its inaugural 2010 conventions: *Iwi Infrastructure and Investment* (in May) and *Iwi Investment Wananga Report* (in August) (Ministerial Taskforce on Maori Economic Development, 2010a, 2010b).

This article is about the discursive strategies that have ensured the elite's rapid rise to success. To understand this remarkable phenomenon, one must turn to the intellectuals within the elite who have produced an indigenous ideology of 'two peoples' that captures the rhetoric of biculturalism's reparative and redistributive ideals and redirects it in ways that serve the interests of the small tribal elite. The tribal intellectuals include Justice Sir E.T. Durie, formerly Chief Judge of the Maori Land Court and chairman of the Waitangi Tribunal, professors Ranginui Walker, Sir Mason Durie, Lady Arohia Durie, Sir Sidney Mead, Linda Tuhiwai Smith, Graham H. Smith, Margaret Mutu, and academics Aroha Mead and Moana Jackson. Their published writings, speeches, policy documents, legal opinions, and masters and doctoral supervision and examination in the tribal elite have produced a powerful indigenous ideology that is used to justify the elite's economic and political ambitions. The discourse analysed in the third section of this article, following the next section's discussion of the elite, is: (1) the indigenous collective; (2) constructing indigeneity as the 'logic of the gift'; (3) timelessness; (4) choosing the words; and (5) bypassing the nation. I argue that this comprehensive ideological discourse (despite the inherent class-indigeneity contradictions discussed in the fourth section) is the reason for the elite's considerable success in achieving the control and/or ownership of major public resources and in promoting its political agenda for Treaty partnership and constitutional recognition.

The tribal elite

Acquiring recognition of a political status for what is, in fact, an economic corporation is the result of the 'two peoples' discourse developed in the initial bicultural period being transferred to the period of the corporate tribe. The meaning and purpose of the discourse is now quite different, with the shift from the initial idea that 'two peoples' refers to Maori and pakeha as two cultural groups to the idea of two separate political-economic entities in a Treaty partnership relationship. Despite the same words and phrases being used to discuss the Treaty and biculturalism, the terms: 'iwi', 'Maori', 'partnership', 'honouring the Treaty', 'two peoples', 'Treaty settlements', have a substantially different meaning. However, the same rhetoric serves to maintain the support of many biculturalists from the inclusive bicultural

period, despite the discourse now serving the corporate tribes, by justifying: (1) the status of the corporate tribe as the authentic Maori socio-political collective; (2) the elite as the collective's representatives; and (3) the status of an economic corporation as a political partner to New Zealand's elected government.

Mark Solomon, chair of the Asset and Collaboration Workstream of the Maori Economic Development Taskforce, in speaking to the iwi leaders demonstrates this conflation of economic and political purposes:

We are the perfect partner for Government. And they are aware of our thoughts on this matter. A relationship between Crown and Iwi, as co-investors in national infrastructure, is the next step in the Treaty of Waitangi partnership. (Ministerial Taskforce on Maori Economic Development, 2010a: v)

The politico-economic character of the tribe is demonstrated by the term 'collective capitalism' (Ministerial Taskforce on Maori Economic Development, 2010b: 3). It conveys the sense that the capitalist accumulatory economy is the same as the traditional redistributory economy, with the word 'collective' evoking the idea of fair distribution within a homogeneous traditional group. The tribal elite's commitment to this 'communal capitalism' is captured in the emphasis given to the idea in the *Iwi Investment Wananga Report*: '*Collective capitalism is the future, it is our past, it will deliver our potential and now is the hour*' (Ministerial Taskforce on Maori Economic Development, 2010b: 3, italics in the original). However, it would be a mistake to see 'fairness' as a necessary feature of a traditional redistributive economy, let alone of capitalism's accumulatory regime, to which the corporate tribe belongs. Capitalism is an economic system for the accumulation of surplus value. *How* that surplus is produced, distributed and consumed is a political matter. 'Collective', when applied to capitalism, is a troublesome concept. It may as easily be fascist as socialist. It may as well produce inequality as equality. Indeed, the record of the corporate tribe to date suggests that neotribal capitalism will be characterized by increasing inequalities.

Tribal wealth that comes from Treaty settlements intended to improve the circumstances of marginalized Maori has not been distributed in ways that suggest that 'communal' means 'equal'. According to Gill et al. (2010: 19), the '17% [of Maori who] report no tribal affiliation', includes 'some of those most disadvantaged in society'. The elite fought an aggressive legal campaign during the 1990s for kin-based tribes as opposed to non-kin urban Maori collectives, to be recognized as the legitimate inheritors of the traditional tribes and therefore eligible to receive Treaty settlements, one culminating in 'the 1998 High Court decision that "iwi" means "tribes" and tribes existing and recognized in 1840' (Round, 2000: 668). Treaty settlements were to be wealth-generating, not mechanisms for improving the social circumstances of Maori:

Sir Robert Mahuta, for example, declared in the 1997 Tainui Trust Board annual report that, regardless of the latest Treaty settlement, it was the Crown and not the

tribe, who had the duty to provide proper health care, welfare, housing, employment and all the basic needs of the Maori people. (Round, 2000: 669)

‘Collective capitalism’ is also troublesome because it excludes all those not of the collective, which may include people who identify as Maori but who do not know their tribe (Kukutai, 2004). In addition, because the tribe is a racial collective in that the criteria for membership of the collective is fixed in blood ancestry (Mahuika, 1998), those excluded may well be individuals within the large number of New Zealand families that have Maori and non-Maori members. Indeed, the extent of ethnic mixing in New Zealand means that ‘the majority of Maori ethnic children growing up today have a non-Maori parent’ (Chapple, 2000: 105) and that ‘half of Maori living as part of a couple have non-Maori partners’ (Callister, 2004: 9).

The first Maori Economic Taskforce Report *Iwi Infrastructure and Investment* (Ministerial Taskforce on Maori Economic Development, 2010a) was produced at the May 2010 convention convened by the Iwi Chairs and attended by 120 Maori tribal and business leaders; the second was held in August. The May report provides comprehensive details of the corporate tribes’ plans for economic expansion within a political arrangement with the government. The goal is to create ‘State-Iwi Owned Enterprises’ (2010a: v) from tribal ownership of public assets and services. The report proposes determining:

how Iwi Maori could invest in a range of Crown assets, including Crown ‘social infrastructure’ assets such as schools and hospitals, and ‘economic infrastructure’ assets such as toll roads, bridges, tunnels, airports, seaports, rail networks and energy infrastructure. Some of the assets (or the potential to invest in these assets) will also sit at other levels, such as local government. (2010a: 2)

The move into infrastructure ownership is to build on the rapid economic development of the revived tribes following Treaty settlement allocation to them. For example, by 2005/6 ‘the total commercial assets owned by Maori individuals, whanau (families), hapu (sub-tribes) and Iwi stood at \$16 billion – a massive increase of \$7.5 billion from 2001’ (2010a: ii).

It is not only infrastructure that occupies the corporate tribal elite. The intention is to add fresh water to the portfolio of public resources such as land, fisheries and forests already acquired. Justice Eddie Durie, at the Iwi Maori National Summit on Freshwater, December 2009, referred to the need to think ‘strategically about engaging with the trajectory’ – that is, from claiming management rights to securing property rights. According to Durie: ‘there is a great deal of jurisprudential support for these assertions’ (McMeeking and Tahu, 2010: 36). That may well be the case. The problem of judicial activism with respect to Treaty partnership interpretation is not new. According to Sir Robin Cooke, the former Chief Justice of the Court of Appeal, whose activism and personal beliefs led to the perception of the Treaty as a ‘partnership’ (Round, 2000), the Treaty

'is simply the most important document in New Zealand's history' (Cooke, in Palmer, 2006: No. 26).

The level of activism that characterized influential members of the judiciary has not gone without criticism. Legal academic David Round (2000: 670) has traced nearly 'all cases of judicial activism from the time of Sir Robin Cooke's presidency of the Court of Appeal', concluding that 'it has certainly brought the judiciary into disrepute and it has certainly encouraged unrealistic expectations'. In a move to discourage such activism, in 2004 the Deputy Prime Minister, Michael Cullen cautioned the judiciary:

Parliament has the last say on the law of the land, judges do not. Any perception that judges are pursuing a political agenda is injurious to the public good. It is not the role of judges to develop new law.

Proposals in the mid 1980s to introduce a higher law for New Zealand, including recognition of the Treaty of Waitangi, had been rejected and it would be unwelcome for the courts to revive them (Michael Cullen in Laugesen, 2004: A4).

The widespread acceptance of personal beliefs about the Treaty and biculturalism in judicial and government ministry circles is traceable to the close networks among the professional class who identified as 'pakeha' and promoted biculturalism in the late 1970s and 1980s at the same time as they acquired influential positions in the media, church, judiciary, academia and government (Rata, 2000). Margaret Wilson exemplifies this group and its support for tribal ambitions. She was President of the Labour Party from 1984 to 1987, and Professor of Law at Waikato University in the 1990s. Following Labour's election to government in 1999, she was variously Attorney-General, Minister of Labour, Associate Minister for Justice, Minister in Charge of Treaty Negotiations and Speaker of the House of Representatives. In a 1998 essay written for the Department of Justice she advocated constitutional change, identifying the factors considered essential 'for the agreement in the Treaty to become a basic tenet of the new constitutional arrangements'. The 'strategic plan' of Chief Judge E.T. Durie was identified 'as an appropriate model' for 'a reconstituted set of governance arrangements [that] is not only desirable but achievable' (Wilson, 1998: 3–4).

The close relationship between the corporate tribal elite and the government first developed in the alliances and networks of the 1980s and 1990s is maintained by the elite's intellectuals today. Seminars, conferences and consultation meetings bring together Maori academics and policy makers to strengthen bonds and extend influence. One example is the Centre for Maori Excellence Policy Seminars, held by the National Institute of Research Excellence in Maori Development and Advancement, Nga Pae o te Maramatanga (co-chaired by Professor Linda Smith), which are designed to:

create a space for dialogue between policy analysts and Maori researchers. The theme selected for each Research and Policy seminar will highlight issues that traverse the

different ministries, departments and agencies and that significantly impact on Maori cultural, social and economic development and wellbeing. (Nga Pae o te Maramatanga, Research and Policy series 1, 2005: 1)

The 2005 conferences were held in Wellington in order to build government officials into the networks. For example, the 'research and policy seminar series includes a Ministry respondent . . . who will also write and present a paper on the seminar topic' (2005: 2).

These networks provide the context for direct negotiations between the tribal elite and government ministers. For example, the Iwi Leaders Group first engaged in discussions surrounding fresh water with the Prime Minister of the Labour government in May 2007 (McMeeking and Tahu, 2010: 33). Closed-door negotiations between the elite and the government are now routinely included in Treaty settlements; for example, the settlement with the Ngati Porou tribe (OTS [Office of Treaty Settlements], 2009: 8) contains a provision for 'an annual Ngati Porou–Crown Forum for high-level discussion between Ngati Porou and Ministers'. This bypasses the processes required for other lobby groups in their dealings with the government and has led to accusations of a lack of democratic accountability over what are very public concerns. Indeed, there are growing numbers of print media and internet commentaries about 'secret dealings' concerning the privatization of public resources and tribal constitutional ambitions; for example, O'Sullivan (2010); Drinnan (2010); the Liberation website (Edwards, 2010) and the New Zealand Centre for Political Research's website (NZCPR, 2010).

While 'backroom' deals may well be an inevitable part of politics, they remain unacceptable in the democratic process. Indeed, it is a media responsibility to open up such deals to public scrutiny. However, the direct negotiation relationship that the government has with the tribal elite ensures that the public are only fully informed once negotiations are completed. In addition, by institutionalizing the process of negotiated agreements as exemplified by the Ngati Porou settlement, the lobbying of a special interest group is elevated to official status. Given the tribal elite's stated 'strategic areas of: Education, Health, Transport, Water, and Energy' (Ministerial Taskforce on Maori Economic Development, 2010a: 3), such a direct link to 'high-level government ministers' without public and parliamentary scrutiny gives the elite a huge commercial advantage. It also serves to normalize and institutionalize the concept of a political 'partnership' in the move towards the government's proposed discussions on the reform of the constitution.

The tribal elite's advantage in the privatization of New Zealand's public assets as a result of its current and planned political status is made clear in the 'National Infrastructure Plan' of the Taskforce Report (Ministerial Taskforce on Maori Economic Development, 2010a: 4). The 'conceptual scope of infrastructure' promotes the tribes as 'first-choice partners with the Crown for deals' (2010a: 6) concerning ownership and control of the national infrastructure. 'We see future public/private/iwi partnerships. Perhaps on roads, water, health and other strategic infrastructure, it is not impossible to imagine Iwi as cornerstone shareholders in

State-Owned Enterprises – making them State-Iwi Owned Enterprises’ (2010a: v). A background paper prepared by Iwi Chairs Forum for the United Nations Special Rapporteur’s visit in 2005 (Iwi Chairs Forum, n.d.) provides an overview of the Iwi Chairs Forum and the work of the Iwi Chairs Working Groups. This document states that ‘co-investment with the Crown is also founded in the concept that a relationship between the Crown and Iwi as co-investors in national infrastructure is the next step in the Treaty of Waitangi partnership’.

While ‘partnership’ is the justification for an economic elite claiming a political relationship with the government, the concept is disputed (Round, 2000). The interpretation dates from a 1987 Court of Appeal decision stating that the Treaty established a relationship ‘akin to a partnership’ (TPK [Te Puni Kokiri], 2001: 78). Its current use in justifying non-public negotiations between the tribal elite and government ministers itself originated in private meetings between Geoffrey Palmer (now Sir Geoffrey), the deputy prime minister at the time and tribal leader, Sir Hepi Te Heuheu (Rata, 2004). From the Court of Appeal statement, partnership language very quickly became an effective strategy in institutionalizing the corporate tribes’ economic and political interests. By the 1997 Muriwhenua Land Report, the Waitangi Tribunal (established in 1975 to hear Treaty settlements claims) had ‘anchored its view of the equal status of the Treaty partners in putative Maori perspectives at the time of signing of the Treaty: “That Maori and the Governor would be equal, not one above the other”’ (TPK, 2001: 81). However, W.H. Oliver (2001: 15) points out that this ‘presentist’ interpretation of history is of a ‘prefigured but unachieved functional equality [that] reflects present-day agendas for a constitutional structure in which Maori enjoy parity’.

Despite the widespread disagreement about the ‘partnership’ interpretation indicated in the academic literature and in the Human Rights Commission survey (2010), the strategy has proved extremely successful for the tribal elite’s economic and political ambitions. The next section examines the reasons for this success, one found in the elite’s capture of ‘the people’ as *ethnos* (racialized social groups) rather than *demos* (social groups based on universal principles). In this section I have argued that the elite’s ability to capture the discourse so effectively has its roots in the inclusive bicultural period. The support of liberals in government and the professions, a support acquired while this faction were at university with the first generation of Maori brokers in the 1960s and 1970s, has remained relatively steady, despite the shift to retribalization. One reason for this is the context of globalized neoliberalism, which encourages localized forms of devolution and privatization that I have examined elsewhere (Rata, 2010). The second, which I have discussed here, is the local context itself, with its close professional, often personal, links forged since the 1980s in the small community of New Zealand’s business and political elites. This is the basis of the ease with which tribal leaders and government ministers and officials now meet away from the public gaze to decide the future of the public commons.

Discursive strategies

I have argued that the tribal elite's political and economic success is the result of their ability to capture the rhetoric of the inclusive bicultural period and harness it to their self-interested aspirations. This section turns to the discourse itself to ask what language and ideas have such efficacy.

The indigenous collective

The tribal elite's claim to economic resources and political authority rests on its legitimacy as the representative of a homogeneous Maori collective. It is commonly accepted (for example, Brooker et al., 2010) that 'future demographic realities' (Ministerial Taskforce on Maori Economic Development, 2010a: ii) point to a 'browning' of New Zealand. According to the report:

in Census 1951 we were 6.9% of the population. In Census 2006 that had grown to 14.6%. Statistics New Zealand's future projections predict that in 2026 we will be 17% of the population. It is entirely probable there will be more Maori and Pasifika children in our schools than Pakeha well before the middle of this century. (2010a: ii)

The social reality is far more complex. While the raw statistics state that the numbers of young Maori are increasing at a rapid rate, this may or may not be the case. There is a range of possible identifications available to the population that identifies as Maori. Callister (2003: 15) notes that 'of all those who recorded Maori as one of their ethnic groups in the 2001 census, only 56 per cent recorded *only* Maori'. Indeed it is quite possible that many New Zealanders identified with several ethnic groups, including Maori, prior to 2006, but the prioritization principle used by the Department of Statistics until that year meant that those who included Maori as one of their ethnic identities were automatically assigned to the Maori category. This would increase the numbers of Maori, but the actual situation is complex. Given that those who do identify as sole Maori tend to be among the disadvantaged and the 'most disadvantaged are less likely to identify with a tribe' (Gill et al., 2010: 19), it is likely that there is a proportion of the 56 percent sole Maori who are Maori but not tribal Maori. In reality, the situation is as Chapple (2000: 104) describes:

Some people of Maori descent have a strong ethnic Maori identity; others have little or none. For some, their Maori identity is central to their lives; for others, different aspects of their social and personal identities... seem to take precedence' (2000: 104)

This complicated picture is the result of the widespread intermarriage that has occurred for about 200 years, so that today 'all Maori have some degree of non-Maori ancestry' (Butterworth and Mako, 1989: 1). As I note above, many New Zealand families have Maori and non-Maori members (including growing numbers

of people from non-European countries). The removal of the prioritization principle may provide a more accurate view of the true social reality but constructing the homogeneous Maori collective is complicated by the elite's requirement that these people be Maori *and* be tribal.

This requirement appears to have been met with increasing numbers of Maori signing up to the tribal registers, suggesting growing support for tribalization and, by implication, for the tribal elite. The 2001 census shows the proportion of Maori descendants who do not have tribal affiliation at 25–30 percent (Statistics NZ, 2011). According to Gill et al. (2010: 19), by the 2006 census the percentage of Maori without tribal affiliation had decreased from 26 percent, 'with 17% reporting no tribal affiliation'. Those more likely to put their names on the new tribal registers are the educated middle class, not the impoverished Maori in whose name the politics of wealth redistribution to Maori was initially justified. It is possible that individuals are registering in order to be eligible for Treaty settlements, given that there is no other way of doing so than through tribal membership and that it is unlikely that an individual's deep-seated identification with a tribe can develop in a short time span.

Given the messy social reality that compromises the tribal Maori collective discourse, it makes more sense to locate the collectivity in the indigenous ideal, a concept that is unaffected by the vagaries of individuals' lives. This discourse defines all Maori as 'indigenous', connecting individuals through primordial links that override other forms of association. Indigeneity not only creates the Maori tribal collective but provides an effective argument for inter-tribal collaboration – cooperation that would support one of the Taskforce's seven key areas – for 'tribal assets and collaboration' (Ministerial Taskforce on Maori Economic Development, 2010a: i). (The other areas are: the primary sector, education and training, small to medium enterprises, social and community development, investment and enterprise, and economic growth and infrastructure' (2010a: i). Indigeneity not only creates the homogeneous collective represented by the elite, but the concept is a relational one, excluding all those who are not indigenous. Thus, indigeneity establishes who the 'partners' are – 'indigenous' and 'colonizer' – along with the nature of the relationship. The latter are charged with the ongoing moral responsibility of a partner to offer 'first-choice' (2010a: 6) in the division of the public assets that accompanies the creation of two distinct peoples. It is the relationship described by Graham Butterworth (2006) as 'always winter, never Christmas', with the indigenous partner locked into grievance mode – and the 'colonizer' permanently classed as the one who must make amends.

Indigeneity can be applied to all Maori regardless of an individual's geographical and historical location. No tribe, except perhaps Tuhoe in the central-east area of the North Island, has a discrete population within a confined geographical area, so claims for governance based on a prescribed territory are not realistic. Judith Binney is one of a number of biculturalists who justify tribal claims for 'legal autonomy from the Pakeha Government' by comparing the claim to Scottish autonomy from Westminster. Binney 'believes there is nothing to be feared from

a separate Tuhoe nation operating within New Zealand. Such precedents exist around the world . . . from Scotland to Ireland to Catalonia' (Masters, 2009: B7). However, this argument ignores the fact that a person who is not descended from the indigenous people of Scotland may become a citizen of that country. To become a member of the proposed Tuhoe nation would require biological tribal descent. Even tribes like Tainui living in areas of the Waikato that are, by and large, populated by people of Tainui ancestry are side by side with rural settlements and towns, including the city of Hamilton, where the population contains a majority of non-Maori. Indigeneity's conceptual strength is that it overcomes this geographical restraint.

Constructing indigeneity as the 'logic of the gift'

What is it about indigeneity that cannot be shared by others – something that overcomes universalism itself? The answer, according to indigenous academics, lies in an indigenous episteme – 'the logic of the gift', currently being developed by indigenous academics (for example Kovach, 2009; Kuokkanen, 2007). The 'gift' was referred to by the recently appointed Professor of Indigenous Development, Charles Royal, in his inaugural address to the University of Auckland (Royal, 2010). The 'logic of the gift' embeds the dualism of a spiritual people of the land contrasted with a materialist and exploitative 'West'. This dualism was developed in the inclusive bicultural period and promoted in the writings of Emeritus Professor Sir Ranginui Walker during the 1980s.

Indigenous people the world over share a common spiritual, philosophical and cultural base in their mythology, tribalism and relationship to the earth-mother. The colonising Pakeha stemmed from a cultural tradition of west-European origin with its tribal roots attenuated or submerged by the new mythology of Christianity and the capitalist economic system, both of which redefined man's relationship with the earth and its resources. Under capitalism the earth is no longer perceived as a mother to be loved and cherished, but as a commodity to be bought and sold in the market-place. (1982: 16)

Despite its origins in Mauss's very 'Western' anthropology, the 'logic of the gift' is reconceptualized to distinguish the indigenous relationship – one characterized 'by reciprocity and by a call for responsibility toward the "other"' (Kuokkanen, 2007: 2) – from the commodity relationship of the West. According to Smith: 'what Maori people have, as with other indigenous people, is a distinct knowledge tradition which lies outside western views of knowledge' (1994: 10). Similarly, Durie refers to:

Maori worldviews, [that] like those of many indigenous people, are based on values and experiences that have evolved over centuries. They form the basis for a knowledge

system that is distinctly different from other systems such as science and the Judaeo-Christian philosophies. (2003: 13)

Like other forms of Occidentalism (Buruma and Margalit, 2004), which reject the West for an idealized view of the East as a symbol of the unity of mind and soul, Maori retribalists promote their traditional beliefs as more spiritual and less corrupted by what was seen as the decaying materialism of the West. For example, a major 1988 report on the Maori language referred to the East–West dichotomy: ‘The language is the embodiment of the particular spiritual and mental concepts of the Maori, more closely related to oriental tradition than to our western ways’ (Wai 11, 1988).

Kuokkanen views the ‘gift as a manifestation of reciprocity with the natural environment; it reflects the bond of dependence and respect toward the natural world. From this bond, certain responsibilities emerge’ (2007: 33). In contrast to the exploitative class relations of capitalist accumulative regimes, modes of regulation of the ‘gift’ regime are believed to be structured by communal social relations based on kinship and the ‘wise leadership’ (Durie, 2009: 2) of those who serve their people according to the traditional values of communal societies, albeit from a position of birth-ascribed privilege.

Steven Webster (1998) noted how the idea of birth-ascribed status and prestige continues to linger on in contemporary society. The tribal elite draws on this traditionalist discourse to justify their wealth and status, and to elevate the idea of aristocratic descent and kinship connections. This is most clearly illustrated by E.T. Durie’s reference (2003: ix) in the Foreword to Professor Sidney Mead’s book, *Tikanga Maori* (2003). The distinctly unscholarly reference to Mead’s ‘respected family lines’ juxtaposes ‘scholarly’ and ‘family lines’ without difficulty, despite the inherent conflict between birth-ascribed authority and the authority conferred by scholarship. This is the ‘social determination of scientific knowledge’ roundly condemned by Karl Popper (2003 [1945]: 236). The problem of the authority over knowledge when ‘who knows’ is conflated into ‘what is known’ (Maton and Moore, 2010) is exacerbated when that authority is justified in traditional genealogical networks. The close familial ties, for example – the Durie family and the Mead/Smith family – of many in the tribal elite, particularly among the intellectual wing, compounds the problem. However, kinship is portrayed, not as the nepotism of a classed elite but as the structuring principle of a revived traditional socio-political entity.

The ‘logic of the gift’ episteme underpins Maori policy and research in New Zealand (Marie and Haig, 2006). There are numerous examples in education (Openshaw, 2009) while in health, Mason Durie’s ‘Te Tapa Wha’ Maori Mental Health Model was developed to compensate for what was regarded as a lack of a spiritual dimension in the Western-based secular health services (Maori Mental Health Model, 2010). The new ‘Whanau Ora’ (lit.: healthy families) social policy is claimed by its advocates to offer a new concept of sustainability and balance based on indigenous values of ‘service to others, thinking of others ahead of oneself

and guardianship of the environment'. These are 'sacred and powerful concepts' from:

our ancient ideas and cultures that used these structures for living successfully for many thousands of years. In fact far longer than the economic and societal political and legal structures we use today, that are only several hundred years old and are failing.

The writer, Naida Glavish, one of the Iwi Leaders Group, refers to the restoration of the natural order and hierarchies of whanau (kinship) of the policy as 'one of the most forward thinking initiatives by any New Zealand government for generations' (Glavish, 2010: A13).

Timelessness

A major advantage of the indigeneity concept is that it is ahistorical and can be applied to social groups across time – from the mythological past into an imagined future. The 'longer memory' (Durie, 2005) of indigeneity mobilizes time and space to reconfigure the meaning of continuity between the present and the past. By linking the present to a primordial past and by linking the Maori experience with that of all indigenous peoples, a time–space continuity is naturalized to serve as a strategy of political legitimation (Schroder, 2003). It succeeds by ascribing 'a timeless and sacred quality to what was simply prior occupation', the 'rhetorical heightening of the unexceptionable fact of having been here first' (Oliver, 2001: 22–3).

The reification of indigeneity in a timeless primordialism conceals indigeneity's use as a modern concept for a very modern world. Tania Li's (2010) detailed examples from areas of Asia and Africa shows how the concept has played a strategic role in the management of people and resources in colonial and contemporary periods as a mechanism of both dispossession and possession in the interest of capitalism's market forces. As a legal and administrative process, indigeneity works through communal ideologies to fix people to land. In this way, those who govern in capitalism's interests either from within the indigenous group as with the Maori, Tongan or Fijian elites, or from the outside as colonists, use processes of the inclusion or exclusion of people in relation to the land as a means to control the operation of the market and labour mobility.

Choosing the words

Fixing the 'indigenous–colonizer' relationship in a reified timelessness also fixes the Treaty 'partnership' as an agreement between the 'Crown' and 'Iwi' for all time, despite its obvious historicity. Although the term 'government' is normally used to refer to the public's representatives, it is common in tribal politics to adopt the 1840 term 'Crown' in place of government. Its use evokes both a legitimating legal

discourse and an ongoing reference to the 1840 Treaty of Waitangi as an agreement between the British Crown and the majority of Maori tribal chiefs. It also serves to disempower the 'public' as the referent for the entire New Zealand population represented by the government. The 'Crown-Iwi' discourse evokes two separate peoples who each constitute a distinct 'people' and are therefore eligible to own public assets. Creating and controlling the language used for politics in this way is a highly effective strategy. It can be seen with the promotion of Mason Durie's 'iwi-citizen' concept (2001) and in Mark Solomon's 'State-Iwi Owned Enterprises' neologism in the Taskforce Report (Ministerial Taskforce on Maori Economic Development, 2010a: v).

The use of the term 'iwi' itself rather than 'Maori' or 'tribe' effectively solves the problem of how to refer to a population that is not homogeneous but in a way that implies homogeneity. While 'iwi' means tribe and has that specific meaning, in the 1998 High Court decision referred to above, 'iwi' is also used to refer to Maori generally. In this way, 'iwi' serves two contradictory purposes. It implies a collectivity by referring both to all Maori, but also to tribal Maori specifically. It is not surprising that the shift in the discourse from 'Maori' to 'iwi' occurred in the process undertaken between 1984 and 1992 to transfer large-scale fisheries to tribal ownership. While the term 'iwi/Maori' appeared in some fisheries documents at the time (for example, Habib, 1991), 'iwi' replaced Maori as the recipient of the Treaty settlements in name as well as in substance with the 1989 Maori Fisheries Act. According to the Act 'Maori fishing rights were Iwi-based' (Habib, cited in Rata, 2000: 216).

Controlling the collectivity discourse ensures that the fiction of two distinct socio-political imaginaries is maintained, especially in the face of the weakening of the 'pakeha' collectivity. The term 'pakeha' for white settlers became an important bicultural symbol from the late 1970s, when many professionals of the liberal left adopted the term as a self-referent (King, 1985). The declining commitment from this group to biculturalism in the face of the shift from its inclusive to exclusive form (Rata, 2008), combined with increasing migration from non-British countries in recent decades, has seen its replacement, 'non-Maori', gaining wider currency (for example, New Zealand Curriculum, 2007: 14). This weakening of one bicultural referent puts greater weight on the 'Crown' to serve as the preferred referent for 'iwi', both terms more useful for tribal elite purposes.

Bypassing the nation

The international context of indigeneity means that the nation-state can be bypassed for an international network of indigenous polities. Mason Durie's (2009) 'Global Indigenous Systems network scenario' is a scenario designed to 'advance indigenous economies through world-wide indigenous collaboration' (2009: 9). Durie foresees Maori tribes providing a model for 'integrating economic and social capital and bringing together a mix of resources [to] become a major player in the New Zealand economy and a leader in indigenous economic

development'. Echoing a mistrust of democracy that can be found in the tribal self-determination movement, particularly in democracy's 'undermining' of the aristocracy (Ranginui Walker, cited in Rata, 2003c: 48), Durie suggests that 'even the Westminster system' (Durie, 2009: 6) is not guaranteed by a future that contains possibilities of 'new understandings of society, democracy, commerce and sovereignty'. Referring to sovereignty as 'a concept that is culturally constrained', Durie's relativism envisages the blurring of sovereign boundaries between states and the increasing mixing between public and private interests. (The latter is a strong theme in the *Iwi Infrastructure and Investment* report [Ministerial Taskforce on Maori Economic Development, 2010a].)

Professor Sir Mason Durie is probably the most influential of the tribal elite intellectuals. His position papers on education 'A framework for considering Maori educational advancement' (known as 'the Durie Principles')³ (2001) and his Maori Mental Health Model (2010) are seminal in the shift to separate Maori health and education systems. It is reasonable to assume that his position paper on the 'evolving state' (2009) will be similarly influential. It is a major document about the constitutional and economic position of Maori in the future, presenting a clear picture of racially distinguished peoples in various forms of partnerships as an alternative to the liberal democratic nation-state. According to Durie, 'the hallmark of Maori in the future' will be 'partnerships with the Crown (i.e. the New Zealand Government), with the private sector, between Iwi (i.e. tribes), with overseas commercial interests, and with indigenous peoples across the globe' (2009: 12).

Indigenous–class contradictions

Despite its not inconsiderable advantages to the tribal elite, 'indigeneity' contains deep-seated contradictions. It creates a primordial collective in the face of growing evidence that the Maori population contains as many differences as any social group (Callister, 2004; Chapple, 2000; Kukutai, 2004), including the very difference created by the Treaty settlements to the tribes – that of a class division. The argument that indigeneity is implicated in class reconfiguration is, of course, not new. The 'cultural identity politics of indigenous people where class is the determining element in identity construction and political alliance building' (Steur, 2005: 175) is a process well documented in the literature (see, for example, Larson and Zalanga's [2003] account of indigenous elite emergence in Malaysia and Fiji; Schroder [2003] on the United States; Widdowson and Howard [2008] on Canada; and Rata on New Zealand [2000]; as well as Li's [2010] account of the practice in Asia and Africa). In New Zealand as elsewhere, indigeneity serves as a class-reconfiguration strategy in two ways: it divides ordinary tribal Maori from other working-class people and it provides greater power and legitimacy to the emergent tribal elite as a capitalist class.

Yet indigenous discourse is at the same time a powerful source of self-determination aspirations (*tino rangatiratanga*). The contradiction presents a dilemma for

the tribal elite. On the one hand, as representatives of the political campaign for self-determination, the elite serve as traditional leaders. In justifying the drive for tribal self-governance and its constitutional recognition, their indigenous rhetoric emphasizes the difference between indigenous people and the colonizing 'West'. At the same time, the group is a capitalist elite simultaneously engaged in a 'Western' global economy. Managing this contradiction is made less easy by dissension within the ranks as those Maori committed to tribal self-determination express disquiet about the growing economic inequality between ordinary tribal members and the elite. This takes a number of forms: for example, it is seen in the 2011 ousting of rebel member of parliament, Hone Harawira from the Maori Party over his claims that the Party was no longer serving the interests of poor Maori (among other issues), and in the debate between Professor Margaret Mutu and Maori lawyer Annette Sykes held at the University of Auckland in 2010. Sykes referred to the 'self-anointed Iwi Leaders Group', whose commercial deals for acquiring geothermal resources, national parks, private prisons and mining were 'harnessing Maori to a global capitalism that impoverishes the mass of working class Maori' (Sykes, 2010).

The Maori elite's need to establish difference from the 'West' in an anti-Western stance while simultaneously engaging in a 'Western' global economy is behind the importance of the partnership concept. There must be division but also a way to cross the divide. However, brokerage must not lead to unity, given that it is in the brokerage function (i.e. of representing the people in a permanent partnership relationship) that the leaders emerged as a self-interested elite (Rata, 2003b). Two separate social groups, with a distinctiveness located in primordial origins that remain fixed for all time, require leaders to represent one group to the other. The ideology of a deep and permanent division between Maori and non-Maori enables the elite to maintain its comprador status as the political representatives of the social group, a status that is permanently fixed in the separation.

Jones and Jenkins (2008), with reference to other indigenous intellectuals, have theorized the importance of maintaining the 'hyphen' between indigene and colonizer so that the division is maintained. By emphasizing not only the distinction, but reasons why a permanent division is necessary – to protect the indigenous from the corrupting and colonizing forces of 'Westernism' – the tribal elite justifies the existence of a separate socio-political entity that it controls. Yet, at the same time, the trust required for all market transactions must be developed and maintained. Despite the ideological division between indigenous and non-indigenous, all players operate in the same global economy and operate according to the logic of that market. Localized forms of capitalism are distinguished only by ideologies such as 'communal capitalism' that draw on traditional beliefs to justify inequalities.

The indigenous episteme conceptualizes not only the contrived distinction between indigenous and coloniser in terms of the 'logic of the gift' and the 'logic of the commodity', but also accounts for the relationships between the ruling elites of localized capitalism. This maintains the illusion that elites who justify their

power and wealth with reference to tradition are somehow different from other elites. The concepts of ‘partnerships’ (Durie, 2009) and ‘reciprocity’ (Kuokkanen, 2007) help maintain the ideology of the permanent division between indigenous and non-indigenous capital, while at the same time providing the mechanism for trust between groups united in commerce. In his description of the commercial transactions at the Royal Exchange, Voltaire recognized how the commonality of capitalist elites dissolved seemingly intractable differences. ‘The Jew, the Mohometan, and the Christian transact together as tho’ they all profess’d the same religion, and give the name of Infidel to none but bankrupts’ (1994 [1637]: 30). In New Zealand, indigenous and non-indigenous businesses are able to share the commonality of transaction despite the widespread belief that ‘Maori business is a unique form of commerce within a cultural and historical context’ (Light, 2002: 16). It is a view strongly promoted in the *Iwi Investment Wananga Report* (Ministerial Taskforce on Maori Economic Development, 2010b). The convention noted its commitment to ‘generating kaupapa Maori models of business’ (2010b: 3).

However, Devlin’s study of ‘Maori business’ found that ‘issues of culture and ethnicity in business ... may give the appearance of a distinctly ethnic business, [but] in substance such issues are ... largely irrelevant in business and may in fact mitigate against successful business performance (2006: 82). Analysing a number of commentators who claim to have identified ‘Maori business’, Devlin argues that ‘the concept of Maori business is both confusing and elusive’ (2006: 85). In particular, he puts to the test the oft-cited claim that Maori are the most entrepreneurial people in the world. According to Devlin, this is

a cynical take on an inadequate definition. There is nothing in the literature which would indicate, or lend support to claims that Maori in business are any more entrepreneurial than anyone else. On the contrary, a 2004 study by Frederick and Henry suggests Maori may be less entrepreneurial than entrepreneurs generally because of societal and cultural factors. (2006: 89)

Conclusion

Given the vulnerability of democracy to capitalist elites in the current age of globalization it is reasonable to predict that democracy in New Zealand is threatened by the extensive political ambitions of the corporate tribal elite. The elite acknowledges that democracy does not necessarily fit with the imaginary of a revived tribal political entity based on birth-ascription and ‘blood’ ancestry. For example, Durie refers to the likelihood that ‘the principle of indigeneity will not be welcomed by all New Zealanders’, given that ‘it seems to clash with the notions of democratic citizenship’ (2001: 8). Despite the rapid advances of the tribal elite’s political ambitions, the recognition of the corporate tribe in a political, even constitutional

arrangement with New Zealand's democratically elected government is not inevitable.

The indigenous discourse of continuity with a more 'spiritual' tradition in opposition to the materialist 'West', while an essential strategy in gaining political recognition and the economic benefits that flow from this recognition, is a double-edged sword. One outcome is that described by Buruma and Margalit in their examples of regimes that promote the 'notion of an organic, volkisch nation, rooted in blood and soil' (2004: 145). For them, 'Occidentalism becomes dangerous when it is harnessed to political power' (2004: 148). The 'partnership' and 'reciprocity' rhetoric of indigenous intellectuals appears benign in comparison to the militant versions described by those writers. However, one outcome of the idea of indigeneity as somehow outside and superior to capitalism, is that indigenous peoples become fixed in an ahistorical status as communal people in relation to land and resources.

In this class reconfiguration process indigenous elites, like all elites, occupy a privileged position by harnessing progress to their own interests. The globalized indigenous elites 'tend to be upwardly mobile and identify increasingly outside the nation-state, moving into the cosmopolitan stratosphere, while downwardly mobile middle classes and working classes identify increasingly with the local and the rooted' (Friedman, 2009: 97). The poor, locked out of modernity's progress by an ideology that dismisses progress as 'Western', serve their time in an ahistorical timelessness. This is the stasis captured in Peter Sutton's (2009) account of the degradation of re-indigenized Australian Aborigines. While indigenous elites operate in the real historical world, those they represent must remain fixed as the people in whose name indigenous politics can operate. In this way, indigeneity as a discourse of self-determination becomes complicit in incarcerating ordinary people in a polity that allows no contestation, despite the inequalities of class division. Tribal politics in New Zealand exemplifies this process.

Notes

1. 'Pakeha' referred to British settlers during the colonial period, becoming the term for white New Zealanders more generally in the 20th century. During the inclusive bicultural period the term was used to denote the non-Maori referent.
2. Because I am describing these individuals as an elite, I have included their titles since these are visible symbols of that status.
3. The 'Durie Principles' which underpin the development of the separate *kaupapa* Maori education approach include the goals: 'to live as Maori' and 'to participate as citizens of the world' (Durie, 2003: 199–200), but do not refer to New Zealand and to national citizenship.

References

- Brooker B, Ellis G, Parkhill F and Brailsford I (2010) Maori achievement in literacy and numeracy in Canterbury schools. *New Zealand Journal of Educational Studies* 45(1): 49–66.

- Buruma I and Margalit A (2004) *Occidentalism: The West in the Eyes of its Enemies*. London: Atlantic.
- Butterworth G and Mako C (1989) *Te Hurihanga o te Ao Maori: Te Ahua o te Iwi Maori Kua Whakatautaia*. Wellington: Department of Ministry Affairs.
- Butterworth G (2006) Historical revisionism in New Zealand: Always winter and never Christmas. In: Rata E and Openshaw R (eds) *Public Policy and Ethnicity: The Politics of Ethnic Boundary Making*. Houndmills: Palgrave Macmillan, 185–200.
- Callister P (2003) The allocation of ethnicity to children in New Zealand: some descriptive data from the 2001 census. Paper presented at Population Association of New Zealand conference, 3–4 July, Christchurch.
- Callister P (2004) Ethnicity measures, intermarriage and social policy. *Social Policy Journal of New Zealand* 23: 109–140.
- Chapple S (2000) Maori socio-economic disparity. *Political Science* 52: 101.
- Devlin M (2006) Ethnicity in business: The case of New Zealand Maori. In: Rata E and Openshaw R (eds) *Public Policy and Ethnicity: The Politics of Ethnic Boundary Making*. Houndmills: Palgrave Macmillan, 81–94.
- Drinnan J (2010) ‘Maori seek their cut of spectrum cash’. *New Zealand Herald*, 29 January.
- Durie M (2001) *A Framework for Considering Maori Educational Advancement* Ministry of Education. Available at: <http://www.minedu.govt.nz/>.
- Durie M (2003) *Nga Kahui Pou/Launching Maori Futures*. Wellington: Huia.
- Durie M (2005) Tino Rangatiratanga. In: Belgrave M, Kawharu M and Williams D (eds) *Waitangi Revisited: Perspectives on the Treaty of Waitangi*. South Melbourne: Oxford University Press, 3–19.
- Durie M (2009) Pae Mana: Waitangi and the evolving state. The Paerangi Lectures, ‘Maori Horizons 2020 and Beyond’. Massey University Te Mata O Te Tau Lecture Series, 14 July.
- Edwards B (2010) *Liberation*. Available at: <http://liberation.typepad.com/liberation/2010/08/the-2010-bruce-jesson-memorial-lecture-annette-sykes.html>.
- Friedman J (2009) Occidentalism and the categories of hegemonic rule. *Theory, Culture & Society* 26(7–8): 85–102.
- Gill D, Pride S, Gilbert H and Norman R (2010) *The Future State*. Working paper 10/08, Institute of Policy Studies, Victoria University of Wellington.
- Glavish N (2010) Policy and enlightened way forward for all New Zealanders. *New Zealand Herald*, 30 April: A13.
- Habib G (1991) *Maori Fishing Rights, a Review*. Auckland: Ika Consultants Ltd.
- HRC (Human Rights Commission) (2010) *Treaty of Waitangi 2009 in Review*. Available at: <http://www.hrc.co.nz/resources>.
- Iwi Chairs Forum (nd) Background paper. Available at: <http://www.iwichairs.maori.nz>.
- Iwi Leaders Group (n.d.) Further work to be done on foreshore and seabed. Press release. Available at: <http://www.mediapeople.co.nz/releases/article.php?id=30816>.
- Jones A and Jenkins K (2008) Rethinking collaboration: Working the indigene–colonizer hyphen. In: Denzin N, Lincoln Y and Smith LT (eds) *Handbook of Critical Indigenous Methodologies*. New York: SAGE, 471–486.
- King M (1985) *Being Pakeha*. Auckland: Hodder and Stoughton.
- Kovach M (2009) *Indigenous Methodologies: Characteristics, Conversations, and Contexts*. Toronto: University of Toronto Press.
- Kukutai T (2004) The problem of defining an ethnic group for public policy: Who is Maori and why does it matter? *Social Policy Journal of New Zealand* 23: 86–108.

- Kuokkanen R (2007) *Reshaping the University: Responsibility, Indigenous Epistemes, and the Logic of the Gift*. Vancouver: UBC Press.
- Larson E and Zalanga S (2003) Indigenous capitalists: The development of indigenous investment companies in relation to class, ethnicity, and the state in Malaysia and Fiji. *Political Power and Social Theory* 16: 73–102.
- Laugesen R (2004) Cullen's latest dig at Elias slams 'law-making' judges. *Sunday Star-Times*, 1 August: A4.
- Li T (2010) Indigeneity, capitalism, and the management of dispossession. *Current Anthropology* 51(3): 385–414.
- Light E (2002) Embracing Tikanga: The Whakatu story. *NZ Business*, 16–18 February.
- McMeeking S and Tahu N (2010) Background paper 6: Freshwater management. Available at: <http://www.iwichairs.maori.nz/Kaupapa/Water/Water.pdf>.
- Mahuika A (1998) Whakapapa is the heart. In: Coates KS and McHugh PG (eds) *Living Relationships – Kokiri Ngatahi: The Treaty of Waitangi in the New Millennium*. Wellington: Victoria University Press, 214–221.
- Maori Mental Health Model (2010) Available at: http://www.maorihealth.govt.nz/moh.../maori_health_model_tewhare.pdf.
- Marie D and Haig B (2006) Kaupapa Maori research methodology: A critique and an alternative. *New Zealand Science Review* 63(1): 17–21.
- Masters C (2009) Historian's case for Tuhoe independence. *New Zealand Herald*, 28 November: B7.
- Maton K and Moore R (eds) (2010) *Social Realism, Knowledge and the Sociology of Education, Coalitions of the Mind*. New York: Continuum.
- Mead S (2003) *Tikanga Maori/Living by Maori Values*. Wellington: Huia Publishers.
- Ministerial Taskforce on Maori Economic Development (2010a) *Iwi Infrastructure and Investment*, May. Available at: <http://www.iwichairs.maori.nz>.
- Ministerial Taskforce on Maori Economic Development (2010b) Report of the Iwi Collaboration Infrastructure Wananga, held at Tapu teRanga Marae. *Iwi Investment Wananga Report*, 9–10 August. Available at: <http://www.iwichairs.maori.nz>.
- New Zealand Curriculum (2007) Wellington: Ministry of Education.
- Nga Pae o te Maramatanga, Research and Policy series 1 (2005) Foreword. *Tihei Oreore*, Monograph Series Policy Seminars 1(2), December. Available at: <http://www.maramatanga.co.nz>.
- NZCPR (New Zealand Centre for Political Research) (2010) Available at: <http://www.nzcpr.com>.
- Oliver WH (2001) The future behind us. In: Sharp A and McHugh P (eds) *Histories, Power and Loss*. Wellington: Bridget Williams Books, 9–30.
- Openshaw R (2009) Solution or problem? Te Kotahitanga as cultural politics. In: Openshaw R and Rata E (eds) *The Politics of Conformity in New Zealand*. Auckland: Pearson, 135–153.
- O'Sullivan F (2010) Foreshore debate all about big bucks. *New Zealand Herald*, 6 February: A19.
- OTS (Office of Treaty Settlements) (2009) Crown Settlement Offer to Ngati Porou. Available at: <http://www.ots.govt.nz/DocumentLibrary/CrownOfferToNgatiPorou8December2009pdf>.
- Palmer A (2006) The Treaty of Waitangi – where to from here? Presentation to the Te Papa Treaty of Waitangi Debate Series, 2 February.

- Perry O and Webster A (1999) *New Zealand Politics at the Turn of the Millennium*. Auckland: Alpha Publications.
- Popper K (2003 [1945]) *The Open Society and its Enemies*, vol. 2: *Hegel and Marx*. London: Routledge.
- Rata E (2000) *A Political Economy of Neotribal Capitalism*. Lanham, MD: Lexington Books.
- Rata E (2003a) An overview of neotribal capitalism. *Ethnologies comparées* 6 (issue title: *Océanie, début de siècle*). Available at: <http://alor.univ-montp3.fr/cerce/revue.htm>.
- Rata E (2003b) Leadership ideology in neotribal capitalism. *Political Power and Social Theory* 16: 45–73.
- Rata E (2003c) Late capitalism and ethnic revivalism, ‘a new middle age’? *Anthropological Theory* 3(1): 46–64.
- Rata E (2004) Marching through the institutions: The neotribal elite and the Treaty of Waitangi. *Sites* (n.s.) 1(2): 56–81.
- Rata E (2008) Educating for citizenship in a bicultural society. In: St George A, Brown S and O’Neill J (eds) *Facing the Big Questions in Teaching: Purpose, Power and Learning*. Melbourne Vic: Cengage Learning, 51–62.
- Rata E (2010) Localising neoliberalism: Indigenist brokerage in the New Zealand university. *Globalisation, Societies and Education* 8(4): 523–538.
- Round D (2000) Judicial activity and the treaty: The pendulum returns. *Otago Law Review* 19(4): 653–671.
- Royal C (2010) Inaugural Professorial Address, Nga Pae o te Maramatanga Seminar Series, Department of Maori Studies, University of Auckland, 20 April. URL Available at: http://mediacentre.maramatanga.ac.nz/2010_seminar_charles_royal.php.
- Schroder IW (2003) The political economy of tribalism in North America: Neotribal capitalism? *Anthropological Theory* 3(4): 435–455.
- Smith LT (1994) Kaupapa Maori research. Unpublished paper, University of Auckland.
- Statistics NZ (2011) Definition of ethnicity. Wellington: Statistics New Zealand, Available at: http://www.stats.govt.nz/surveys_and_methods/methods/classifications-and-standards/classification-related-stats-standards/ethnicity/definition.aspx.
- Sutton P (2009) *The Politics of Suffering: Indigenous Australia and the End of the Liberal Consensus*. Melbourne: Melbourne University Press.
- Steur L (2005) ‘On the correct handling of contradictions’: Liberal-culturalism in indigenous studies. *European Journal of Anthropology* 46: 169–176.
- Sykes A (2010) The politics of the brown table. Bruce Jesson Lecture, University of Auckland, 27 October.
- TPK (Te Puni Kokiri, Ministry of Maori Development) (2001) *He Tirohanga o Kawa ki te Tiriti o Waitangi: A Guide to the Principles of the Treaty of Waitangi as Expressed by the Courts and the Waitangi Tribunal*. Wellington: Department of Justice.
- Voltaire F (1994 [1637]) *Letters Concerning the English Nation*. New York: Oxford University.
- Wai 11 (1988) Waitangi Tribunal, Wai 11 3.5.2. Available at: <http://www.waitangi-tribunal.govt.nz/>.
- Walker RJ (1982) Capitalism v Tangata Whenua. *New Zealand Listener*, 24 July: 16. Reprinted in Mathieson P (ed.) *Korero* (unpublished compilation, 1995, no page numbers).
- Webster S (1998) *Patrons of Maori Culture*. Dunedin: Otago University Press.

Widdowson F and Howard A (2008) *Disrobing the Aboriginal Industry*. Montreal: McGill-Queen's University Press.

Wilson M (1998) The Treaty of Waitangi, an instrument for constitutional reform. Paper for the Ministry of Justice, 3 June.

Elizabeth Rata is Associate Professor in the School of Critical Studies in Education at the Faculty of Education, The University of Auckland. A sociologist of education, her research interests include the political economy of new social movements, particularly the effects of global economic change on ethnicity, socio-economic class, and cultural politics in New Zealand. She is a member of a research group undertaking an international comparative study into higher education under the auspices of the European Union's International Research Scholars Exchange Scheme (IRSES).