

Globalizing Memory and the Struggle for Historical Justice in Aotearoa/ New Zealand: A Reflection on 'Memories without Borders?'

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In his exploration of painful Hispanic pasts, Professor José Colmeiro examines several interfaces between national and international memories and (relatedly) processes of transitional justice. While acknowledging that the main factors impelling the quest for historical justice lie within national boundaries, he also asks how far the pursuit of claims for transitional justice can be assisted by the transference of knowledge about the past across international borders. His answer is cautiously positive: the recent escalation of globalizing tendencies, which have so much capacity for harming people and environment through (for example) the operations of multinational corporations, can also assist the propagation of revival of memory by past and/or presently oppressed groupings. Moreover, this globalized transfer of knowledge can have an applied effect for those groupings through their garnering of popular and official international support. Additionally, in some cases, reverse transfer of memory-knowledge from struggles in other jurisdictions – including methods of struggle, reconciliation and reparations – can add value to the quest for historical justice.

Colmeiro's views resonate with those of scholars operating within quite different jurisdictional environments, such as Canada's Professor Ken Coates.¹ In their case studies, Colmeiro and Coates are careful to adumbrate basal nation-specific factors. A vast amount of scholarly production underpins Treaty of Waitangi-based historical reconciliation processes, but as most of it is applied history geared to attaining reparational redress, it has generally avoided contextualizing Maori grievances against the Crown within global meta-narrative (or any other) context. 'Treaty scholarship', in short, is quintessentially inwards-looking by the very nature of its intended main audiences, the Crown and the Waitangi Tribunal.

But there is more to it than that. From the 1970s a strong movement arose to rescue New Zealand history from Eurocentric domination, and the establishment of the Stout Research Centre was one key result. With the focus increasingly upon the New Zealand past in its own right, the academic

history of Crown-Maori relations (especially) became inwardly focused, not surprisingly given the huge amount of work needed to be done by revisionist historians.² But now that the autochthonous groundwork has been done, an international dimension is not an optional extra (indeed if it ever were).

This applies not just to scholarship but also, if relatedly, to ways of seeking justice for the aggrieved. Placing national perspectives in the context of global imperial and post-colonial developments can very positively enhance analysis focused on events which have occurred within national boundaries. In countries with painful historical injustices which have been subjected to official and popular amnesia, for example, a contextualization which sees past traumas not as essentially national-exceptionalist, but as part of or akin to imperial or other transnational experiences, can have profound academic consequences. This may in turn well have internally-generated policy ramifications in terms of addressing historical justice.

Furthermore, the taking of such knowledge into the international arena by knowledge transfer, victims' appeals to international institutions and audiences, and the like, can lead to very positive nation-specific public policy ramifications. As Colmeiro notes, protests and struggles which travel across borders can enthuse and inspire individuals and groups, and reconciliatory or reparational methods and solutions can be adopted or adapted (especially between jurisdictions of common politico-cultural background). The New Zealand Crown's apology to Waikato-Tainui in 1995 gave succour, for example, to the Australian campaign for official apology to the Aboriginal people.³

However, this example serves to remind us that, even with nations of similar politico-cultural origins, the struggle for historical justice can only come from within significant elements (at very least) of the affected communities if it is to have meaning – let alone chance of success. The international dimension, in short, can only strengthen a pre-existing autochthonous edifice. The theme of the conference which generated Professor Colmeiro's paper, in its juxtaposition of actual past parallels with possible convergent futures, hints at this. The past oppressions which underpin transitional justice aspirations and processes in the Hispanic world and New Zealand are quite different in their specificities, especially in relation to the interconnected issue of time and agency. Maori grievances under the Treaty of Waitangi settlement processes generally focus on nineteenth century events, and are being addressed by the Crown because of the powerful political effectiveness achieved by Maori during the Maori Renaissance from the 1970s. The tangata whenua (people of this land) also have the iconic Treaty of Waitangi (whose Maori version promised them rangatiratanga, or – loosely – autonomy) to provide nationally specific organizational and ideological perspectives that have enhanced their struggle in ways unavailable to the Aboriginals – or

for that matter, to many North American tribes, even some which signed historical treaties. The grievances that are being addressed in the Hispanic world relate to more recent events, retrievably within the historical memory of present and immediately past generations, and advanced by people who, for nation-specific reasons, have been able to wield a far lesser degree of agency than have Maori.

It might well be argued that Maori worldviews, which look backwards to go forward and whose orality brings (what is for the West) a distant past palpably into the present, do supply the equivalent of recent memory. However, because the grievances referred to by Colmeiro and/or attempts to address them have 'live victims' or their immediate families and friends to testify and agitate, there may be greater pressures and impulses to settle grievances and reconcile with the past. Moreover, placing recent historical memory (in western terms) in front of international (especially institutional) audiences might lead to a more sympathetic reception than grievances from a century or two ago – a reflection of the dominance of westernized memory in a globalizing world, perhaps, but more likely to get traction than indigenous past-in-the-present ways of looking at the world.

That being said, Maori representatives have frequently addressed international forums, appealed to international organizations, and forged bonds with many indigenous peoples in varying circumstances. Their struggles for the Crown to respect rangatiratanga and to pay reparations for past devastations have both been inspired by and inspired self-determinationist and other movements elsewhere. More importantly for the purposes of this response, as Colmeiro would no doubt surmise, Maori struggles to assert rangatiratanga may well have been boosted at times by pressure from international agencies lobbied by Maoridom.⁴

And yet we come back to the specifics of the national situation. Despite its international reputation for being in the vanguard of historical reparations and reconciliation, New Zealand governments weathered almost universal international opprobrium for several years for refusing to sign the United Nations Declaration on the Rights of Indigenous Peoples. Both this fact, essentially a reflection of concern at potential ramifications from recognizing the right to self-determination, and the fact that it was the Maori Party in the governing coalition which secured New Zealand's signature in 2010, indicate the significance of the fundamental importance of national specificities.

Given the richness of New Zealand's exploration of Crown-Maori relations after the scholarly 'inwards turn' from the 1970s, and the international renown of its treaty-based settlement processes, scholars of these matters can usefully contribute to the exploration of hypotheses about the positive uses of international memory transfer as a means of retrieving historical knowledge, and then addressing it. An increasing scholarly, bureaucratic and

tribal propensity to look beyond Treaty settlements (officially scheduled to end by 2014, although very few scholars and practitioners believe this to be achievable) can both feed into and reflect international developments. Many are now engaged in the search for ongoing constitutional or other arrangements which properly embody a bicultural partnership between the *tangata whenua* (people of the land) and the Crown, replicating at a political level what is happening at societal level. But before and after 2014 this will remain a very New Zealand argument, and any potential solutions will need to be based on the specifics of the New Zealand situation – the Treaty of Waitangi *and* Te Tiriti o Waitangi, and how to insert increasingly multicultural developments into the foundational Crown-Maori relationship.⁵

In summary, transferring knowledge of historical memory across borders, to both people and organizations, can assist the quest for historical or transitional justice by an oppressed grouping or people within a nation-state. Their struggles are likely to have been influenced by international campaigns for social justice, just as Maori were influenced during their ‘Renaissance’ from the early 1970s by overseas resistance or liberation movements such as Black Power and the American Indian Movement. Outcomes are likely to be enhanced by the support of international voices, non-official and official, which are powerful enough to pressure governments – and which are themselves influenced by the degree and nature of their support in international community, and by solidarities with negative historical memories and their addressing in jurisdictions around the world.

But at the most fundamental level, the strength of their cause lies in persuading their own country’s population and government to retrieve lost or supplanted memories.⁶ Globalized networks of indigenous and other victims reclaiming and exercising their agency are a useful adjunct, enhanced by instant accessibility of information over the web; but they remain supplementary to what must remain the main focus of struggle – the victims persuading people and governments to overcome their historical amnesia and to act upon the recovered memories in the interest of social justice and harmony.

In this, scholars have a role, and the international dimensions they add will enhance the efficacy of that role (although many of their contributions become bastardized through propagation⁷). One way of advancing ways of self-determination by an ethnic minority, for example, is to explore ways of melding western theoretical paradigms and approaches with tribal knowledge systems and methodologies. This is a task being tackled internationally, if incipiently, and New Zealand scholars can both learn from and contribute to it.⁸ Scholarship can then feed into international policymaking. As Eduardo González, Director of the International Center for Transitional Justice’s

Truth and Memory Program, recently noted, the ‘overdue encounter between the two emerging fields of [Transitional Justice] and Rights of Indigenous Peoples’ requires a great deal of ‘significant research and practical work’.⁹ The effort is worth it, for the stakes are high.

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- 1 See, for example, among his prolific outputs: ‘International Perspectives on Relations with Indigenous Peoples’ in Ken S. Coates and P.G. McHugh, *Living Relationships: Kokiri Ngatahi*, Wellington, 1998; for one of his Canada-focused books with international ramifications, *The Marshall Decision and Native Rights*, Montreal and Kingston, 2000; and *A Global History of Indigenous Peoples: Struggle and Survival*, London, 2004.
 - 2 Lorenzo Veracini, *Negotiating a Bicultural Past: An Historiographical ‘Revolution’ in 1980s Aotearoa/New Zealand*, Wellington, 2001.
 - 3 There may have been a concrete connection, too. Henry Reynolds visited the Stout Research Centre in the early days of the Treaty of Waitangi Research Unit to consult with myself and Dr Bryan Gilling, who had worked with me when I was working on the Waikato-Tainui settlement as Chief Historian at the Office of Treaty Settlements, on the means by which this first apology to an indigenous people in the former British Empire had been achieved. This was in the context of the Australian ‘Sorry Day’ campaign, which began in 1998 and ultimately led both to Prime Minister Kevin Rudd’s apology for the ‘stolen generations’ ten years later and to officially sanctioned annual National Sorry Days. Although Dr Gilling and I stressed the Treaty-specific and tribal history-specific aspect of the apology, we also discussed with Prof. Reynolds the significance in processes for ‘healing the past’ of demands for state apologies.
 - 4 At other times, however, international appeals were counterproductive to negotiating processes. When the author worked the public sector in Treaty reconciliations processes, he observed ministers and officials offended by presentations by Maori delegations to international forums, especially pronouncements placing New Zealand in the same company as regimes with repulsive human rights regimes. As a result, some negotiations may have been adversely affected. In other words, while actions across frontiers might be useful in general, consciousness-raising terms, specific international interventions might be counterproductive in the short term, depending on their aims and expressions. This latter situation represents a far milder version of an observed phenomenon in which repressive regimes’ ratifications of international human rights instruments can have no effect or ‘may even lead to more violence among highly repressive regimes’: Michael M. Elliott, ‘The institutional expansion of human rights, 1863-2003: A comprehensive dataset of international instruments’, *Journal of Peace Research*, 48,4 (2011), p.544.
 - 5 For some examples of the author’s attempt to address some of these big issues with regard to New Zealand, see *Maori and the State: Crown–Maori Relations in New Zealand/Aotearoa, 1950-2000*, Wellington, 2009, and ‘Fitting Multiculturalism into Biculturalism: Maori-Pasifika Relations in New Zealand from the 1960s’, *Ethnohistory*, 57, 2 (2010).
 - 6 For victims’ testimonies of the significance of state recognition that human rights violations had occurred, see Simon Robins, “‘To Live as Other Kenyans Do’: A Study of the Reparative Demands of Kenyan Victims of Human Rights Violations”, International Center for Transitional Justice, New York, 2011, p.41: ‘[Recognition from the government] is the beginning of the truth.’
 - 7 Geoff Eley, ‘The Past Under Erasure? History, Memory, and the Contemporary’, *Journal of Contemporary History*, 46, 3 (2011), p.572.

- 8 See, for example, Eva Mackey, *The House of Difference: Cultural Politics and National Identity in Canada*, Toronto, 1999 (2002 ed), which examines the 'flexibility and ambiguity' possible within an 'immensely totalising' (p.167) western power; see too a recent attempt to privilege indigeneity in scholarship in by Margaret Kovach, *Indigenous Methodologies: Characteristics, Conversations and Contexts* (Toronto, 2009), one of a number of works in the wake of Linda Tuhiwai Smith's *Decolonizing Methodologies: Research and Indigenous Peoples* (London, 1999). The Treaty of Waitangi Research Unit at the Stout Research Centre has engaged in joint projects between Maori and Pakeha scholars, in efforts to bring indigenous and non-indigenous knowledge and scholarly methodology into closer interaction.
- 9 International Center for Transitional Justice, 'Designing a Truth Commission to Support Indigenous Rights', <http://ictj.org/designing-truth-commission-support-indigenous-rights>, accessed 24 Aug 2011.