

Tangata whenuatanga: Whenua vs. Property

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In Aotearoa, the world of cultural recognition and cultural rights is changing rapidly, and this affects almost every sphere of public life, including educational, economic and environmental. Māori researchers and academics are uniquely placed to help iwi navigate the numerous challenges related to protecting cultural heritage, mana and whenua, by clarifying and providing commentary about changes in public legislation, processes and rulings. Examining recent Acts, from the Te Urewera Act 2014, a number of iwi Records of Understanding with the Crown, through to the unresolved Ihumatao protest, it is possible to trace a change in the legal understanding of the relationship between Iwi and the natural world. For example, in several recent public rulings, maunga, awa and wahi tapu have been given legal entity or the status of a legal person. This presentation offers a personal perspective of how I reconcile my roles as an academic, an advocate for business and enterprise, and a defender of Māori collective responsibility to each other, including our natural environment. There are clearly tensions to resolve, and I draw on the wisdom of others from the literature as well as examples from my own involvement to present possible ways forward. A recent experience of challenging the Cultural Impact Assessment (CIA) process may be of interest to others called upon to lead or assist in this arena. It takes both traditional knowledge and contemporary learning to protect and insist upon tangata whenua connection to place, experiences with that place and why Māori are who we are.