

PFII/2005/WS.TK/14

Original: English

UNITED NATIONS



NATIONS UNIES

DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS
Division for Social Policy and Development
Secretariat of the Permanent Forum on Indigenous Issues

INTERNATIONAL WORKSHOP ON TRADITIONAL KNOWLEDGE

Panama City, 21-23 September 2005

**Emerging Issues in Maori Traditional Knowledge, can these be
addressed by UN agencies?**

Contribution by
Aroha Te Pareake Mead

EMERGING ISSUES IN MAORI TRADITIONAL
KNOWLEDGE: CAN THESE BE ADDRESSED BY
UNITED NATIONS AGENCIES?



**Aroha Te Pareake Mead, Workshop on Indigenous Traditional
Knowledge, 21-23 September 2005, Panama City, Panama**



1. INTRODUCTION

This paper has been prepared specifically for the Workshop Indigenous Traditional Knowledge, being held in Panama City, 21-23 September 2005, organised by the Permanent Forum on Indigenous Issues and the UN Department for Economic & Social Affairs, and hosted by the UNICEF Latin America & Caribbean Regional Office.

The views expressed within this paper, are those of the author. They reflect my analysis of Maori traditional knowledge issues, policies and practices in Aotearoa New Zealand as at September 2005.

It is acknowledged that most aspects of Maori traditional knowledge issues are common to indigenous peoples in other parts of the Pacific region, and the world. However there are some distinguishing features of the New Zealand policy environment and of Maori aspirations that are less common to others.

It is my hope to provide visibility for both of these strands, i.e. what is shared and what is unique. It is important that any policies/programmes relating to indigenous traditional knowledge encompass the diversity of indigenous experience and does not create a further contemporary grievance by 'locking' indigenous traditional knowledge into a narrow framework that causes even harsher detriments and cultural misappropriation to indigenous societies.

2. MAORI DEMOGRAPHICS & IMPLICATIONS FOR TRADITIONAL KNOWLEDGE

According to Statistics New Zealand, in 2001, 1 in 7 people in New Zealand identified themselves as Maori. The Maori population currently constitutes 585,900 people or 15% of the total New Zealand population. Features of Maori demographics include¹:

- The median age of people of Maori ethnicity is 22 years. 3 in 8 people of Maori ethnicity are aged under 15 years.
- The majority of the Maori population is urban and lives in the North Island.
- It is also regionalised in that there are pockets of rural areas where Maori people constitute between 29% to 47% of the total regional population.

¹ All of the following statistics are from the 2001 NZ Census Statistics and the 2001 Health of the Maori Language Survey conducted by Te Puni Kokiri: Ministry of Maori Development. For further information, refer to: www.stats.govt.nz and www.tetauarawhiri.govt.nz

- Maori are a mixed race, i.e. inter-marriage with mostly other Pacific indigenous cultures as well as with Europeans and other cultures.
- Approximately half of Maori children under 16 years have only one parent who is Maori.
- While one in four people of Maori ethnicity speak the Maori language, nearly one half of Maori language speakers are under 25 years of age
- 30% Maori children now in primary school, have received *kohanga reo*² pre-school education, 40,000 Maori children are native language speakers [In 1975 only 5% of Maori children spoke Maori]
- In 2001, 11% Maori adults [34,000] were enrolled in a Maori language Course
- Maori tertiary participation is higher per capita than non-Maori
- Maori 18 years old registering to vote for the first time are enrolling on the Maori Electoral roll rather than the General Electoral roll at a rate of 12 to 1.
- Only 6% of the total landmass of NZ is owned as Maori collective land compared to 33% of NZ's landmass that is owned and managed in the Conservation Estate.

The implications of these demographics for Maori traditional knowledge policy and practices are that;

- 1) Maori are currently experiencing a renaissance in cultural pride and competence at a level unprecedented since colonisation. Some refer to this wave of Maori social and cultural transformation as “**Brand Maori**” The interest in Maori knowledge by Maori is increasing rather than decreasing.
- 2) The majority of Maori leading the ‘Brand Maori’ resurgence are under the age of 30 years, but Maori at all ages are taking advantage of new education opportunities to learn about Maori language, culture and customs – knowledge. This trend is largely due to the phenomenal success of the three **Maori/tribal Wananga** or Universities.
- 3) The resurgence in “Brand Maori” is parallel to the emergence of a **Neo-Polynesian urban culture** that is unique to Aotearoa NZ because it is based not only on a shared historical *whakapapa* [genealogy] between Maori and other Polynesians³, but also an increasingly contemporary *whakapapa* through inter-marriage as well as a common urban culture. Polynesians share many traditional

² **Kohanga Reo** - Pre-School Maori language nests Te Kōhanga Reo is a total immersion te reo Māori whānau (family) programme for mokopuna (young children) from birth to six years of age to be raised within its whānau Māori, where the language of communication will be Māori. The literal translation of the words 'Kōhanga Reo', 'language nest', indicates that the retention of the Māori language is one of the central objectives of the Kōhanga Reo movement. Te Kōhanga Reo is based on total immersion in the language and culture that promotes learning within an appropriate cultural context, drawing on Māori styles of learning and teaching. In this context wairua is an integral component. For further information, see, www.kohanga.ac.nz

³ Polynesia is one of three cultural groupings in the South Pacific Oceania region. Polynesians share a culture of ocean voyaging and navigation. Polynesian countries comprise; American Samoa, Aotearoa, Cook Islands, French Polynesia, Hawaii, Kiribati, Nauru, Niue, Rapa Nui [Easter Island], Samoa, Tokelau, Tonga, Tuvalu. Colonised by: the Chile, France, Germany NZ, US

knowledge concepts and values and these are now being reflected in contemporary medium, for example, hip hop and rap music, fashion design, fusion of Polynesian languages and designs. While the younger generation are innovating traditions –for the most part their reliance on traditional knowledge and practices as the springboard for their innovation is passionate and uncompromising.



Style Pasifika 2005⁴



Nesian Mystik⁵

- 4) The growing **‘indigeniety’ of Pakeha and NZ culture**. As an example, NZ society in general is using more and more Maori terms in their everyday conversations. According to the Maori Words in NZ English Dictionary⁶ more than 1000 Maori words are in common use by all New Zealanders [about six of every 1000 words]. The Dictionary author believes the growth of *kohanga reo*, the large number of Maori living in cities, the recognition of Maori as an official

⁴ www.stylepasifika.co.nz/ (L) Tahiti Tourisme Pasifika Bridal: Lindah Lepou / Sandringham / Auckland,

⁵ Lyrics from ‘Nesian Style’ on the Album ‘Polysaturated’, “Culturally strong from birth but weak upon our native tongues. The product of our ancestors’ seeds from which we sprung. The saga we maintain combine us wise in memories a noble lesson learnt from our Fa’atasi family Elevate the positive this Nesian image must arise. Aotearoa Hip-Hop plain clothed not in disguise. With no demise we be on the rise with our dreaming eyes. Poly individuals carrying connections to ignite reign for real upon these mic’s on a quest vocalist uplifting what we do, when we rhyme” Nesian Mystik members are: Maori, Samoan, Tongan and Cook Islands

⁶ Maori Words in NZ English Dictionary, Ed. John MacAlister, Oxford University Press, March 2005

language, and the increase of the number of high-profile Maori, including more Maori MPs under MMP has contributed to the adoption of Maori by non-Maori over the past 30 years. I would suggest that demographics including the increasing frequency of intermarriage between Maori and non-Maori have also played a significant role in this trend.

Maori *tikanga* [protocol] is also widely used in national ceremonies and celebrations, including the welcoming of newly accredited Diplomats to NZ, the opening of key events, buildings, and projects. The most well known use of Maori protocol is the “*Haka*’ ceremonial war dance performed by the All Blacks Rugby Team at the start of all of their rugby matches.

Maori specific celebrations such as *Te Matariki*⁷ and Maori Language Week are also gaining wider popularity.

- 5) The downside of the resurgence in Maori cultural pride and profile is that the **backlash against Maori** in some sectors of NZ society is also gaining momentum. Politicians openly articulate derogatory opinions about the value of Maori people and culture that would not have been tolerated 5-10 years ago. The current government has undergone a review of many Maori-specific programmes arguing that they are race-based and should therefore be repealed and replaced with needs-based programmes. For instance, Maori education scholarships offered by government departments were discontinued in August 2005 and many programmes relating to Maori cultural perspectives have now been opened up to non-Maori.

Some Maori programmes that were seen as highly innovative and world-leading, such as the Maturanga Maori funding programme of the Foundation of Research, Science & Technology, are now under direct threat. As we head into the national election, the current government and three of the opposition parties are all campaigning on the basis of abolishing Maori specific policies, programmes and agencies.

- 6) For a number of reasons, Maori are increasingly seeing themselves as members of the global world. Maori cultural designs, arts, music and traditional practices such as *ta moko* [the art of tattoo] are in great demand. Maori businesses such as ‘Cultureflow’⁸ and ‘Kia Kaha’⁹ are also recognising that their markets in NZ are

⁷ Referred to as Pleiades by astronomers, Matariki heralds the start of the Maori New Year and is important to indigenous people throughout the Pacific as well as other cultures around the world. Matariki is visible to the naked eye in the pre-dawn sky after the full moon from mid to late-June each year. Some say that Matariki is the mother surrounded by her six daughters; other stories suggest that Matariki is a male star. These are the Maori names that make up the other six prominent stars of the Matariki cluster, Tupu-a-Nuku, Tupu-a-Rangi, Waiti, Waita, Waipunarangi and Ururangi. For info on how Matariki was celebrated in NZ in 2005, refer <http://www.tepapa.govt.nz/TePapa/Maori/Learning/OnlineResources/Matariki2005/>

⁸ Culture Flow is a 100% Maori owned company specialising in teaching the Maori language as a 2nd language. Culture Flow has just received a contract in China to use their 2nd language learning software for Chinese to learn English. www.cultureflow.co.nz

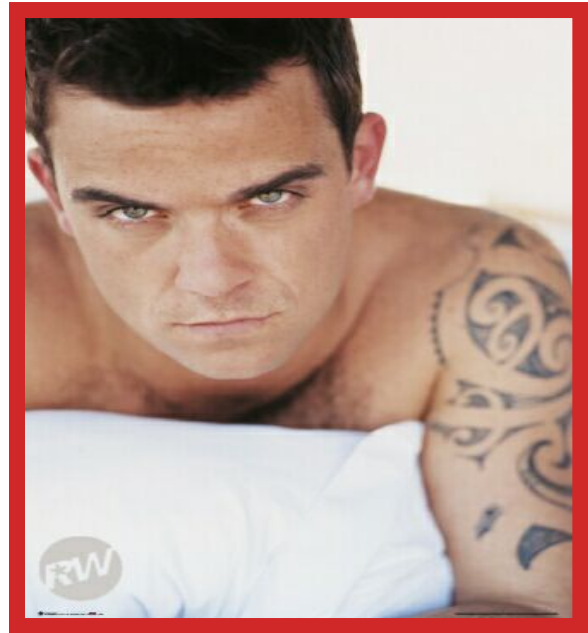
limited [because of the limited market growth and cultural environment]. As such, they are increasingly turning to international markets. Maori scholar Dr Mason Durie refers to this as **the Maori Diaspora**.

- 7) At a recent National Maori Youth Conference *Hui Tuakana* held in Auckland, 19-20 August 2005, participants coined the phrase **“Globally hot, locally not”**. There is irony in the fact that while Maori cultural designs are becoming a global trend, the tolerance of Maori culture within New Zealand by many non-Maori, is in an explosive almost hostile state. Leader of the NZ Opposition, Dr Brash recently criticised the use of *powhiri* [Maori welcoming ceremony] at official functions, saying a "half-naked man poking his tongue out" is not a particularly civilised way to greet foreign dignitaries. They must wonder what kind of country they get when the only official welcome they have is a Maori New Zealander jumping around half-naked".¹⁰ By contrast, many visitors to NZ are very moved by Maori ceremonial welcomes.

This disparity between global interest and national racial tolerance highlights the major policy problem facing Maori culture. An ad hoc approach to Maori cultural and intellectual property issues that manifests as a lack of respect for Maori cultural integrity and aspirations.



The Mark of Kri, Sony PlayStation



Robbie Williams, Moko – ‘Kirituhi’¹¹

⁹ Kia Kaha Clothing is a 100% Maori-owned company, specialising in providing high quality New Zealand- made apparel with authentic and distinctive Maori designs. www.kiakaha.co.nz

¹⁰ http://www.nzherald.co.nz/section/story.cfm?c_id=1&ObjectID=10343937, NZ Herald 4/09/05

¹¹ Kingi Gilbert, Culture as A Commodity, Finding a Balance, presentation to Te Whare Wananga O Awanuiarangi Seminar on Maori Cultural & Intellectual Property Rights, June, 2004

With these opening observations, I now turn to the questions asked of the Indigenous participants at this Workshop. My responses are mostly Maori specific.



3. THE WORKSHOP QUESTIONS

3.1 WHAT IS THE MOST IMPORTANT ELEMENT CONSIDERED AS ' TRADITIONAL KNOWLEDGE' BY MAORI?

The term 'traditional knowledge' is not widely used in Aotearoa NZ. Rather, the preferred term is 'Matauranga Maori' [Maori Knowledge].

There is considerable discourse on what matauranga Maori comprises. Maori scholar, Dr Charles Royal suggests the following sociological definition,

"Matauranga Maori" is a modern term for a body of knowledge that was brought to these islands by Polynesian ancestors of present-day Maori. Here this body of knowledge grew according to life in Aotearoa and Te Wai Pounamu. Despite an initial period of change and growth, the arrival of European populations in the 18th, 19th and 20th centuries brought major impacts to the life of this knowledge, endangering it many and substantial ways. All, however, was not lost as new knowledge was created through the encounter with the European and through the experience of the creation of the new nation called New Zealand. Important fragments and portions - notably the Maori language - remain today. These fragments and portions are catalysing a new creative period in Maori history and culture and in the life of the New Zealand nation.

Maori elder, Charles Mohi, suggests that

“ *Matauranga Maori* in a traditional context means the knowledge, comprehension or understanding of everything visible or invisible that exists across the universe.”

In one of the displays at the current exhibition on the Genetic Revolution being held at Te Papa Tongarewa the National Museum of New Zealand, I have suggested that Matauranga Maori:

“Traditional knowledge is the knowledge that we're born with, that we've inherited, that we contribute to in our lifetime and pass on to future generations. Its whole function is survival and the development of a culture, of a people.”¹²

It is not static; it encompasses all types of knowledge and is both specialist and general. If one wants to focus on a specific aspect of Matauranga Maori, e.g. knowledge

¹² Aroha Mead – quote used in *The Genetic Revolution*, Exhibition at the Museum of New Zealand Te Papa Tongarewa, 3 September 2005 – 23 January 2006 refer: www.tepapa.govt.nz

associated with rites of passage, hospitality, carving, performing arts, use of medicinal plants, one must specify that the type of knowledge being discussed focuses on that particular aspect of Maori cultural knowledge. E.g. *toi whakairo* [knowledge about carving], *toi harakeke* [knowledge about weaving using the flax plant], *ta moko* [knowledge about designs, dyes and techniques in *moko* or tattoo]. There are tribal variations in knowledge about different aspects of Maori culture. There are some forms of knowledge, e.g. cosmological that are common across all tribes.

Most Maori would agree that Mātauranga Māori is based on a set of cultural inter-generational values, is enriched and modified by successive generations to guide and adapt to the socio-cultural-environmental issues of the day, is integral to the identity and wellbeing of current and future generations of Maori, and has value and application for others when proper protocols are observed. These elements together with the notion of the inherently local site-specific community nature of TK are also included in the Mātaatua Declaration on the Cultural and Intellectual Property rights of Indigenous Peoples.

In terms of the actual elements that make-up the body of knowledge known as ‘Mātauranga Māori’, the National Maori Congress developed a set of 14 principles on the Environment and Development for the 1992 UN Conference on Environment and Development or Earth Summit. These principles remain a well-articulated English language framework of the fundamental elements of Mātauranga Māori. [Refer Appendix One].

Throughout academia considerable research has been conducted on Mātauranga Māori during and since colonisation. A recently compiled Bibliography on existing published works relating to Mātauranga Māori revealed over 300 entries. Much of this material stems from the social sciences, but increasingly, other spheres of science are targeting Mātauranga Māori as a key policy, research and development area. Much of this material has been written and published by non-Māori, but Māori research and publication has become a priority area for Māori.

The NZ Biodiversity Strategy provides an explanation about the essential elements of Mātauranga Māori that tries to bring together both Māori language terms and English language translations. Readers can be the judges as to whether this dual approach works.

Maori have a holistic view of the environment and biodiversity that derives from a cosmogony (belief system) that links people and all living and non-living things. Descended from the union of *Ranginui* (the sky father) and *Papatuanuku* (the earth mother), and their offspring, the *atua kaitiaki* (spiritual guardians) — *Tane* (*atua* of forests), *Tumatauenga* (*atua* of war and ceremony), *Rongo* (*atua* of cultivation), *Tangaroa* (*atua* of seas), *Tawhirimatea* (*atua* of wind and storms) and *Haumietiketike* (*atua* of land and forest foods) — humans share a common *whakapapa* (ancestry) with other animals and plants. People are therefore part of nature and biodiversity.

All components of ecosystems, both living and non-living, possess the spiritual qualities of *tapu* (sacred), *mauri* (lifeforce), *mana*, and *wairua*. Maori, as *tangata whenua*, (people

of the land) are the *kaitiaki* (guardians) of these ecosystems and have a responsibility to protect and enhance them. This responsibility of people to other living things is expressed in the concept of *kaitiakitanga* — or guardianship.

As the people are intrinsically linked with the natural world, the mana of *the iwi, hapu, or whanau* is directly related to the well being of the natural resources within their *rohe*, or region.

Understanding and valuing the Maori world-view is an essential step towards a bicultural approach to biodiversity management.

But ultimately, the most authoritative sources of Maturanga Maori are in the Maori language, written by Maori elders/scholars/composers, and forever recorded in the tangible cultural heritage of hapu [sub-tribes] and Iwi [tribes]. Much of this knowledge is sacred.

3.2 WHAT EXPERIENCE AND LESSONS IN POLICY PLANNING AND DEVELOPMENT PROGRAMMES ON TK AT LOCAL, NATIONAL AND INTERNATIONAL LEVELS CAN BE SHARED?

3.2.1 LOCAL

The best response to Maturanga Maori policy planning and development is local “in situ” initiatives that are based on the primary responsibility to transmit cultural knowledge to future generations. Many such local initiatives have gone on to enjoy national success, for example Te Kohanga Reo [pre-school Maori languages nests] was developed from a need identified by Maori to develop an urgent strategic intervention to halt the demise of the Maori language. There are now over 578 Kohanga Reo in NZ responsible for producing over 25,000 native language speakers and students well versed in matauranga Maori.¹³

The consciousness that lead to the creation of the Toi Iho Maori Trademark™¹⁴ stemmed from Maori artists and writers together with Maori legal and policy specialists who recognised a gap in policy and legal protection for Maori culture and collectively worked towards developing a response. Toi Iho Maori Trademark™ was created to assist Maori to retain control over their cultural heritage and maintain the integrity of their art culture in an increasingly commercialised world. The Trademark is steadily growing in profile, and numbers of accredited Toi Iho artists, cultural products and partnerships.

¹³ <http://www.kohanga.ac.nz/docs/UNAddressMay21.pdf> A detailed Report on Te Kohanga Reo Movement presented to the UN Permanent Forum on Indigenous Issues, May 12-23, 2003

¹⁴ <http://www.toiho.com/> website for Te Toi Iho Maori Trademark

Scientific collaborations between Crown Research Institutes and academic researchers with specific whanau [families] and [Iwi] tribes have also produced some constructive outcomes, although it would be stretching things to describe such collaborations as truly 'equal'. The Maori familial cancer gene research project being a case in point. Principal Investigator on this project, Dr Parry Guilford, describes how "in 1998, we identified a defective gene that leads to familial stomach cancer. We first identified the gene during a collaborative research project with three Maori families with long histories of this form of cancer. Its identification has enabled us to screen these high-risk families for carriers of the defective gene and then concentrate clinical resources on those carriers. It is hoped that this increased surveillance will lead to early cancer detection, and therefore a very high chance of a cure. We and colleagues in the UK and US have so far identified 24 families worldwide - from all ethnic groups - who are able to benefit from this stomach cancer gene testing. ***The willingness of one Maori family to tackle the problem has thus led to families all around the world taking the upper hand in the fight against this disease.***"

Dr Guilford then goes on to describe how he is also the "Research Director for a company called [Pacific Edge Biotechnology Limited](#). This company is a start up Biomedical company based upon a combination of skill and resources. The Company's objective is to develop novel diagnostics and disease management and drug discovery tools based upon identifying unique sets of genes, which define specific types of tumours and other tissues. The Company combines expertise in cancer genetics, micro-array technology and proprietary bioinformatics in a fashion which we believe provides a competitive advantage over programs with similar aims."¹⁵

There are many such examples in NZ of direct scientific and commercial collaborations with Maori families and communities. The issue of intellectual property rights continues to be one of the most contentious and destabilising areas within such relationships.

Maori initiated and led endeavours are more likely to bring about direct benefits for Maori.

3.2.2 NATIONAL

On the surface it could be said that Maturanga Maori is in a healthy state in New Zealand. Maturanga Maori is well entrenched in the key sectors of policy and practice in government agencies, schools and tertiary education, research, science and commerce.

Children can be educated in the Maori language from age 9-months right through to Tertiary *because of the initiatives of Maori in the education sector, Kohanga Reo [pre-school], Kura Kaupapa [Primary-Intermediate-High School], and Wananga [Tertiary].*

¹⁵ <http://cancer.otago.ac.nz/cpersonnel.html>

One can now enrol in a Bachelor or Masters of Maturanga Maori, or learn about Maturanga Maori as part of the core papers of a number of under-graduate and post-graduate degrees offered through the three tribal Maori *Wananga* as well as NZ's 'mainstream' universities. You can learn this in English or Maori or in both languages. The relationship seems to be very one-sided and to the detriment of Maori.

Wananga/University

As a case in point, NZ's 'mainstream' universities have translated their names into the Maori Language, for example Victoria University of Wellington is translated into *Te Whare Wananga o Te Upoko-O-Te-Ika*. In so doing, they adopted the use of the term 'Whare Wananga' which is a term used to describe the traditional houses of learning of Maori tribes. Traditionally, *Whare Wananga* were exclusive and uncompromising in their standards or teaching/learning. Perhaps this element appealed to Universities.

When the Maori/Tribal Tertiary Institutions were established, two of them took the name Te Whare Wananga ... but did not translate their name into English. Te Wananga o Aotearoa, the third Maori Wananga decided it would translate its name into English, and promoted itself therefore as the University of New Zealand.

The NZ Vice-Chancellors Committee [NZVCC] took exception to the Wananga describing itself as a University and lodged a formal complaint with the Minister of Education and the Advertising Standards Authority that the Wananga was describing itself as "The University of New Zealand". NZVCC wanted to guard against misuse of the word *university*, which is a protected term under the Education Act.

The Wananga did succumb to the considerable pressure placed on it, and removed the English translation of its name, but at no time, did the Universities acknowledge the inconsistency in their own use of a traditional Maori term.¹⁶

According to research I conducted in June 2004, over 27 government agencies have dedicated Maturanga Maori programmes, funding or statements about the relevance of Maturanga Maori to their work¹⁷. These programmes range in scope and function. Some are clearly articulated and others are quite innocuous. But one can't help but ask 'Why are there so many programmes?' There is no overall government policy on the role of government in Maturanga Maori. No analysis of whether government should have any role at all. What is government's "master plan"? Why does it have an interest in a knowledge system it does not 'own' or value? This results in ad hoc, sometimes confusing and sometimes totally unhelpful officious government interventions.

What does a government programme on 'Maturanga Maori' Traditional Knowledge encompass? The following are three examples of government TK initiatives.

¹⁶ http://www.aus.ac.nz/publications/tertiary_update/2005/No14.htm

¹⁷ Maturanga Maori, Ethics & Public Policy, Research Ethics & Traditional Knowledge Conference Proceedings, Nga Pae O Te Maramatanga, University of Auckland, September 2005

EXAMPLE ONE: Matauranga Maori : New Zealand Biodiversity

Strategy¹⁸

There are four central government agencies that have a statutory role in managing and conserving New Zealand's unique biodiversity as outlined in the NZ Biodiversity Strategy; (1) Department of Conservation, (2) Ministry of Agriculture and Forestry, (3) Ministry for the Environment and (4) Ministry of Fisheries. The Strategy has 27 programmes that are all aimed at halting the decline in New Zealand's indigenous biodiversity, and protecting valuable introduced biodiversity. One of these programmes is the *Matauranga Maori* programme.

The **Matauranga Maori** programme is a \$2.4 million 'contestable' fund designed to increase *iwi* and *hapu* participation in managing biodiversity in ways consistent with customary knowledge (matauranga Maori).

Traditionally, the transfer of knowledge among Maori has involved expert individuals, *tohunga* and *wananga* (schools of learning). Modern influences, however, have seen this system gradually decline and the recording, collection and dissemination of matauranga Maori has increasingly taken other forms. Nevertheless, many *kaumatua* have traditional knowledge related to cultural activities and experiences associated with New Zealand's native biodiversity.

Maori organisations and *iwi* and *hapu* can apply for funding from the *Matauranga Kura Taio* fund for initiatives that retain and promote traditional Maori knowledge and its use in biodiversity management. It also provides an opportunity for *tangata whenua* to participate in biodiversity management in their *rohe* (tribal area).

The fund is administered by the [Nga Whenua Rahui](#) committee, which reports directly to the Minister of Conservation. The first applications to the fund were sought in late 2001. Twenty-five applications were received, 14 of which were approved, totalling \$172,000.

Eight of these projects targeted the use of traditional knowledge and its use in ecological management, four involved *wananga* as a means of transferring traditional knowledge concerning biodiversity, and two projects involved the development of *tikanga*-based environmental plans. The types of projects to receive funding include:

The restoration of tuna (eel) habitat using customary knowledge

The development of a native nursery for cultural purposes

The establishment of a framework for the revival of traditional knowledge in the management of biodiversity on ancestral lands.

¹⁸ <http://www.biodiversity.govt.nz/>

¹⁹ This text on Matauranga Maori and Customary Use of Biodiversity comes directly from the NZ Biodiversity Strategy

²⁰ <http://www.nzqa.govt.nz/for-maori/index.html>

The Biodiversity Strategy provides further explanation about Mātauranga Māori and its role in Biodiversity.

Mātauranga Māori

Traditional Māori knowledge (mātauranga Māori) about New Zealand's biodiversity is an important source of knowledge, but is currently under-used and vulnerable to ongoing erosion and loss. Its recognition, use and protection are central to Māori participation in biodiversity management.

Unresolved intellectual property right issues related to the ownership and use of mātauranga Māori (for example, as raised in the WAI 262 claim to the Waitangi Tribunal) constrain its effective protection and application in biodiversity management.

There are currently no formal mechanisms to sustain mātauranga Māori and there is little recognition of its potential contribution in biodiversity management.

Māori are often willing to share their traditional knowledge but only on the basis that they retain control over that information and the way in which it is used. This may create a potential conflict between promoting the public understanding of mātauranga Māori and the desire of Māori to protect this information from improper use.

Māori biodiversity science and research needs are not yet well recognised within government science funding processes.

Customary use of biodiversity

The customary use of New Zealand's biological resources by Māori remains an important part of sustaining relationships with indigenous biodiversity and maintaining cultural integrity, values and traditional knowledge.

The development of national policy on customary use of native species by Māori has been constrained by poor public understanding of customary use issues, a lack of recognition of mātauranga Māori, and inadequate ecological knowledge of native species.

Conflicts and tradeoffs between user groups (for example, commercial and recreational) may need to be addressed in resolving some customary use issues.

The term "customary use" embraces traditional Māori use, practices and knowledge, and refers to contemporary uses of biological resources by Māori founded on this body of lore. However, Māori have a spectrum of interests in biological resources - from protection to customary and commercial use or development - and there is a strong link between customary use issues and issues relating to commercial use of genetic resources.¹⁹

In this context, the linkage between TK and biodiversity is very clearly articulated.

EXAMPLE TWO: Te Maturanga Maori: NZ Qualifications Authority ²⁰

The New Zealand Qualifications Authority is the national body responsible for the educational framework for all subjects offered from pre-school, primary, secondary through to Tertiary. The NZQA has a dedicated Maori qualifications framework and contends that NZ is the first country in the world to establish an entire education field that formally recognises indigenous knowledge.

The national qualifications framework has 17 fields across all disciplines. One of the 17 fields is 'Maori' and it caters specifically for Maori pedagogy, knowledge and skills.

There are 16 sub-fields under 'Maori' and a total of 565 unit standards. Sub-fields include accredited degrees in a diverse range of Maturanga Maori subjects such as; Environmental Maori, Maori Business & Management, Health, Women, Domains, Tikanga [protocol], Te Reo [Language], Tourism, and a range of Maori cultural visual and performing arts.

The ability to learn about maturanga Maori throughout all levels of the education system has significantly strengthened over the past five years, particularly through the establishment of the three Maori tribal Wananga, Te Whare Wananga o Awanuiarangi, Te Whare Wananga o Raukawa and Te Wananga o Aotearoa. According to the Ministry of Education, the number of Maori students completing qualifications in 2002 (16,409) has increased by 92% since 2001. 73% of this increase is due to the increase of student enrolments and graduation at Wananga.

But once again, this demonstrates that while 'mainstreaming' maturanga Maori throughout all components of the national education system might have some impact, albeit limited, the significant shift in empowering Maori with their own cultural knowledge is largely happening through Maori initiated, owned and managed tertiary providers.

EXAMPLE THREE: Maturanga Maori : The Foundation for Research, Science & Technology

The Foundation for Research, Science & Technology is a Crown entity and is the major funder of science in NZ. The Foundation invests over \$460 million a year in research, science and technology (RS&T) on behalf of the New Zealand Government to enhance the wealth and well being of New Zealanders.

²¹ http://www.frst.govt.nz/maori/downloads/resstrat/Strategic_Portfolio_Outline.pdf

²² NZ – POL Min (04) 6/6, March 2004

The Foundation has fourteen “Output Classes’ \$5.4 million is allocated to the ‘Maori Knowledge and Development Output Class’. The Foundation says it recognises that Maori have a rich heritage of innovation, one driven by cultural necessity and based in Aotearoa's unique natural environment, a heritage based on centuries of observation, information collection and exploration, and a heritage rich in examples of entrepreneurial spirit.

The Strategic Portfolio Outline [SPO] for Maori Development

- Supports enhanced Maori management of natural, cultural and historical resources and maintain matauranga Maori (Maori knowledge).
- Enables Maori involvement at all stages of research, science and technology from inception to the delivery of benefits (including mechanisms for the protection of cultural property and management of intellectual property)

The vision within the SPO for Maori society by the 2020 includes:
“Maori knowledge and tools are both recognized and enhanced, enabling them to participate in a society which appreciates and protects their unique culture and identity. The role of the principles of the Treaty of Waitangi is appropriate and widely supported, and changes have also occurred in non-Maori institutions to support Maori development and advancement.

This is a vision in which Maori have been able to adopt the results of, and benefit from, RS&T investment. Research on Maori issues will, to a large extent, be initiated, implemented, monitored and assessed by Maori, and will be done from a Maori perspective. Maori methodologies and Maori philosophies (matauranga Maori) will, as appropriate, be included in the research approaches. Maori also utilise collaborative relationships with other researchers and all available methodologies and technologies to carry out research to meet their needs.

There will be a greater degree of exchange of ideas and methodologies. Non-Maori will be much better informed about the Maori paradigm in which all this is happening. They will also be more receptive to new and different ways of doing things. They will no longer be fearful of incorporating Maori methodologies and philosophies into their own research programmes.”²¹

At face value, it is difficult to imagine that Maori could ever want a higher level of acknowledgement of the value of matauranga Maori and Maori science, than what is articulated by the Foundation as at August 2005. What must be acknowledged is that the Foundation’s response has come after many intense years of challenges from Maori researchers and communities. The current approach reflects an evolution and maturation by NZ’s scientific establishment.

²³ NZ – CAB Min (05) 22/8, June 2005

Unfortunately, while it would be wonderful to celebrate this achievement, approaches such as those articulated by the Foundation are currently under threat of being compromised at best, or completely abolished at worst.

In March 2004, the NZ Cabinet established a Ministerial Review Unit to review policies and programmes within the core public service to ensure they were based on need, not race.²² Government is moving to what it refers to as a ‘needs-based’ policy framework that requires any and all policies to (i) demonstrate a need, (ii) provide evidence the need still exists, (iii) show that ethnicity is an indicator of need, and (iv) prove that the need requires government intervention. In June 2005, government reviewed the Maori Knowledge & Development Research Output Class and noted ***“the need to develop ethnic Maori researchers is not explained, and the Ministerial Review Unit consider that the development of Maturanga Maori does not require it to be exclusively for ethnic Maori researchers but that the output class should be open to all who can demonstrate the ability to effectively undertake research relevant to the output class.”***²³

After years of struggling for the recognition of Maturanga Maori as a valid knowledge system, and the need for Maori to resume responsibility for the promotion, transmission, interpretation and utilisation of our own cultural knowledge, NZ government has unilaterally decided that development of Maturanga Maori does not require it to be exclusively for “ethnic Maori”. A return to the 1800’s time period of mono-cultural colonial rule.

These three examples highlight that government policies and programmes on TK can be developed, but due to the politically unstable nature of governments [including democratically elected governments], there is a high-risk factor and potential for instability when relying on government to develop programmes that are as fundamental to indigenous cultural wellbeing and development as Maturanga Maori or Traditional Knowledge. While one administration might be keen and enthusiastic to assist, the lifespan of any government programme is only as long as the political election cycle.

3.3.3 WHAT ARE THE MAJOR ASPIRATIONS, NEEDS, CONCERNS THAT MAORI HAVE REGARDING THEIR TRADITIONAL KNOWLEDGE?

Maori, and indigenous peoples have already articulated their major needs, concerns and aspirations in numerous for a, Declaration, Statements, submissions and interventions at national and international negotiations and meetings.

The 1993 Mataatua Declaration on the Cultural and Intellectual Property Rights of Indigenous Peoples remains a poignant articulation of these matters and I can only reinforce all the points raised within the Mataatua Declaration as continuing matters of

aspiration and concern. ²⁴ There are a number of fundamental ones that we still do not seem to be gaining much ground.

1. **The fundamental right of self-definition** by each hapu [sub-tribe] and Iwi [tribe] of what their knowledge is, what it means to them, how it is applied, and how its transmission is regulated.
2. **Inter-generational responsibility to transmit TK to future generations** and to ensure that our culture and knowledge are in no worse condition than that in which we received it.
3. The most desirable environment for cultural transmission to occur is *‘in situ’* **and in te reo Maori [the Maori language]**.
4. **The ability to regulate within the culture**, how TK is to be accessed and used by anyone outside the culture.
5. **Continuing the cultural heritage of innovation** in using and applying traditional knowledge
6. **Some of our knowledge is sacred** and should remain outside of any external policy or programme.

4. Why is traditional knowledge central for indigenous people in their struggle for self-determination and control and management of their lands and natural resources?

Traditional knowledge defines who we are, what makes us unique, what breathes integrity into our existence and relationship with our natural and cultural landscapes.

Photo: HIKOI – 50,000 Maori protest about the contemporary confiscation of the Foreshore & Seabed, Parliament, March 2004



²⁴ The full text of the Mataatua Declaration can be located at: www.ngatiawa.iwi.nz/id_4/mataatua.htm

What are the emerging issues, which need to be addressed by the United Nations entities dealing with TK?

Based on the issues raised within this paper in relation to emerging issues for Maori, the following suggestions are offered to assist UN agencies in their TK work:

- I. National Level Policy Statements: UN entities, as representatives of member UN states, could provide more strategic guidance to states by encouraging them to develop national level policies on the role of government in Traditional Knowledge. Such policies should be developed in close discussion with indigenous peoples and should reflect a ‘whole of government’ approach and commitment. This would create a more stable policy environment for indigenous peoples and governments to develop and collaborate on TK initiatives at the national level.
- II. A Specialist Agency or Mainstreaming TK? Thought needs to be given as to whether the current approach of eleven UN agencies working on disparate but related TK issues is the most effective use of resources and results in the most constructive outcomes for TK. The national level situation of few States having clear TK policies is replicated in the UN system. What is the UN’s role in TK? Should it have a role at all? It would be difficult to answer this without member States having completed the national level policy statements in (I) above. In any event, would it be more effective to establish a specialist UN agency on TK that coordinates TK activities across the whole of the UN system? Could this be undertaken by the PFII or does it require a new specialist agency?
- III. Reductionism vs. Holistic Approach to TK The disturbing result of having a minimum of 11 UN agencies currently undertaking work on TK is that each Agency is limiting the scope of its TK activities within its own institutional mandate. While this is a ‘logical’ approach, it is not a constructive approach to TK as it limits and restricts the broader holistic consideration of the full context of TK expression. The CBD, ABS work is a prime example. This is a fundamental matter as it directly prevents indigenous peoples from continuing to exercise their cultural rights of self-definition of their knowledge. The CBD-ABS work should be slowed down until such issues are more fully scoped and addressed.
- IV. Collective Bio-cultural Heritage There are glaring gaps in the current WIPO and CBD processes to develop normative standards relating to the access, use and sharing of benefits of indigenous TK. Both processes are restricting the free expression of TK by the cultural guardians and descendants of that knowledge. Some indigenous communities and organisations have started exploring a new more responsive and constructive approach. The Peruvian based *ANDES*, together with *IIED* and *Call of the Earth Llamado de la Tierra* are currently exploring and promoting this concept. We are using the term ‘Collective bio-cultural heritage’ to refer to this new approach. The key elements of “collective

bio-cultural heritage” are; collective rights rather than individual, bringing together of culture and the environment rather than separating them, and placing them in the framework of *‘heritage’* rather than *‘property’*. Some are dubious of this initiative as they view it as un-necessary duplication of effort. But others see more potential in this approach to any international response that might be developed on TK issues.

- V. Heritage vs. Property While the heritage vs. property issue has been raised in point (IV) above, it warrants its own mention. This is a significant point of difference between indigenous peoples and others with respect to natural and resources. In some situations, the indigenous voice of concern is deemed insignificant and favour is given to the concept of the ‘public good’. But when the issue being discussed is the very knowledge that originates solely from indigenous cultures – and not from anywhere else – indigenous opinion should carry far more weight than any other opinion. The public good argument doesn’t have much relevance to the transmission, access, use and benefit sharing of the knowledge of a specific group of people. The problem with the CBD and WIPO processes is that both are premised on ‘property’. The resultant outcome of such negotiations is destined to not be fruitful for indigenous peoples because of this dilemma.

- VI. Our Knowledge is Our Business UN agencies should takes all steps to avoid preventing indigenous peoples from exercising their rights and cultural responsibility to regulate their own traditional knowledge. This includes defining what TK is to any given indigenous community, as well as developing norms and standards around who outside the indigenous community can access their knowledge, under what conditions and for what benefit.

Part Two

STATEMENT OF ENVIRONMENT AND DEVELOPMENT PRINCIPLES

As the collective voice of the Iwi/tribes of Aotearoa New Zealand and respecting the separate tino rangatiratanga/sovereignty of each, we in Congress as members of the international community of indigenous nations offer the following principles for incorporation into the Earth Charter.

1. That **environment, development and the survival of earth's inhabitants are interdependent and inseparable.**
2. That environmental management shall be based on respect for the **spiritual integrity** of the environment as the literal embodiment of our ancestral beginnings and our continuity.
3. That we treat the environment as a **living system** of which we are part and which we must respect as we would another person.
4. That we have an **inter-generational responsibility** for the environment which we hold in trust. It came to us from our ancestors and we must pass it on to our children at least in no worse condition than that in which we received it and we must do everything that we can to improve the quality of their heritage.
5. That under the principle of **personal sufficiency** that each of us is entitled to take what we need of the resources that our world provides but to care for the sustainability of these resources.
6. That the principle of **collective responsibility** allocates resource use according to need but requires return if responsibilities are abused.
7. That the principle of **collective management** also allocates resource use but controls it through central leadership responsible to the people.
8. That under the principle of **equitable use** there may well be inequalities of resource allocation depending on needs and other acceptable criteria.
9. That the **intrinsic value of traditional knowledge** derive from the scientific tradition of our forebears who through observation and use over centuries developed wisdom, which in the broadest sense, is the most pragmatic and practical.

10. That our future will depend upon the quality of partnership which we will be able to achieve as we draw into our traditional cultural framework the wealth of knowledge from every source that we can tap.
11. That we are patient people but we become impatient when problems which confront us cannot be dealt with immediately. Our ancestors taught us not to tolerate the intolerable. Therefore our style of conflict resolution is cultural and combines confrontation, negotiation and reconciliation as elements of action. These same principles apply to remedies for current environmental ills. We want direct action.
12. That in being good survivors, we have learned to apply anti-waste ethics to all things - to our own energies, to energy itself, to the talents of our people, to the resources of the world around us. Even that which others call wastes cannot be wasted and can often be used in the same form or in another form by others.
13. That the ecological principle of wholism was not invented by human thought or discovered by science. It was there from the beginning in our historical accounts of the origin of all things including the ethics of the relationship between people, their gods, and their world.
14. That economic utilisation of the environment must not compromise traditional values, the needs of future generations or the earth's spiritual integrity.



Existing FRST Maori Specific Contracts (July 2001)

Maori Development: Rangahau Putaiao Maori			
(Funded by Maori Knowledge and Development Output Class)			
Provider	Contract	Full Title	Portfolio
Massey University	MAUX0001	Best Outcomes for Maori: Maori profiles Te Hoe Nuku Roa	Maori Development
Massey University	MAUX0002	Best Outcomes for Maori: Maori Language revitalisation, Toi te Kupu	Maori Development
University of Waikato	UOWX0005	Maori Sustainable Development in Te Puku o te Ika	Maori Development
University of Auckland	UOAX0008	Capacity Building for Sustainable Development in Tai Tokerau	Maori Development
Auckland Uniservices Ltd	AULX0001	A Sustainable Maori Tourism for Tai Tokerau	Maori Development
University of Canterbury	UOCX0004	Sustainability on Maori-owned Indigenous Forest	Maori Development
Te Whare Wananga o Ngati Porou	TWWX0001	Maori Community Goals for Ecosystem Health	Maori Development
Landcare Research Ltd	CO9X0004	Ethnobotany: Conserving Culturally Valued plants (part 1)	Maori Development
Rakiura Titi Islands Committee	RTIX0001	Harvests of Titi by Maori	Maori Development
Te Papa Tongarewa Museum of NZ	MNZX0004	Bridge and Barrier: 800 years of Maori Culture in the Cook Strait	Maori Development
University of Auckland	UOAX0013	Contact, Colonisation, Environmental and Economic Change in Pre-Treaty Northern Aotearoa/New Zealand	Maori Development
University of Waikato	UOWX0021	Te Kete a Tini Rauhangā: an investigation of the native medicinal flora used by Tuhoe (Rongoa Maori)	Maori Development
Existing FRST Contracts of Maori Related Research Primarily Aligned to Other FRST Portfolio			
Theme 1: Maori Social Well-being			
(Funded by Social Research Output Class)			
Provider	Contract	Full Title	Portfolio
Barnardo's New Zealand	BARX0001	Healthy Whanau/Families – What Makes the Difference?	Family and Community Well-being
CRESA	RESX0001	Sustainable Housing in Disadvantaged Communities	Family and Community Well-being
The Family Centre	FAMX0001	Investigating Poverty	Resource Generation and Distribution
The Family Centre	FAMX0002	The Impact of Urban to Rural Migration on Low Income Families	Resource Generation and Distribution
University Of Otago	UOOX0013	Socio-economic Status and Well-being	Resource Generation and Distribution
Victoria Link Ltd	VICX0004	Inter-generational Relations and Positive Ageing	Family and Community Well-being
University of Waikato	UOWX0001	New Zealand Election Study 1999-2002	Public Life