

***ACCESS TO CUSTOMARY LAW:  
NEW ZEALAND ISSUES***

**VISIBLE JUSTICE: EVOLVING ACCESS TO LAW  
WELLINGTON, 12 SEPTEMBER 2002**

**PRESENTATIONS BY**

**Judge Caren Wicliffe**  
*Maori Land Court*

**Kahui Maranui**  
**National Maori Land Information Systems Manager**  
*Maori Land Court*

**Paul Meredith**  
**Research Fellow**  
**Te Matahauariki Institute, University of Waikato**

## **ACCESS TO CUSTOMARY LAW: NEW ZEALAND ISSUES**

### **Judge Caren Wickliffe**

#### **I. INTRODUCTION**

We have been asked to address the topic “Access to Customary Law: New Zealand Issues.” I have indicated I would discuss definitions of customary law and then I would move on and discuss different sources of Maori customary law. I will also discuss ways of working with Maori customary law by reference to the work of the Waitangi Tribunal and the Maori Land Court. Kahui Maranui who is the National Maori Land Information Systems Manager for the Maori Land Court will assist me.

Paul Meredith of Te Matahauariki Institute will then discuss their project of compiling a reference work, named Te Matapunenga, which will bring together and present in accessible form the historical uses and meanings of selected terms and concepts of Maori customary law. Paul will identify some of the key sources of Maori customary law that the project team have been working through and provide some illustrations of findings to date. The ultimate purpose of discussing these matters is to assist you all identify and access Maori customary law.

#### **II. DEFINITIONS OF CUSTOMARY LAW**

I want to begin by discussing what is “customary law”. To attempt a definitive definition of what is custom law is fraught with difficulty as scholars have diverse views and those views perhaps reveal more about their professional disciplines than they reveal about the nature of customary law. The difficulty of defining customary law is, perhaps, best reflected by pointing to the limited attempt made to deal with definitions in the Law Commissions “*Maori Custom and Values in New Zealand Law Report*” (March 2001).

In the time that we have, I do not propose to attempt such a task either. Indeed, it would take a PhD thesis to do so. What I can do is share one of the sources that I have preferred from the literature that may or may not assist you help others begin their own journey of discovering customary law.

In some circles the study of customary law has been described as legal anthropology. An excellent description of this field of study is to be found in N Rouland *Legal Anthropology* (The Athlone Press, London, 1994). He points out that legal anthropology is the study of law in society. It begins from the premise that all societies have law.<sup>1</sup> He has identified that there are over 10,000 distinct known legal systems operating in the world today. A study of those systems indicates the following generalisations can be made:

---

<sup>1</sup> See generally N Rouland *Legal Anthropology* (The Athlone Press, London, 1994) and the discussion by R Boast “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 1 - 42.

- Law emerges with the beginning of social existence;
- The complexity of law in a society will depend on the complexity or simplicity of that society; eg. How many stratas in that society, the nature of its economy etc;
- All societies possess political power that relies to some degree on the coercive power of law, while the modern state is only present in some of these societies;
- Where the state exists, customs and ritual may have been codified or reduced to judgment by the instruments of the state eg. the common law imported into NZ from Britain in 1840;
- In all societies law represents certain values and fulfils certain functions; however, the common principles of law are:
  - the search for justice; and
  - the preservation of social order and collective security;
- Law is obeyed in different societies because individuals are socialised to obey, they believe in the just nature of the law, they seek the protection of the law, or they fear sanctions associated with non-observance.

On this approach, laws are nothing more than societal rules which have to be practically sanctioned in the here-and-now. Legal anthropology sets itself the objective of understanding these rules of human behaviour.<sup>2</sup> These rules must be designed to address wrongdoing and must, inter-alia be capable of being socially and practically enforced in the interests of the community. Only then will they be considered part of the legal domain of a society.<sup>3</sup>

However, it may be that this command theory of law is too rigid and too western and that a preferable way of approaching custom law is that discussed by Dr Alex Frame in his latest book *“Grey & Iwikau – A Journey into Custom”* (Victoria University Press, Wellington, 2002). Frame reviews the teachings of people such as Lon Fuller who described customary law as “a language of interaction”. Taking that further Frame argues that law “develops by incorporating, adapting and modifying diverse elements.” If this approach is taken, then much of the flexible nature of custom is easily identified as law whether it stands alone or is grafted onto or accommodated within another legal system.

---

<sup>2</sup> See generally N Rouland *Legal Anthropology* (The Athlone Press, London, 1994) and the discussion by R Boast “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) p 2.

<sup>3</sup> See generally N Rouland *Legal Anthropology* (The Athlone Press, London, 1994) and the discussion by R Boast “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 47 - 108.

### III. PACIFIC SOCIETIES

Perhaps, however, definitional approaches are unimportant in the context of trying to understand the nature of Maori customary law. It may be that it is more appropriate to study what happened here and what still happens here comparatively with other Pacific societies. Maori society, after all is a Pacific society. From such study we may be able to learn new ways of revitalising Maori customary law.

Such a review could begin with looking back as suggested by Professor Richard Boast in his great chapter in *“Maori Land Law”* (Butterworths, Wellington, 1999). In his work he takes us back to theorists such as Malinowski and his *Crime and Custom in Savage Society* (Routledge and Kegan Paul, London, 1926). In this work Malinowski studied the Pacific region and made attempts to identify that which in Pacific societies could be labelled customary law.<sup>4</sup> For example he has generalised that obedience to laws in these societies was achieved through the concept of reciprocity. The law was usually obeyed because individuals knew that on other occasions they would benefit from the obedience of others. A review of the writings of Justice E Durie on the subject, suggests that this argument is valid in relation to Maori law.<sup>5</sup>

Aside from a review of these historical works and anthropological studies, there is much to be learnt from the study of customary law as it is being applied today in Pacific countries. Custom law is affirmed and recognised in many Pacific constitutions and there is an ever increasing number of customary law sources such as records of judgments or observations on the application of custom in villages emerging out of these jurisdictions. Likewise a number of legal scholars from the University of the South Pacific Law School have published extremely thoughtful papers on the application of customary law in these societies. Many of these resources can be sourced from the University of the South Pacific Law School web-site on the net <http://www.vanuatu.usp.ac.fj/>. Follow the links to the School of Law – Vanuatu. A range of legal materials can be accessed from this site without leaving your office or library. (See for example Kenneth Brown “Customary Law In The Pacific: An Endangered Species?” (1999) Vol 3, Article 2, Journal of South Pacific Law.

### IV. MAORI CUSTOMARY LAW

As is clear from the research completed so far in this area, our general understanding of Maori law is evolving. What is emerging from the research can only be described as broad in scope and laced with generalisations which still need to be

---

<sup>4</sup> See generally K Sinclair *A History of New Zealand* (Penguin Books, 1991, China) Prologue and E Durie “Custom Law: Address to the New Zealand Society for Legal and Social Philosophy” (1994) 24 VUWLR 325 at 328 and 329.

<sup>5</sup> See Malinowski *Crime and Custom in Savage Society* (Routledge and Kegan Paul, London, 1926) and N Rouland *Legal Anthropology* (Athlone Press, London, 1994) for a discussion on law in ancient societies. Compare E Durie *Custom Law* (Unpublished Paper, January, 1994).

properly tested tribe by tribe or region by region.<sup>6</sup> Failure to do so will always mean, no matter how good any glossary or dictionary of terms may be, that concepts of Maori law, will be selectively chosen to fit outside the cultural context within which they have evolved and adapted. In my view, Maori customary law concepts can only be properly ascertained and applied by considering their historical evolution within a particular hapu or iwi from ancient times through to the present. The challenge is to uncover and demonstrate that evolution.

What we do know from the research completed to date, is that some emphasis has been given to conceptually framing Maori law in terms of “tikanga Maori.” This term is being used to describe the norms that maintained law and order in Maori society.<sup>7</sup> Tikanga, according to Justice Durie, describes Maori law and the word is derived from the word “tika” or that which is right or just.<sup>8</sup> Translated into English, tikanga has been rendered to mean “rule”.<sup>9</sup> It is the sum total of such norms and values that formed tikanga Maori or Maori law. Maori operated by reference to tikanga and that was underpinned by philosophical and religious principles, goals and values. All combined to regulate the conduct of individuals, whanau, hapu and iwi and in this way social control was maintained by doctrines, such as the doctrine of tapu. It is this law that determined and still determines Maori proprietary customary law.<sup>10</sup>

According to this approach, prior to 1840 and in many parts of the country until the mid 1860s, Maori hapu (sub-tribes) and iwi (tribes) were exercising “tino rangatiratanga” or sovereignty over their territories, resources and affairs.<sup>11</sup> They did so in accordance with tikanga Maori or Maori law which operated as an effective legal order.<sup>12</sup> This Maori system of law and custom was used to make decisions regarding, inter alia:

- leadership and governance concerning all matters including Maori land;<sup>13</sup>

---

<sup>6</sup> E Durie “Custom Law: Address to the New Zealand Society for Legal and Social Philosophy” (1994) 24 VUWLR 325.

<sup>7</sup> E Durie *Custom Law* (Unpublished Paper, January, 1994) pp 2 - 4.

<sup>8</sup> See generally N. Rouland *Legal Anthropology* (The Athlone Press, London, 1994) and the discussion by R Boast “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) p 3.

<sup>9</sup> H W Williams *Dictionary of Maori Language* (Government Print, Wellington, Reprint 1997).

<sup>10</sup> H Kawharu *Maori Land Tenure: Studies of a Changing Institution* (Oxford University Press, Oxford, 1977) p 40 and see E Durie “Custom Law: Address to the New Zealand Society for Legal and Social Philosophy” (1994) 24 VUWLR 325.

<sup>11</sup> See W Swainson *New Zealand and its Colonisation* (C Smith, Elder & Co, London, 1859) p 151, L Cox *Kotahitanga: The Search for Maori Political Unity* (Oxford University Press, Auckland, 1993) pp 3 and 4 and chs 4 and 7.

<sup>12</sup> FM Brookfield *Waitangi & Indigenous Rights, Revolution, Law & Legitimation* (Auckland University Press, Auckland, 1999) pp 86 and 87 and note the recognition of this law in the New Zealand Constitution Act 1852 (UK) 15 & 16 Vict., s 71.

<sup>13</sup> A Ward *A Show of Justice, Racial Amalgamation in the Nineteenth Century, New Zealand* (Auckland University Press, Auckland, 1974) pp 5 and 6, L Cox *Kotahitanga: The Search for Maori Political Unity* (Oxford University Press, Auckland, 1993) p 18, and A Erueti “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 30 - 32 and 37.

- intra and inter-relationships with whanau (extended families) hapu (sub-tribes), iwi (tribes/nations);<sup>14</sup>
- relationships with Europeans;<sup>15</sup>
- determining rights to land based on take tupuna (discovery), take tukua (gift), take raupatu (confiscation) and ahi kaa (occupation);<sup>16</sup>
- the exercise of kaitiakitanga (stewardship) practises including the imposition of rahui (bans on the taking of resources or the entering into zones within a territory) and other similar customs;<sup>17</sup>
- regulating use rights for hunting, fishing and gathering and sanctioning those who transgressed Maori tikanga or Maori rights (or both) in land and other resources;<sup>18</sup>
- regulating Maori citizenship rights to land and resources.<sup>19</sup>

## V. SOURCES OF MAORI CUSTOMARY LAW

Maori customary law was affirmed in the Treaty of Waitangi through the guarantee of “tino rangatiratanga” and is recognised in the common law of New Zealand through the doctrine of aboriginal rights, although the extent to which tikanga Maori can be recognised remains to be argued. There are now a number of statutes that recognise tikanga Maori including Te Ture Whenua Maori Act 1993, Resource Management Act 1991, the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992, to name just three. Then there are the array of statutes that refer to the Treaty of Waitangi. These statutes by implication include tikanga Maori.

For these reasons it is important for all those who work in the law, either as law librarians, judges, lawyers, lecturers, researchers or law students to be able to identify appropriate sources of Maori law.

I suggest you also start to learn Maori, as we on the Maori Land Court bench are doing. The purpose would be to become properly conversant with those in Maori society

---

<sup>14</sup> A. Erueti “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 33 - 37 and 38 - 41.

<sup>15</sup> A Ward *A Show of Justice, Racial Amalgamation in the Nineteenth Century, New Zealand* (Auckland University Press, Auckland, 1974) p 23 and see A Erueti “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 28 - 30.

<sup>16</sup> A Erueti “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 42 - 45, G Asher and D Naulls *Maori Land* (NZ Planning Council, Wellington, 1987) pp 5 and 6; and see H Kawharu *Maori Land Tenure: Studies of a Changing Institution* (Oxford University Press, Oxford 1977) pp 55 - 56.

<sup>17</sup> Waitangi Tribunal *Muriwhenua Fishing Report* (Wai 22) (Government Printer, Wellington, 1988) p 181.

<sup>18</sup> Waitangi Tribunal *Muriwhenua Fishing Report* (Wai 22) (Government Printer, Wellington, 1988) pp 58-61.

<sup>19</sup> H Kawharu *Maori Land Tenure: Studies of a Changing Institution* (Oxford University Press, Oxford, 1977) p 39, A Erueti “Maori Customary Law and Land Tenure” in R Boast, A Erueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) pp 33 - 35, G Asher and D Naulls *Maori Land* (NZ Planning Council, Wellington 1987) p 7. See also E Durie *Custom Law* (Unpublished Paper, January, 1994) p 5. Note that these scholars use the term “membership” where this author uses “citizenship”.

who are knowledgeable of Maori tikanga and Maori language. Only then can the written sources, that you are all so good at identifying, be placed in context.

I will now attempt to list some of the sources of Maori customary law to demonstrate the breadth of material that is available on the subject.

The oral history of Maori people is the primary source of Maori law and it is to be found: in te reo Maori (Maori language); in Maori cosmology; in whakapapa or genealogy; in waiata (song); in tribal and hapu citizenship and social organisation; in whakatauki and whakatauki (proverbs and sayings); karakia (prayer); in the arts including the performing and ancient and contemporary visual arts; in place names (rivers, mountains, gardens, waahi tapu etc) and peoples names; in whaikorero (male oratory) and karanga (female oratory); in meeting houses including the carvings and tukutuku (woven) panels; in the cultural use of resources and the artefacts and utensils that were adapted to gather those resources. It is there to be researched for the benefit of future generations.

It seems to me that the next step in beginning this journey of discovery for those who are just coming to terms with Maori customary law, should be with Justice E Durie's "*Custom Law Paper*" (Unpublished 1994) and Hone Clarke's "*He Hinatore ki te Ao Maori A Glimpse into the Maori World Maori Perspectives on Justice*" (Ministry of Justice, 2001) available on the Ministry of Justice web-site.<sup>20</sup> Watch out for the publication of *Te Matapunenga the Compendium of References to the Terms and Concepts of Maori Customary Law* that Paul Meredith will discuss following the presentation by Kahui Marunui.

Then read the Law Commission's "*Maori Custom and Values in New Zealand Law Report*" (March 2001). The next step is to also read the Law Commission's "*Justice: The Experience of Maori Women Te Tikanga o te Ture: Te Matauranga o Nga Wahine Maori e pa ana Ki Tenei*" (1999) because both reports touch on the devastating impact caused by the imposed legal system during the period of colonial denial of Maori law 1860-1975.<sup>21</sup> These studies will give you an overview of what the field covers.

An archival source review should naturally follow if more depth is required, including consulting early settler and Maori written observations such as those recorded in the diaries of William Colenso and George Grey etc. Early Maori writings include whakapapa books and diaries such as those held by the Auckland Museum, many of which are in Maori and are access restricted. Other Maori sources include the letters and articles written for the old Maori newspapers and Paul Meredith will discuss those. Anthropological works such as those produced by Elsdon Best and Sir Peter Buck or Te Rangihiroa have their place in this jigsaw as do publications such as the Journal of Polynesian Society. Books such as *Nga Moteatea* as recorded by Pei Te Hurinui Jones and Sir Apirana Ngata and the tribal histories such as Don Stafford's *Te Arawa* (out of

---

<sup>20</sup> See [http://www.justice.govt.nz/pubs/list/process\\_order.asp?pub=r691](http://www.justice.govt.nz/pubs/list/process_order.asp?pub=r691).

<sup>21</sup> Available online at [www.lawcom.govt.nz](http://www.lawcom.govt.nz).

print) are important sources of this knowledge. As many of you are librarians, you are better placed than most to assist in identifying these works.

Other sources include the many letters, submissions and articles or study papers written by Maori to Parliamentary Select Committee's, Ministers and Government Departments, all sources waiting to be properly identified and referenced into a tikanga Maori series. Many are published in the *Appendices to Journals of the House of Representatives*.

In contemporary times notable authors such as Professor Hirini Mead, Tania Rangieuea, Dr Pat Hohepa, Sir Hugh Kawharu, Maori Marsden, Pene Taiapa, Apirana Mahuika, Ani Mikaere, Moana Jackson, Professor Mason Durie, Andrew Erueti, Stephanie Milroy, Whaimutu Dewes, Nin Tomas, Rose Pere, Dr Margaret Mutu and many more have written on topics that bear on this subject. Their various publications should be listed along with any other source material you may have into an index for custom law researchers who will use your library.

Sources such as the record of proceedings for Courts or tribunals including the Minute Books of the Maori Land Court and the archives and reports of the Waitangi Tribunal have a wealth of information as well.

## **VI. WORK & RESOURCES - WAITANGI TRIBUNAL & MAORI LAND COURT**

I now want to turn to consider how tikanga Maori is being used in the work of the Waitangi Tribunal and the Maori Land Court. I am one of the eight judges of the Maori Land Court. We sit in five districts and we administer approximately 5.6% of the New Zealand land base, which is still classified as Maori land. We are also available to sit as Presiding Officers on the Waitangi Tribunal. As the two legal institutions within the dominant legal system most closely aligned to the revitalisation of tikanga Maori, I think it is important to discuss how we apply tikanga Maori in our work.

The Waitangi Tribunal was first constituted in 1975 under the Treaty of Waitangi Act of that year. It was established to hear claims under section 6/75 by Maori against the Crown for inter-alia any acts or omissions that were inconsistent with the "principles of the Treaty of Waitangi". Initially the Waitangi Tribunal struggled to find a way to incorporate tikanga Maori into its work and reports.<sup>22</sup> However, with the appointment of Justice Durie as the Chairman of the Tribunal by 1982, that position changed dramatically. The reports of the Tribunal now demonstrate the unsurpassed expertise of the Tribunal in dealing with evidence of tikanga Maori. I note for example, the brilliant chapters in *Te Whanganui-a-Orotu Report* (Wai 55, 1996), *Whanganui River Report* (Wai 167, 1999) and *Rekohu Report* (Wai 64 2001) and their sophisticated discussion and integration of tikanga Maori. Aside from the reports of the Tribunal, there are countless tapes, mana whenua reports and written briefs from Maori witnesses who have given

---

<sup>22</sup> See A. Ward *An Unsettled History: Treaty Claims in New Zealand Today* (Bridget Williams Books, Wellington 1999).

traditional and contemporary evidence of Maori law, custom, practices and beliefs during the hearing of their claims. These sources are held in the archives of the Tribunal. Paul Meredith will discuss how they are using this material as a source for identifying tikanga Maori. In my view, the Waitangi Tribunal model is important in the revitalisation of tikanga Maori because of the way it is constituted to hear claims. It brings together a mix of historical, legal and tikanga Maori experts.

In relation to the Maori Land Court, we too have some experience with Maori customary law and dealing with Maori communities. At various times in the history of the Court since 1865, our Court has been charged with the responsibility of applying Maori tikanga in relation to ascertaining rights and interests in land, including hearing evidence on Maori customary adoptions, Maori customary title, Maori succession practices, customary marriages, Maori genealogy, waahi tapu or sacred sites, fishing grounds and other places of importance. The Preamble to Te Ture Whenua Maori Act 1993, sections 2 and 17 all implicitly require the Court to consider applications before it in a manner that takes into account aspects of tikanga. Tikanga is defined in our statute at section 3/93 as “Maori customary values and practices”. In addition, the flexible nature of our procedures with an emphasis on avoiding any unnecessary formality as set out in sections 66 & 67/93 allow us to adopt marae kawa or protocols and to hear cases in the Maori language. Other Courts or tribunals may also refer tikanga Maori issues to our Court for determination under sections 29 and 30/93.

Despite the experience and familiarity of the Court with matters of custom, it would be a mistake to conclude that we are experts in tikanga Maori. The reality is that the complex nature of the statutory framework surrounding Maori land law means that lawyers, who do not necessarily have expertise in tikanga Maori, have in the past dominated our bench. That is why kaumatua have to be appointed under section 29/93 to boost the Court’s ability to hear such cases. This lack of expertise is also the reason why we are exploring the possibility of extending the composition of the Court to include kaumatua or “pukenga” sitting with judges to hear applications before the Court.

In addition, the Maori Land Court judges are all attending regular Maori language and tikanga Maori hui (meetings). This initiative was first instituted in 2001 and it is an initiative that comes after one hundred thirty-seven years of legal history. In other words, there has been no requirement to have any knowledge of Maori tikanga or language to be appointed a judge of this Court. The good news is that this issue has been addressed in Te Ture Whenua Maori Amendment Act 2002. Now section 7/93 requires that only people who are suitable, having regard to their knowledge and experience in te reo Maori, tikanga Maori, and the Treaty of Waitangi, should be appointed as judges of the Maori Land Court.

To begin to understand the nature of Maori customary land tenure read the excellent chapter referencing most of the known works in this field by Professor Richard Boast in *Maori Land Law* (1999).<sup>23</sup> The next publication to read is “*Customary Maori Land and Sea Tenure: Nga Tikanga Taonga o Nehera*” (Manatu Maori, Wellington

---

<sup>23</sup> R Boast, A Eurueti, D McPhail and N Smith *Maori Land Law* (Butterworths, Wellington, 1999) ch1.

1991). Then you should become familiar with the resources of the Maori Land Court, which still acts as the repository for the largest collection of indigenous knowledge on this subject.

To access these records is becoming easier. That has not always been the case. Less than five years ago the Maori Land Court records (comprising 12 million pages of paper records) could only be accessed by travelling to each Maori Land Court registry. Through the introduction of a new computer system, all that has changed. The Maori Land Information System or MLIS contains a complete computerised index of all Maori land title and ownership information. All of this information can be accessed at every Maori Land Court district registry and anywhere else where a Court officer or judge has a laptop computer and can connect to the network. In addition, the system has been extended to a imaging project allowing the historical records of the Court to be computerised.

I will now ask Kahui Maranui to demonstrate the programme and how it can be used to access tikanga Maori.

*No reira e te hunga kua tae mai nei, tena koutou*

Paper presented by Paul Meredith  
on behalf of Te Matahauariki Institute, University of Waikato

# **Te Matapunenga:**

## *A Compendium of References to the Terms and Concepts of Maori Customary Law.*

The Compendium is a Project of Te Matahauariki , an Institute based at the University of Waikato, funded by the Foundation for Research Science and Technology, and whose objective is the exploration of ways in which the legal system of Aotearoa/New Zealand might better reflect the best concepts and values of both our major component cultures.

What follows is 2 excerpts from the draft Introduction together with a list of Titles currently under consideration, a tentative timetable for completion of the Project and one significantly developed Title in draft form. The full version of the draft Introduction can be found on our website at [www.lianz.waikato.ac.nz](http://www.lianz.waikato.ac.nz) Te Matahauariki emphasises the provisional status of the drafts, which, together with many other Titles, are the subject of ongoing work in the Institute in 2002. Accordingly, the material should not be regarded as the concluded view of Te Matahauariki at this stage.

The *Introduction* is the joint work of Dr Richard Benton and Dr Alex Frame of Te Matahauariki. The compiling of the entries for the Title '*Turangawaewae*' has been co-ordinated by Paul Meredith, who has also carried out much of the research. Other contributors to entries, translation, and context are Tonga Karena, Robert Joseph, Alex Frame, Richard Benton, Nena Benton, and Mark Henare. The overall direction of the project has been provided by the Director of Te Matahauariki, Judge M.J.A. Brown.

10 September 2002

**Note: this is an early and incomplete draft only (September 2002)  
Not for quotation.**

## **Introduction**

1. In 1999 Te Matahauariki – an Institute publicly funded by the *Foundation for Research, Science and Technology* in New Zealand - set itself the goal of assembling a collection of references to the concepts and institutions of Maori customary law. The mainspring for this project was the Institute's objective of exploring ways in which the legal system of Aotearoa/New Zealand could better reflect the best of the values and principles of both major component cultures. An obvious and necessary starting point for the Institute was to identify and understand the concepts of Maori customary law. The obstacle immediately encountered was a general absence of systematic written material, and a widespread degree of confusion as to the nature and status of customary law, and its place in the legal system. The Director of the Institute, Judge Michael Brown, in consultation with the Institute's Advisory Panel, accordingly initiated two programmes. Firstly, Pu Wananga, under which the Institute sought to approach Maori leaders and experts with a view to discussing and recording such knowledge of customary law, or tikanga, as might be offered. Secondly, Te Matapunenga – the present work – which would attempt to traverse the existing historical materials with a view to bringing together such references to customary concepts and institutions as appeared to come from an influential or authoritative source and/or to exhibit explanatory insight.

2. The principles of construction for the present Compendium are relatively simple. The Compilers have started with a list of terms, concepts, and institutions found to be in use in historical and contemporary Maori discourse and selected with the assistance of kaumatua and Maori scholars. This list of **Titles** has been arranged alphabetically for the convenience of users. The Compilers have then searched a wide range of records for **Entries** which have been listed in chronological order under each Title. Each **Entry** consists of a sourced statement or explanation relevant to a particular Title together with an explanatory preface intended to supply a **Context** for the statement or explanation. The purpose of the **Context** is to enable the reader to understand the circumstances in which the statement or explanation arose, and to judge its credibility and authority. The Compilers have not set out to determine what is or is not 'true custom', but rather to record what has at various times and in various circumstances been claimed to be custom. Each title begins with a **Preamble** containing standard general meanings for the Title, together with some etymological connections with the wider Polynesian family of cultures, where these are considered to shed light on the core of meaning. Accordingly, the 'building blocks' from which Te Matapunenga is made up look like this :

### **MURU (Title)**

Wipe, rub, rub off; smear on; pluck off (leaves); plunder (usu. for cause, esp. the act or institution of ritual seizure or 'stripping' of goods for an alleged offence).

Hence “wipe out, forgive” (listed as “Modern” by Williams<sup>1</sup>). From Proto-Polynesian \*mulu “wipe, rub”.

(a) In 1838 , the House of Lords in London appointed a Select Committee to inquire into the state of affairs in New Zealand. A relation of Te Rauparaha , ‘Nayti’ , who had travelled to England on a French whaler and stayed for two years with Edward Wakefield in Chelsea , was called to give evidence to the Committee. The official record includes the following exchange : **(Context)**

Where a Chief is buried the Place is taboo’d?

***It is.***

If a New Zealand Man gets over the Fence , what happens to him ?

***He knows the mark which is taboo’d ; they say “You see the Place which is taboo’d ; why do you go to a Place which is taboo’d?”***

What do the New Zealand People do to him ?

***They take all his Things away. If a New Zealander gets into a taboo’d Ground, the Man whom that taboo’d Ground belongs to goes and takes his Pig , and every thing belonging to him.***

Do they ever kill him ?

***No.***

*Report from the Select Committee of the House of Lords appointed to Inquire into the Present State of the Islands of New Zealand...with Minutes of Evidence.* Ordered to be printed , 8 August 1838 , p.115-116.

**(Entry)**

The immediate purpose of this introduction is accordingly quickly discharged – the user will see what we have tried to do – and what we have not tried to do. However, such substantial issues of epistemology and definition, and of selection and translation, are raised by the present enterprise that the reader is entitled to fuller explanation and elaboration on these matters.

## **Sources**

A wide range of sources were employed in the compilation of the present work. In addition to well known texts on Maori culture and customs, a serious attempt has been made to traverse relevant primary materials. In particular, the extensive papers held in the Alexander Turnbull Library in Wellington. Early newspapers, especially Maori newspapers were also extensively consulted<sup>2</sup>. Parliamentary papers were found most useful, in particular the *Appendices to the Journals of the House of Representatives* –

---

<sup>1</sup> *Dictionary of the Maori Language* (Seventh Edition). Wellington: Government Printer, 1971. See Section 8, below, for further information about sources and the conventions adopted for these preliminary notes to each title.

<sup>2</sup> For a description of which , see Herbert W. Williams , *A Bibliography of Printed Maori to 1900*, Dominion Museum Monograph No.7, Government Printer, Wellington , 1975, introduction , p.xiv.

although these are today are mainly a bland series of departmental reports, those of the nineteenth century were a rich mine of information. Other governmental publications also yielded entries.

As might be expected in the case of a ‘performance culture’, many clues to customary concepts and principles are to be found in time-honoured sayings, songs, and incantations. Accordingly, attention was paid to collections of such material. As to sayings, the work of Sir George Grey is an unsurpassed starting point<sup>3</sup>, and a more modern compilation is provided by Hirini Mead and Neil Grove<sup>4</sup>. As to songs, the invaluable series of *Nga Moteatea* begun by Grey and improved and added to by Sir Apirana Ngata and Pei Te Hurinui Jones yielded several entries. Sound Archives also proved relevant on occasions. Te Matahauariki’s own *Pu Wananga* programme – in which Maori experts and leaders with knowledge of customary principles and practices were consulted in seminar sessions attended also by Institute scholars- was a necessary and valuable source of new material and confirmation and elaboration of what was found in historical sources.

More conventional legal sources were of course also traversed. The work of the Waitangi Tribunal was here the major resource – its Reports contain a profusion of references to and explanations of customary matters, based on its shearing of evidence on marae throughout Aotearoa/New Zealand, and have provided many entries. The judgments of other Courts, found in various law reports, also proved useful on occasion.

---

<sup>3</sup> Sir George Grey, Ko nga Whakapepeha me nga Whakaahuareka a nga Tipuna o Aotearoa : Proverbial and Popular Sayings of the Ancestors of the New Zealand Race , Saul and Solomon , Cape Town , 1857.

<sup>4</sup> HM Mead and N Grove, Nga Pepeha a nga Tipuna: The Sayings of the Ancestors, Victoria University Press, Wellington , 2001.

**Matapunenga Inventory @ June 28, 2002**

<i>Provisional Titles</i>	<i>Compilation</i>	<i>Status Entry / Subentry</i>
Ahi kā / ahikāroa	Advanced	E
Aituā		E
Ariki		E
Aroha		E
Hahunga		E
Hākari	Advanced	E
Hapū		E
Hara		E
Hau	Advanced – includes <u>Kaihau</u>	E
Hē		E
Hoko		E
Hohou [ki te]		
Rongo	Advanced	E
Hui		E
Ihi		E
Iwi		E
Kaitiakitanga	Advanced	E
Kanga	Advanced	E
Kaumātua		E
Kaupapa		E
Kawa	Advanced	E
Kāwanatanga	Advanced	E
Koha	Advanced	E
Kōhuru		E
Kōrero		E
Kotahitanga		E
Mākutu	Advanced	E
Mana		E
Mana Kōrero		S
Mana Moana	Advanced	S
Mana Tangata		S
Mana Whenua	Advanced	S
Manaakitanga		E
Māori		E
Māoritanga	Advanced	S
Matakite		E
Mate Māori		E
Mauri		E
Muru	Advanced	E
Ngau Whiore		E

Noa/Whakanoa		E
Öhāki		E
Pākehā		E
Pana / Peia		E
Pouwhenua		E
Pūremu		E
Rāhui		E
Rangatira	Advanced	E
Rangatiratanga		S
Raupatu		E
Riri		E
Ritenga		E
Rohe		E
Roromi		E
Rūnanga	Advanced	E
Tāhae		E
Taiao		E
Takawaenga		E
Take		E
Tangata Whenua		E
Tangihanga	Advanced	E
Taonga		E
Tapatapa		
Whenua		E
Tapu		E
Tatau Pounamu		E
Taua		E
Tika		E
Tikanga		E
Tohunga		E
Tuakana		E
Tuku	Advanced	E
Tumu	Advanced	E
Tūpāpaku		E
Tupuna		E
Tūrangawaewae	Advanced	E
Ture		E
Tūtūā		E
Utu	(Advancing)	E
Wāhi Tapu		E
Wairua		E
Waka		E
Wana		E
Wānanga		E
Whakamā		E
Whakamomori		E

Whakapapa		E
Whakataukī /		
whakatauākī		E
Whakawā		E
Whakawhiu		E
Whānau		E
Whanaungatanga		E
Whāngai	Advanced	E
Whenua		E

86 Titles

6 Special

Subtitles

22 titles / subtitles advanced/advancing status

## **Plan for Completion of Te Matapunenga**

**October 1999.** Decision made by Te Matahauariki to undertake the compilation of a Compendium of References to Maori Customary Law.

**June 2002. Stage I. Completion of ‘Sample Te Matapunenga’** , consisting of a draft Introduction and some Titles significantly developed.

- Continuation of Pu Wananga Programme by which Titles and Entries are selectively submitted to acknowledged Maori and other experts for comment and refinement.
- Focussed discussions on aspects of Maori and Polynesian customary law carried on within Te Matahauariki.
- Research in archives and other records continues as all Titles are progressively developed and improved.

**June 2003. Stage II. Completion of ‘Proto-Compendium’** , consisting of an improved Introduction together with all Titles significantly developed. This target assumes that the core Te Matapunenga team is kept intact and that the primary responsibility of its members is the Compendium.

- ‘Proto-Compendium’ published in ‘internal’ Te Matahauariki format for limited external circulation among interested scholars and institutions for comment and discussion with a view to refinement , correction , and improvement. Possibly also open to comment on Te Matahauariki website.
- ‘Proto-Compendium’ taken to publishers, with a preference for an international publisher, and a publishing contract solicited. Such contract, which would be between Te Matahauariki and the publisher would provide for the maintenance of Te Matahauariki standards and continuation of involvement of its researchers.

**June 2004. Stage III. Publication of Te Matapunenga.**

**Note: this is an early and incomplete draft only (September 2002)  
Not for quotation.**

**T**urangawaewae: To do with placing the feet. Derived (mostly post-Waitangi) meanings include footstool and a place (land, marae) to stand on as of right. From *tii* “stand, remain, be established” + *-tanga* (see *kaitiakitanga*) + *waewae* “foot, leg”.

- a) A search of the 19th century historical Maori newspapers reveals no occurrence of the compound term, ‘turangawaewae’ but several of the collocation ‘turanga waewae’. One of the earliest appearances found to date is in the Maori newspaper, *Te Karere o Poneke* in 1858 and is a recital of the biblical reference, found in Isaiah 66.1 and Acts 7..

“Ko te rangi taku torona, ko te whenua taku **turanga waewae**” ([Translation in King James Version of the Bible] Heaven is thy kingdom, earth is thy footstool.)  
*Te Karere o Poneke*, Vol. 1, No. 45, 20 September 1858.

- b) The linguist of Maori, Dr Richard Benton, in a check of the occurrences of “turanga-waewae” as a collocation in the King James Version of the Bible notes that all the references are to a ‘footstool’ except for Acts 7.5, where it is quite literally any place to stand on, not the land which defines one's identity. He speculates that however this (plus Tawhiao's use of the footstool metaphor) could have been the origin of the modern special use of "turanga waewae" to refer to the place where one can still stand as of right - for many modern Maori just the scrap of common land left for use as a marae after the rest of the land has been alienated or confiscated.

”Kawenata Tawhito

Wai 99:5 . koropiko ki tona **turanga waewae**; he tapu ia. (footstool)

Wai 110:1 . kia meinga ra ano e ahau ou hoariri hei **turanga waewae** mou. (footstool)

Wai 132:7 . ka koropiko ki tona **turanga waewae** (footstool)

Ihaia 66:1 Ko te kupu tenei a Ihowa: Ko te rangi toku torona, ko te whenua toku **turanga waewae** . (footstool)

Nga Tangi a Heremaia 2:1 . kihai ano i mahara ki tona **turanga waewae** i te ra i riri ai ia (footstool)

Kawenata Hou

Matiu 5:35 Kua hoki te whenua: ko te **turanga** hoki tera o ona **waewae** (footstool)

Mahi 2:35 Kia meinga ra ano e ahau ou hoariri hei **turanga waewae** mou. (footstool)

**Mahi 7:5 A kihai i hoatu tetahi kainga mona i konei, ahakoa he turanga waewae noa [not even a place to set his foot on]**

Mahi 7:49 Ko te rangi toku torona, ko te whenua toku **turanga waewae**. (footstool)

Hiperu 1:13 . kia meinga ra ano e ahau ou hoariri hei **turanga waewae** mou?  
(footstool)

Hemi 2:3 . a ka mea ki te rawakore; E tu koe ki kona, E noho ranei ki konei, ki raro i taku **turanga waewae**. (footstool)”

- c) In an 1861 letter of welcome to returning Governor Grey, the Ngati Whatua authors signify the association of land with a place to stand. This was Grey’s second appointment as Governor of New Zealand. Was their use of the phrase turanga waewae drawn from such biblical usages as above? The letter does go on to make several biblical references.

“Haere mai, haere mai, e pa e te Kawana, haere mai e te matua o nga iwi katoa e noho nei i Niu Tireni, haere mai e nga kanohi o te hunga kua mate, haere mai e Whangairoa, haere mai e Hotete, haere mai e Haimona, haere mai e Hauraki, haere mai e nga kanohi kaumatua kua mate, haere mai ki tou **turanga waewae**, haere mai i ana.” ([Translation in the original source] Welcome father, the Governor, parent of all tribes in New Zealand. Welcome, the eyes of those who are dead. Come Whangairoa, come Hotete, come Haimona, come Hauraki, come faces of the old chiefs who have died, come to the standing place of your feet.) *Te Karere Maori or Maori Messenger*, Vol. 1, No. 18, 16 December 1861. p. 19.

- d) Biblical references to turanga waewae appear occasionally in several Maori serials through to the 1930s. It was a catchphrase for one tribal committee as part of their argument for the retention of land. With the continuing dispossession and alienation of land, there was concern expressed that Maori would not literally have a ‘place to stand’. In a list of preferred directions for the Maori people, number 2 was listed as:

“2. Kia mau ki te iti whenua hei oranga mo koutou e ki ana te kupu whakarite ko te rangi tona wahi tapu ko te whenua tona **turanga waewae**.” [Translation by Te Matahauriki – Hold on to even a modest piece of land for your sustenance in keeping with the saying, heaven is his kingdom, earth is his footstool.] *Te Wananga*, Vol. 5, No. 13, 30 March 1878, 147.

- e) The second Maori King, Tawhiao is recorded as declaring Ngaruawahia to be his turangawaewae in 1881, as a prelude to a tour of the Waikato district by King Tawhiao. King Tawhiao was an exile among his Ngati Maniapoto, Ngati Te Wehi and Ngati Hikairo tribal kinsmen, most of his Waikato lands (including Ngaruawahia) having been confiscated following the Waikato War. Tawhiao, who was well versed in the bible, said to his people:-

"Ko Arekahanara toku haona kaha;

Ko Kemureti toku oko horoi;

Ko Ngaruawahia toku **turanga-waewae**."

([Translation by Pei Te Hurinui Jones in *Turanga-waewae: Souvenir of Golden Jubilee 1921-1971*] - Alexandra will ever be my symbol of strength of character; Cambridge a symbol of my wash bowl of sorrow; And Ngaruawahia my

footstool.) Noted by Te Whaati Tamaati (Ngati Mahanga) in a Speech of Welcome, 1960 to attendees of the Hui Toopu held at Ngaruawahia and recorded by the Department of Anthropology, Auckland University, Tape No. 0111.

- f) In a 1905 letter to the editor of the Maori newspaper, *Te Pipiwharauoa*, N.W. Te Ata, argues that the other prominent Maori newspaper, *Te Puke ki Hikurangi* should be published from within Ngati Porou because of the Hikurangi component of its name. The mountain Hikurangi is a prominent landmark and signifier of Ngati Porou identity. The paper was being published out of Papawai within Ngati Kahungunu territory under the editorship of Tamahau Mahupuku:

“...me tu ki Khipane, ki Uawa, ki Waiapu ranei, “ko nga **turanga waewae**”, tera o Porourangi, kia tika ai te whakatauki nei, ko Waiapu te awa, ko Hikurangi te Maunga, ko Porourangi te mana kai runga,” a, inaianei, kua tu ke taua maunga he waahi ke a he iwi ke hai whakahaere, a ka tau ke, ki ta nga iwi tawhiti whakaro, ka penei ko Wairarapa te moana, ko Hikurangi te maunga, ko Tamahau te mana kai runga.” [Translation by Te Matahauriki - ... it should be run from Khipane, Uawa or Waipu, “the foot stools” of Porourangi, so that the proverb is correct which states, Waiapu is the river, Hikurangi is the mountain and Porourangi is the mana over them”. Now, that mountain stands in a different locale under a different people, and thus people from afar may be of the belief that Wairarapa is the lake, Hikurangi is the mountain and Tamahau holds the mana of them.” *Te Pipiwharauoa: He Kupu Whakamarama*, No. 86 May 1905, p. 4

The reference to the pepeha or tribal saying reminds us that while the term *turangawaewae* may be a post-European one, the notions of situational identity and geographical features as signifiers of cultural identity go back to earlier times.

- g) *Te Puke ki Hikurangi* reported the death of Hon. H. K. Taiaroa M.L.C. on 29 July 1905. Taiaroa was a chiefly figure of the Kai Tahu tribe of the South Island who passed away whilst in North Island, assumedly in Wellington on Parliamentary duties:

“... e nui ana te pouri mo te matenga o tena o tatau tangata rangatira, ahakoa i mate mai ki tenei motu, i runga i nga mahi mo te iwi, e pai ana, he **turanga waewae** anake no tatau a konei a kona hoki.” ([Translation by Te Matahauriki] ... Our grief is great with the death of this one of our chiefly persons, despite the fact that he died here on this island, labouring for his people. It is alright though, it is place for us, from both here and there, to stand.) *Te Puke ki Hikurangi*, Vol 6, No. 19, 12 August 1905, p.6.

- h) A newspaper article in 1930 reflects on the achievements of Sir Apirana Ngata, including in particular his advancement of Maori land development schemes. Land was viewed as necessary for locating Maoriness and Maori identity.

“Tana kaupapa tuatahi i whakatakoto ai ki te Rohe-pooti o te Tairawhiti he ahuwhehua... Tika tonu, kia tuatahitia te mahi kia Papa-tuanuku. Notemea ki te kore he **turanga waewae**, kaore, hoki he waahi hei taunga iho: mo to taua Maoritanga. Ahakoa i tenei wa kua rau te nuinga o te whenua i te mangoururoa nei i te Pakeha, auwaatu. Ko nga mea kei te toe kia mau.” ([Translation by Te Matahauariki] His first policy implemented in the East Coast Maori Electorate was land development. It is right that we concern ourselves first with the land (Papatuanuku is the Earth Mother). Because if there is no place to stand then there will be no place to locate our Maoriness. Never mind the fact that most of the land has been captured by this white shark the Pakeha. Hold onto what remains.) *Te Toa Takitini*, December 1, 1930, p. 2215

- i) In his biography of the renowned Waikato leader, Te Puea Herangi, the historian Michael King comments on Te Puea’s choice of name for the major Waikato marae at Ngaruawahia, Turangawaewae. The marae was opened in 1930.

“The expression "**turangawaewae**" provides the key to understanding Te Puea's behaviour and her obsession for reciting Tawhiao's sayings. It has rarely been fully explained to non-Maori's; it is perhaps difficult to explain. The concept has no precise equivalent in English. It is conventionally translated by the archaic biblical term "footstool". More recently, it has been conveyed as "a place to stand". Literally, it means "a place where one puts one's feet". But it has connotations of birthright, of ancestral continuity, of a place to which a person really belongs, of roots that are the source of identity and consequently the origin of the right to speak and behave as a Maori. For most older Maoris, their turangawaewae is the place where they were born if that place has long-standing Maori significance; or it is the marae with which their family (traced through either parent) has been longest associated. Not having a turangawaewae is, in terms of recent tradition, tantamount to not having Maori credentials, not having the right to speak on a marae.” *Te Puea: A Biography*, Hodder and Stoughton, Auckland 1977, pp. 103-104.

In a footnote King notes that the expression was probably not pre-European, although the concept was. "Turangawaewae" acquired a wide currency in the Maori language only after Te Puea's establishment of the marae of the same name. By the 1960s the term turangawaewae was in common usage amongst, particularly to describe their own marae on which they held rights.



Haka and action song being performed at Mahina-a-rangi meeting house, Turangawaewae marae, Ngaruawahia, PAColl-5584-28, Alexander Turnbull Library, Wellington

- j) As part of the 1978 Orakei settlement, Orakei land was made Maori freehold land, and by special Act, inalienable and vested in a tribally elected board

“7. Duties and powers of Board---(1) The principal duty of the Board shall be to hold, conserve, and administer, as a perpetual estate and **turangawaewae** for its beneficiaries, the land vested in the Board for that purpose by sections 9 to 11 of this Act, all of which land in the hands of the Board shall be Maori freehold land within the meaning of the Maori Affairs Act 1953.” Orakei Block (Vesting and Use) Act 1978

- k) In a 1979 collection of essays by leading Maori figures, Professor Hugh Kawharu examined the rebirth of Ngati Whatuatanga for the Orakei hapu with the return of land. Kawharu noted that the Orakei community typified many Maori communities by the 1970s, that is, having little or no knowledge of their origins, their language, no land, no marae and no identity:

“Now, however, they have title to land with individuals able to claim that right to use it on proof of lineage; and the whole is grounded in a statute – protected trusteeship. It may not be much, but it is enough to give them back their identity and their self respect: a **turangawaewae** upon which they and their children may resolve the problems of being Ngati Whatua in a Pakeha world and so find richer, more creative life.” ‘Land as Turangawaewae: Ngati Whatua’s Destiny at Orakei’ in He Matapuna = A Source: Some Maori Perspectives. Wellington: New Zealand Planning Council, 1979 at p. 53.

- l) In a paper for the Royal Commission on Social Policy, the Maori historian, Manuka Henare noted turangawaewae as a key concept that enhances and develops mana Maori. Henare goes on to describe the relationship between Turangawaewae and marae, the marae being to many the last bastion of Maoritanga, the remnants of traditional land holdings, the link to the past and the location of their identity as Maori :

"The marae is the most enduring cultural feature of Maori life and descent from the ancestors named and represented there is central to Maori identity. To be able

to stand tall and feel one's sense of belonging because one's papakainga is intact, one's ancestral land is intact, is to have turangawaewae. The papakainga is a Maori's tangible evidence of turangawaewae, a place where Maori predominates in all ways, a refuge from pakehatanga.

Ko te marae me te whenua te **turangawaewae** o te iwi.

The marae and the land are the physical and cultural supports of the people (Traditional)" Manuka Henare 'Nga Pou Mana in Nga Tikanga me Nga Ritenga o Te Ao Maori' in The April Report, Part 1, Future Directions: Associated Papers Report of the Royal Commission on Social Policy April 1988, Wellington, p. 31-32

- m) The anthropologist, Joan Metge, in a discussion of how members of whanau express their group consciousness by the use of collective symbols, noted the whanau marae or the home of the senior couple as the "main gathering place and symbolic turangawaewae (land base)". In a footnote she explains her understanding of the concept, turangawaewae:

"**Turangawaewae** means literally a standing place for (one's) feet. Its basic application is to land holdings inherited from ancestors, which confer rights as tangata whenua in the vicinity and on the associated marae, then by extension to the marae on which a person is tangata whenua, and finally to any property used as a base." Metge, J., New Growth From Old, Victoria University Press, Wellington, 199?, Chapter 4, fn. 2, p. 319.

- n) The *New Zealand Herald* reported a controversial application to the Far North District Council by the Kororareka Marae Society to develop a marae on a 1.7ha site next to the Russell cemetery. The report stated:

Supporters believe Maori history is an important part of the historical township and that many generations of Maori now consider Kororareka to be their **turangawaewae** (home ground). 'Russell cemetery-side marae plan awaits okay' in New Zealand Herald, 8 August 2000.

- o) Questions of identity in mainstream New Zealand have drawn on the concept of turangawaewae. An investigative article on church leavers, looks at the formation of post-church groups and what may be learned from them. The article is titled *In Search of Turangawaewae*:

The vast majority of the exiles from the church I met spoke of missing the sense of community and belonging that they once enjoyed in their church environment. The church was for many years their **Turangawaewae** - the place where they belonged, the place where they could stand. It was the group that reinforced and validated their sense of faith identity... After leaving their church they long for a new Turangawaewae - a new place to belong, a new place to stand. In order to meet this need many form - or link up with - faith groups outside the institutional church networks. Reality, Issue 34, Bible College of New Zealand, 1999.

- p) A further illustration of the modern-day use of *turangawaewae* is a review of the publication 'From Tamaki-Makau-Rau to Auckland', the reviewer notes that the work raises the question of just what defines Auckland and Aucklanders:

There's only one Auckland, but it means different things to each of us. To some it's New Zealand's pulse, to others New Zealand's big head. Some see it as vital - and full of vitality - others as eminently dispensable, some as their **turangawaewae**, some as a stop along the way. 'Auckland, the patchwork city' in *New Zealand Herald*, 10 November 2001.

- q) The following observation by the Kai Tahu scholar Hana O'Regan refers to *turakawaewae* (Kaitahu dialect) as "the place where a person has the right to stand. That right is inherited through *whakapapa*." O'Regan quotes her Ngai Tahu informant, George Te Au on the relationship between *whakapapa* and land through the concept of *turakawaewae*.

"Firstly it's *whakapapa* -then **turangawaewae**. Those are two factors, the most important factors that identify Ngai Tahu. Then the pride in ourselves." Hana O'Regan *Ko Tahu Ko Au*, Horomaka Publishing, Christchurch, 2001 p. 51,.

END