

SUBMISSION TO THE FOREIGN AFFAIRS, DEFENCE AND TRADE COMMITTEE ON THE NEW ZEALAND–INDIA FREE TRADE AGREEMENT

Submitted by Professor Elizabeth Rata, University of Auckland
16 May 2026

MY POSITION

I oppose the inclusion of Article 13.2 of the New Zealand–India Free Trade Agreement (FTA), which expressly affirms the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

I ask the Committee to recommend the removal of Article 13.2(a) before ratification.

JUSTIFICATION

Article 13.2 uses the contemporary meaning of the term 'indigenous' in the interests of retribalisation politics and against liberal-democracy.

This contemporary use can be traced to the United Nations in the 1960s. Previously 'indigenous' was mainly confined to anthropology. It referred to autochthony [Gk sprung from the land itself; khthon – land;].

In the 1960s a United Nations committee investigated the employment conditions of two groups of pre-industrial peasants that become distinguishable during industrialisation. It applied the term 'indigenous' to those who had remained *in situ* to distinguish them from those who migrated to the cities or to other countries.

It is likely that 'indigenous' was brought from the UN to New Zealand in the 1980s by academic Aroha Mead. Its meaning was conflated with autochthony, despite the fact that Māori were 14th century settlers.

By the end of the 1980s, 'indigenous' (and 'tangata whenua') spread from the universities (helped by influential anthropologist Dame Anne Salmond) into retribalisation politics and commonplace parlance. It became a truism that Māori were indigenousⁱ with economic and political rights attached to the essentialised status. The 2000 establishment of the UN Permanent Forum on Indigenous Issues strengthened the word's permanent place in our speech and in our minds. It was reified as truth; a position cemented when New Zealand formally endorsed the UN Declaration on the Rights of Indigenous Peoples in 2010, despite having refused to do so in 2007ⁱⁱ.

Language is the means by which ideologies are inserted into peoples' minds. The conflation of 'indigenous' with autochthony and its subsequent reification has proved one of the most successful. Its true meaning – that of a blood and soil ideology – is very well concealed.

On a final note: I recommend that today's politicians look closely at all retribalisation language. There is much that warrants consideration.

For those on the Select Committee who wish to take up this challenge, I recommend my two scholarly publications which examine the ideological use of language in the interests of retribalisation politics. They are:

The Transformation of Indigeneity, published in *Review, A Journal of the Fernand Braudel Center for the Study of Economies, Historical Systems and Civilisations*, XXV, 2, 2002, 173-95.

Discursive Strategies of the Maori Tribal Elite, *Critique of Anthropology*, 31(4), 2011, 359-380.

Both are available at www.elizabethrata.com

ⁱ The history of 'indigenous' (and also 'ethnicity') are sober reminders about the importance of knowing etymology. Thank goodness the Knowledge-Rich English Curriculum (October 2025) includes etymology. Vocabulary acquisition must always include details about a word's history so that no word is taken for granted and able to acquire an undeserved potency used to capture minds.

ⁱⁱ I would like to see this endorsement withdrawn, for the reasons I give concerning the FTA Article 13.2