KAUMĀTUĀ, LEADERSHIP AND THE TREATY OF WAITANGI CLAIMS SETTLEMENT PROCESS; SOME DATA AND OBSERVATIONS

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This article presents the results of a survey dealing with the role of Kaumātua in Treaty of Waitangi Claims. The author raises a number of concerns – most importantly whether enough older Māori feel confident or knowledgeable enough to contribute to the process. The survey also reveals that tensions exist from the exclusion of younger Māori from the process.

I INTRODUCTION

The role of kaumātua, or Māori elders in Māori society is changing as Māori society itself changes to reflect the massive demographic shifts of the post-war generations. The Treaty of Waitangi settlement process too is evolving and it actually imposes change on the leadership roles within Māori communities who are engaged or otherwise affected by the process. A plethora of governance structures and organisations have sprung up in response to the demands created by the settlements process. Traditional tribal governing structures and authorities have had to adapt to meet the criteria required for entering negotiations with the Crown. Identifying in tribal leaders what makes effective leadership is therefore a pivotal and controversial issue for Māori today.

Mason Durie expresses a common view of the leadership expected from older Māori.¹

Executive and industrial leadership may well rest with the young and the middle aged but it is the older generation who carry the status, tradition and integrity of their people. Without leadership at that level,

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a Māori community will be the poorer and, at least in other Māori eyes, unable to function effectively or to fulfil its obligations.

However, a question mark is now being raised over the role of older Māori within tribal and urban structures and authorities. As traditional ideas of leadership and governance become inverted, there arises some anecdotal evidence of tension and even conflict between older and younger Māori in and about the exercise of political and cultural leadership. This report aims to do the following:

- To offer some evidence of how older Māori actually view and experience the Treaty of Waitangi and the claims settlements processes.
- To examine whether there may be specific differences in how older Māori view these things as compared to Māori of younger generations.
- To illustrate some of the differences that exist between generations of Māori over basic concepts of leadership and the role of kaumātua in exercising political and cultural leadership.
- Bearing in mind those inter-generational differences, to suggest some models or processes that may be used to alleviate the perception that older Māori are not properly integrated into the Treaty of Waitangi settlement process.

A Information Gathering

There have been two main methods of primary information gathering for this report; interviews and focus groups. These methods provide a mix of quantitative and qualitative data, which provides the primary research basis for this report. Secondary research is also utilised where appropriate and available.

1 Interviews

The first source of information is data collated from a section of selected questions inserted into interviews conducted with 121 Māori people over the age of thirty from around New Zealand. Most interviewees were originally contacted through the electoral roll as part of a larger research project called the 30+/30 Tau Neke Atu Positive Ageing and Intergenerational Relations research project.

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2 30 years of age seems young, but it must be remembered that Māori life expectancy is considerably lower than for Pākehā. As stated by Statistics New Zealand, the life expectancy of a Māori boy born in 1951 is 54 (Pākehā: 68). A Māori born in 1996 can expect to live until 67 (Pākehā 74). A Māori girl born in 1951 has a life expectancy of 58 (Pākehā 73). Born in 1996, she has a life expectancy of 72 (Pākehā 79). The Pākehā and Chinese phases of the FRST research begins at age 40. For Māori it was necessary to begin at age 30, otherwise a valid sample would be very difficult to obtain.

3 As well as the in-depth interviews, participants had also completed a postal questionnaire that provided relevant demographic information and information about the wellbeing and Māori language proficiency of
The questions asked the interviewees about their basic understanding and evaluation of the Treaty and the related claims settlements processes. The interviewees were also asked to discuss briefly their own roles in such processes.

2 Focus groups

The second source of primary information for this project was two focus groups that were held at the law faculty of Victoria University in February 2002. Group members were deliberately chosen to represent a variety of iwi, as well as urban and traditional backgrounds, and Māori language and cultural proficiency. Ten females and six males were involved in the focus groups. The first group included seven people aged over fifty-eight. The second group had nine participants aged from late twenties to early fifties. Both groups were asked the same questions about identifying kaumātua and rangatira in their communities; identifying any inter-generational tensions about the exercise of leadership within their respective communities, and how such tensions might be resolved.

Focus groups are an important information-gathering tool because such groups can enable the intensive exploration of complex ideas and thoughts among focus group participants in a relatively short space of time. Each focus group also provided an atmosphere of debate and stimulated recall and intense interaction that would be hard to replicate in any other research forum. A focus group also enables comparison of an individual’s experience with those in their group.

the participants. Approximately 850 participants throughout New Zealand had completed this postal questionnaire.

4 A team designed the selected questions that were added into the final interview form. That team comprised the writer, Deborah Edmunds and the KPMG Legal Treaty team, Te Ripowai Higgins from the School of Māori, Pacific and Samoan Studies, and Dr Susan Gee from the School of Psychology at Victoria University of Wellington.

5 The responses to some of the questions were quantitative and could be coded and analysed using the SPSS statistical analysis programme. This analysis was undertaken by Dr Susan Gee of the School of Psychology.

6 Participants’ answers were recorded on a flip-chart during the group discussions and all participants were given the opportunity to check that what was recorded reflected accurately what was said.


8 Tamasese, Peteru and Waldegrave A Qualitative Investigation into Samoan Perspectives on Mental Health and Culturally Appropriate Services (The Family Centre, Lower Hutt, 1997).
II GENERAL UNDERSTANDING OF THE TREATY OF WAITANGI AND THE SETTLEMENTS PROCESS

A Interview Questions

The following interview questions addressed general understandings of the Treaty of Waitangi and the settlements process. It is important to remember that these questions address participants' perception of their own confidence. These questions do not provide a measure of actual competence in the issues discussed. 9 121 people completed the interviews, although not all 121 answered all questions. The data from these interviews and the focus groups illustrate interesting patterns of thought and behaviour that are strongly suggestive, rather than conclusive.

70 How confident are you that you understand the Treaty of Waitangi?

71 How confident are you that you understand the process for making treaty claims?

72 The Crown requires iwi to have a mandate in order to negotiate claims. How confident are you that you understand the mandating process for the negotiation of treaty claims?

Question 70: How confident are you that you understand the Treaty of Waitangi?

There were 118 responses to this question. Thirty-one of the respondents (26%) were aged fifty-five or over ("55+"). Eighty-seven (74%) of the respondents were aged fifty-four or younger.10 The responses to this question indicate that older Māori are a little less likely than younger Māori to feel strongly self-confident in their understanding of the Treaty of Waitangi. On the other hand, the older group was also a little more likely than the younger group to see themselves as having some understanding or little understanding of the Treaty (see Plate 1, 345). Overall, there is not a huge difference in confidence level between the generations.

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9 To measure actual competence in Treaty issues would be extremely difficult and beyond the resources of this piece of research. Measuring competence is potentially very threatening to participants and would end up looking more like an exam than a survey. Measuring perceptions is less threatening, but is also potentially a blunt instrument as respondents' own over-confidence or under-confidence may affect the respondents' answers, as is usually the case with research requiring self-reporting. However, measuring perceptions is of interest as perceptions may dictate consequential actions. Furthermore, testing competency is just as blunt an instrument, as so many more problems arise. For example, who sets the questions? Who decides what is a level of competent knowledge?

10 There is much debate at what may be called 'old' in the Māori community. As noted above, life expectancy for Māori is considerably lower than Pākehā life expectancy. Thus, while the age 65 as age of retirement might make more sense to a Pākehā readership, in reality Māori at the comparatively young age of 55 are more likely to be considered 'old' and finding participants for the interviews over the age of 65 proved difficult. Even so, respondents aged under 55 are slightly over-represented in comparison with those over the age of 55.
2. Question 71: How confident are you that you understand the process for making Treaty claims?

There were also 118 responses to this question. Participants in both age-groups showed less confidence in understanding the more specific settlement process, as opposed to the higher confidence in their more general understanding of the Treaty of Waitangi. Those older Māori who had professed to be 'somewhat' or 'quite a lot or very' confident in understanding the Treaty (see Plate 1, 345), lost some of that confidence when asked about the settlement process itself (see Plate 2, 345).

Overall, it is significant that over half of both age groups had 'little or no confidence' in their understanding of the Treaty settlements process under question 72. In comparison only a third of both groups professed such a lack of confidence in their more general understanding of the Treaty itself.

3. Question 72. The Crown requires iwi to have a mandate in order to negotiate claims. How confident are you that you understand the mandating process for the negotiation of Treaty claims?

116 people answered this question. Those of both groups who had earlier claimed they were 'quite or very confident' about understanding the claims process again lost some of that confidence when asked about mandating, which is a specific element of the claims settlement process. Once again, over half of each age group felt they had 'little or no confidence' in understanding mandating. Once again, there was not a great difference between the age groups in showing 'little or no confidence' across all three questions (see Plate 3, 346). Older Māori over the age of fifty-five were a little more likely than those under 55 to feel they were 'somewhat' confident in their understanding across questions 70 and 72.

B. Emergent themes from Questions 70-72

Two thirds of Māori respondents from both age-groups felt they had some confidence in their general understanding of the Treaty of Waitangi. This confidence rapidly declines across both age groups in Questions 71 and 72. In those questions, well over half of both age groups express 'little or no confidence' in their understanding of more specific matters such as the treaty settlement process and mandating. This is of some concern because it indicates that many Māori lack confidence in these issues. If this is the case, these Māori may perhaps be less likely to feel integrated or equipped to contribute to the Treaty settlements process.

Overall there is not a huge difference in the perceived levels of confidence of those Māori aged between thirty to fifty-four or over fifty-five. While anecdotal feedback shows that older Māori

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11 Mandating is the process that grants claimant representatives the authority to negotiate on behalf of their claimant group. The Crown will only negotiate with claimant groups who have strong mandating processes.
might be expected to feel less confident in their levels of understanding of the Treaty and related processes, this data shows that such an assumption may not be valid.

C Other Relevant Correlations

It is possible to ascertain if there may be any relevant links between education level, marae involvement, and interviewees' reported levels of confidence in their understanding of the Treaty, the claims process, and mandating. While those with tertiary qualifications may be more likely to understand the claims settlement process and mandating, tertiary education is not necessarily the magic bullet that could be expected.

1 Education Level

One hundred interviewees' responses could be used for this analysis. There appears to be no real difference between those with no school qualification and those with a general qualification (eg trade training certificate) in their confidence in understanding the claims process and mandating. Those with tertiary qualifications did report higher levels of confidence across questions 70-72. Sixty-nine percent of those with a tertiary qualification have confidence in their general understanding of the Treaty of Waitangi, as compared with just over a third of the other two groups (see Plate 4, 346).

Once again, confidence levels drop at all educational levels in respect to understanding the claims process and mandating. Tertiary education appears to offer assistance in enhancing confidence levels, but by far the majority of all respondents regardless of education show low levels of confidence in these subjects.

2 Marae contact

A very strong relationship seems to exist between interviewees' levels of confidence in understanding the Treaty of Waitangi, the settlement process and mandating and their levels of contact with their own marae. The more contact a person has with their marae, the more likely that person is to understand the general (the Treaty of Waitangi itself) and the specific (the claims process and mandating). Even those who have infrequent contact (once a year or less) with their marae are somewhat more likely to understand both the Treaty and the settlement process than those with no contact whatsoever. Those who have frequent contact with their marae are much more

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12 The postal survey asked participants about their level of secondary and tertiary education. This information was linked with their responses to questions 70-72 in the interview.

13 These figures do include an over-representation of people with tertiary qualifications. 27% of the sample had no school qualifications, whereas 30% of the sample had a tertiary qualification. Despite this over-representation of tertiary qualified people, the fact that a similar percentage has no qualifications at all indicates that these figures are useful, as that non-qualified group is less likely to be represented at all in these types of studies. Simply put, it appears that those without qualifications are less likely to take part in these types of research projects.
likely to be confident that they understand the Treaty and the settlement process.\footnote{Further statistical analysis revealed that these tendencies were not affected by whether or not the respondents lived in their traditional marae area or outside it. These figures also seem to hold whether or not the respondents were themselves involved in making a Treaty claim.} (See Plate 5, 347)

It may not be surprising that increased marae contact enhances confidence in Treaty matters. What may be surprising is that marae contact is perhaps even more effective than levels of post-secondary education in enhancing respondents’ levels of such confidence. An absence of marae contact may be a better predictor of poorer confidence in understanding than low levels of education. Conversely, frequent marae contact appears just as likely to predict high confidence than tertiary education.

C Some Provisional Conclusions

One striking result of questions 70-72 is that the majority of Māori respondents over the age of thirty have ‘little or no confidence’ in their understanding of the Treaty claims process or mandating. Well over a third of both age groups had ‘no or little confidence’ even in understanding the Treaty of Waitangi itself. These disturbing findings should perhaps be relayed to those in the Treaty claims process and in education and policy-making. It may be inferred that the majority of the interview participants of all ages may feel hampered by their lack of confidence in participating in or contributing to the claims negotiations and settlement process.

From the data supplied by questions 70-72, it is suggested that there are few differences between the two age groups covered in this data in their respective levels of confidence in understanding Treaty matters. For both age groups, more Māori are apt to express a lack of confidence about the claims process and about mandating, than they are about the Treaty of Waitangi itself.

It is suggested that tertiary education may be useful for gaining a general understanding of the Treaty of Waitangi, and to a lesser extent, in deepening participants’ understanding of the more specific claims and negotiations processes. However, those who have frequent contact with their marae are far more likely to feel confident that they understand what is happening in the claims settlement process and with a specific aspect of that process such as mandating.

While these results may seem obvious they assist us to move away from making suppositions and presumptions about levels of confidence among Māori in the Treaty area, and give us some limited concrete data to work with. Older Māori, as these figures show, are neither as isolated nor as lacking in confidence in their understanding of Treaty matters as might have been assumed. By the same token, younger Māori are not that far ahead of their older counterparts in their own confidence levels, as also might have been expected.
These figures suggest that any strategy to integrate and educate mature Māori into and about the treaty settlement process must somehow involve the marae base as an important place of contact and education.

III INTER-GENERATIONAL ATTITUDES TOWARDS POLITICAL AND CULTURAL LEADERSHIP BY KAUMĀTUA

A Introduction

Part II indicated a very low level of confidence in understanding the Treaty and the claims process among Māori over the age of thirty, as well as Māori over the age of fifty-five who may well themselves be eligible for kaumatua status in their communities. Most iwi and hapū are embroiled in Treaty settlements in some way. While older Māori are increasingly relied upon to fulfil cultural expectations and also provide leadership in the contemporary world, Part III suggests that most members of that age group consider themselves to be ill-equipped to provide political guidance through the myriad of problems posed for their people by Treaty settlements. In this section, we look briefly at how kaumatua are formally incorporated within existing iwi and hapū governance structures. Modern structures highlight potential conflict between traditional and contemporary opinions of the roles older Māori should have in cultural and political leadership.

Although the roles undertaken by kaumatua cannot be set in concrete, some functions are expected to fall more regularly to kaumatua than to other members of a Māori community.15

Those roles include speaking on behalf of the tribe or family; resolving disputes and conflicts between families and between tribes; carrying the culture; protecting and nurturing younger adults and children; and recognising and encouraging the potential of younger members. With advancing years both men and women are expected to demonstrate spiritual leadership and to satisfy tribal needs in either religious or cultural contexts.

As shown above, it may be difficult to distinguish between cultural leadership and leadership that affects the political decision-making of the community. Part III will canvass the opinions of older and younger Māori about the place of older Māori as leaders in Māori communities that emerged from the two age-based focus groups held in early February, 2002.

B Kaumatua Involvement in Existing Governance Structures

The Crown has set certain criteria with which Māori groups must comply if Treaty claims negotiations are to be entered into. The Crown must be satisfied that the claimant group has a governing structure that:16

adequately represents all members of the claimant group,
has transparent decision-making and dispute resolution processes, and
is fully accountable to the whole claimant group.

Iwi and hapū involved in pre-negotiation or negotiation of claims under the Treaty of Waitangi have established governance bodies such as trusts and incorporations that meet these criteria. Legislation can dictate the form and content of the contribution that can be made by kaumātua. Section 23A of the Māori Trust Boards Act 1955, for example, provides for an entity now known as a kaunihera kaumātua, or kaumātua council:

23A. Council of elders—(1) Each Board may from time to time, by resolution, appoint a council of elders to be known by such name as the Board may decide.

(2) The principal function of the council of elders shall be to advise the Board on all matters involving tikanga, te reo, and kawa.

(3) The council of elders shall comprise such of the kaumatua of the beneficiaries as the Board may decide to appoint from time to time after consulting the kaumatua.

Typically such a body may be described in the following terms in the documents establishing the relevant parent body:

Appointment of Kaunihera Kaumātua: At the annual general meeting a Kaunihera Kaumātua shall be formed from the body of kaumātua and kuia, being not greater than 15 persons in number.

Kaunihera Kaumātua: A Kaunihera Kaumātua being a council of elders shall be entitled to be present at all Rūnanga meetings to counsel and advise on matters of protocol, interpretation of te reo Māori, history and any other matter, but their role shall be advisory only and shall not entitle them to vote on any issues.

Consultation: If a matter arises as to what is the appropriate Tikanga during any meeting then the Rūnanga may, at their sole discretion, and by a majority vote of the Rūnanga members present as is necessary, consult with kaumātua and kuia present at the meeting, or adjourn the meeting and refer the


17 Such bodies are common in land management also. For example, Ahu Whenua Trusts and Māori incorporations are the most common structures used to facilitate decision-making over Māori land. See T Kingi, L C Rose, W Parker "Tracking the Financial Performance of Indigenous Business Organisations: The Experience of the New Zealand Māori" (Working Paper Series No 99.10 Massey University, Auckland, 1999) 6.
matter to the Kaunihera Kaumātua for consideration. The Rūnanga may consider, but will not be bound by such advice.

As can be seen by this template the role of kaumātua is heavily prescribed. Kaumātua may only offer non-binding advice under certain limited circumstances. In most cases, kaumātua councils are established merely as adjuncts to the main decision-making bodies. Note that the term ‘kaumātua’ is gender neutral in the Māori language. The separation of ‘kuia’ from ‘kaumātua’ as shown in the template is regrettably common and has led to the erroneous assumption that kaumātua are male, and therefore, only males may have the status of kaumātua.

The existence of these advisory bodies within iwi and hapū governance structures may stimulate debate about possible conflict between traditional ideas of leadership and modern notions of cultural and political leadership in Māori communities.

One major problem is that of identification. In the context of modern treaty settlements who are the designated leaders of an iwi or hapū? Just who are the kaumātua and the rangatira? How are these people identified? What tensions exist between the generations? How can these tensions be resolved and should kaumātua be better integrated into tribal decision-making? These questions were posed to two age-based focus groups to enable each age group to have input without fear of offending the other age group.

The elder group comprised of seven individuals from a range of iwi including Ngāti Porou, Whakatōhea, Te Aupouri, Ngā Pūhi, Rangitāne, and Ngāti Toa. The ages of the participants ranged from 58-80. Four members of the group were female and three were male.

The younger group comprised of nine individuals. Six females and three males, the group ranged in age from 28 to 45. Tribal affiliations in the group included Te Ati Awa, Ngāti Toa, Ngai Tahu, Ngāti Porou, Ngāi Mörehu, Tūwharetoa, Te Arawa, and Ngaiterangi.

C Identifying Kaumātua and Rangatira

Both groups were initially asked the question: How do you identify kaumatua and rangatira within your Māori communities?

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18 Some kaumātua bodies are described as having decisive authority, but this will usually be in connection to matters of tikanga and traditional knowledge.


20 The term ‘pakeke’ refers in this paper to an older person (not necessarily a kaumātua) as opposed to a rangatahi, member of a younger generation. For some iwi, the term ‘pakeke’ can also be used to denote an elder leader or kaumātua. In this paper, ‘pakeke’ refers to the generic older person, while a kaumātua implies an elder person who also exhibits some cultural and traditional leadership.
1 Feedback from the older focus group

The definition of a kaumātua was seen as a recent phenomenon and a reflection of a Pākehā education system's insistence on pigeonholing people and their roles. In reality, the focus group reflected the belief that achieving kaumātua status was usually a natural progression.

Kua pakeke haere. Ka haere ana ki ngā hui ... kua tae ki te taumata kaumātua. (You've gotten older. You're going to all the hui .... somehow you just end up in that role.)

One minute you are peeling spuds, and the next haere atu ki mua rā tautoko ai i ngā kaumataua (you have to go and support the kaumataua on the marae). The community just knew.

It was noted that kaumātua status was certainly not, as some assume today, an exclusively male role. Kaumātutanga (the state of being a kaumātua) was described as a specialised status.

He wāhi tonu mō tēnā, mō tēnā. Te pae tapu te wāhi kua eke koe ki tērā taumata. Ko nga koroua ki te wāhi tapu, ko ngā kuia ki te roro o te whare.

(There is a place for each person. You might have achieved the right to speak on the paepae. The elder men had that role, while the elder women had their place on the porch of the meeting-house [where they did the karanga]).

According to some in the group, there was little personal choice in whether you became recognised as a kaumātua; it was up to others to decide when they entered the role.

(a) Age and knowledge

A few in the group confessed to some embarrassment or shyness at being referred to as kaumātua. Some pointed out that age itself is no automatic indicator of kaumātua status in the Māori community, although it seems to be treated as such more often today than in years gone by.

He aha te wā he kaumātua koe?
(When do you become a kaumātua?)
When you hit 70?

For most participants, Māori people could be old and have grey hair yet not be considered kaumātua. Some in the group are of the opinion that traditional knowledge is a more reliable indicator of kaumātutanga than age.

Kua mōhio ki te kōrero? (Do you know how to speak formally?)
Kua mōhio ki te haka? (Do you know the haka?)
Kua mōhio ki te karanga? (Can you karanga?)
Kei te mōhio koe ki te whakapapa? (Do you know the genealogy?)
One fear expressed in the group was that traditional knowledge is not being passed down to the younger generations, and the continuity of kaumātua is threatened. New knowledge of today’s world is now more valued than traditional knowledge by many of the young.

Tokoiti te hunga i noho ki aua tūranga – nā te whakamā o ngā rangatahi. Kore rawa he tamariki i mohio ki te tū pērā i a ia. Ko mātauranga te mea nui i ēnei wā.

(There are so few who can carry out those [traditional roles]. Partly this is because of the shyness of the younger generation. The young ones do not know how to stand like as the older ones do. For them, these days education is the most important thing.)

(b) Rangatira

Many of the participants recognised high birth and lineage as being a feature that distinguished rangatira from kaumātua. They recognised the traditional importance of whakapapa but observed that there had been a shift in recent decades.

Ko whakapapa he mea tuku iho…i whakanuingia ngā kaumātua pērā. Engari, ko mātauranga te mea nui i ēnei wā.

(Whakapapa is that which is handed down, and also that by which kaumātua are made great. But these days, knowledge is the most prized thing.)

Community recognition was another important factor in distinguishing rangatira from kaumātua.

Ko te rangatira he mea i whakaaehia e ngā kaumātua katoa.

(The rangatira is someone recognised as such by all the kaumātua).

Ki te kitea he hua i roto i te tangata … ma te iwi katoa ahakoa ko wai te iwi.

(If this fruit is seen within the person, that fruit is for the whole iwi.)

Rangatira would mean ‘well born’ and ‘noble’ in the old English sense, and sometimes there were individuals other kaumātua recognised as rangatira in that sense. Each hapū had a leader that was recognised as someone you went to and listened to.

Another important factor in determining the rangatira and kaumātua of a particular community was thought to be their contribution to community well-being.

He aha te pai i puta ake mo te iwi? Ko te aroha ki te tangata te tino kaupapa mo te iwi.

(What is the benefit for the iwi? As far as the iwi is concerned compassion and concern for people is the most important thing.)

Most of the elder focus group participants appeared to view kaumātua and rangatira status as something bestowed upon the recipient by others. They also tended to view the process of becoming a kaumātua as a gradual and somewhat understated process, that often involved serving a form of apprenticeship to one's own kaumātua. The place in the family can also important. As a
younger brother or younger sister, with surviving elder siblings, an older Māori person might not take on a kaumātua role until their siblings had passed away or somehow passed on the mantle to them.

One key element to how the elder group identified kaumātua and rangatira was that there was, in earlier days, 'no hesitation' in knowing who were the appropriate people to fill those roles. Focus group members suggested that the role of the modern kaumātua has been complicated by different cultural and political expectations. Later generations of older Māori are also far less likely to have the language or requisite cultural knowledge to perform the role of a kaumātua. Thus, it is now far more difficult to 'just know' who the right people are for the tasks.

2 Feedback from the younger group

Many of the rangatahi group agreed that age was an important, but not exclusive indicator of kaumātua status. They tended to see the term as being applied today quite 'loosely', to cover a broad range of people.

One factor that distinguished the discussions of the younger group from those of the older group was that the younger participants were more likely to discuss older people who identified themselves as kaumātua rather than allowing their communities to recognise that status.

(a) Age and knowledge

Most in the younger group agreed that age was only one facet to consider when identifying the kaumātua of a community.

Being a kaumātua implies being more than an elderly person. I know of cases where people have the right attributes and can sit on the paepae, they have the reo and tikanga too. Sometimes they are not older, but they have been schooled by the older kaumātua.

Others also pointed to the position of the urban Māori who have not grown up with traditional ideas of kaumātātanga.

There are a lot of younger, urban Māori who are willing and able to take on the role of kaumātua.

Rangitahi agreed with members of the elder focus group in saying the balance between age and other factors was important in identifying who were the kaumātua of a given community.

[It is] a mixture of mātauranga (knowledge) age and leadership skills … [it is] a balance between all factors. Some rangatahi can fill these roles and [it is] about passing on that knowledge.

(b) Rangatira

The younger people were less forthcoming than the elder group in identifying what they saw as being a rangatira. For some, the line between a rangatira and a kaumātua was blurred, but, in the
case of rangatira, whakapapa was still an important distinguishing element. Whakapapa could, however, be a shield against criticism in some cases.

Kaumātua can make mistakes and so can rangatira, but the rangatira can get away with it because of whakapapa.

Others believed that the role of the rangatira has changed over time with the advent of European based power structures. One description of a traditional rangatira was of someone who:

gave a kind of cohesion to an iwi. But, then they became too powerful, which created little oligarchies. This caused division, and now that traditional institution and the power structure have been changed from the outside.

3 Emergent Themes

Old and young focus group participants saw kaumātutanga as ideally comprising a mixture of knowledge, spirituality, humility, leadership skills, and age. For the younger participants particularly, kaumātua seemed to be a word that is now more loosely and popularly used to describe an old person without necessarily referring to that person’s skill level or leadership ability.

Both old and young saw kaumātua and rangatira status as something that should be designated by other people, and not claimed for oneself. Young people more readily identified examples of kaumātua who identified themselves as such, without being so designated by their community.

Both groups saw, perhaps, the main difference between rangatira and kaumātua as being one of birth, although it was acknowledged that sometimes the roles of kaumātua and rangatira, as well as other authority positions such as tohunga, could conflict, with some fluidity between the roles.

Clearly the groups acknowledged that there is a great burden of expectation upon those individuals identified as kaumātua.

Old Māori are supposed to be the repositories of all Māori knowledge. But they are also the lost generation, least able to cope with that burden of expectation. We have to live with the contradictions and the tensions.

IV INTERGENERATIONAL TENSIONS

At an age when other New Zealanders are more likely to withdraw from public life elderly Māori are often expected to take on more daunting responsibilities by their own people, such as speaking roles on the marae, karanga, and other public leadership duties.21

The expectations that old and young seem to have of older Māori cannot often be met by those Māori. Urbanisation, loss of the Māori language, a lack of confidence about Treaty issues, as shown in Part II of this study, and other socio-economic factors have resulted in many older Māori being incapable of or otherwise prevented from fulfilling cultural and political public leadership roles. Furthermore, many of the younger generations have themselves sought education in reo and tikanga, often from tertiary institutions. Occasionally younger Māori can themselves be more conservative than their elders in maintaining cultural tradition and a clash of world-views between the young and the old can occur.

A Interview Questions

This inter-generational tension was explored in questions 66 and 67 of the 30+ Project interview with 121 participants. Interviewees were asked how much influence they thought older and younger Māori have over Māori decision-making and affairs. They were also asked the extent to which that influence they saw was the fair share of each respective generation.

1 Question 66a: How much influence do you think younger people have over Māori decision-making and affairs?

Approximately 55% of the 30-54 group and 56% of the 55+ group felt that young people had no influence at all or only a little on Māori decision-making and affairs. Sixty-two per cent of both age-groups felt that the young people's share in decision-making was less than their fair share (see Plate 6, 347).

3 Question 67a: How much influence do you think older people have over Māori affairs decision and making?

In comparison 85% of 30-54 year old interviewees felt that older Māori had 'quite a lot' or 'a great deal' of influence over Māori affairs and decision making. Seventy per cent of the 55+ group felt the same way. Nearly half of the younger respondents felt that older people had more than their fair share of influence on decision-making. Only just under a third of the 55+ group felt the same way (see Plate 8, 348).

2 Question 66b and Question 67b: Do you feel that this is their fair share?

It seems therefore that older respondents do not see their own age-group as having nearly as much influence over Māori affairs and decision-making as younger people think older people have. Twice as many younger respondents than older respondents see older Māori as having too much influence. Older Māori respondents do, however, share with young Māori the strong perception that young people do not have their fair share of influence over Māori affairs and decision-making (see Plate 8, 348 and Plate 9, 349).

This quantitative feedback indicates that there are some interesting differences in opinion between the generations about each generation's respective status and influence in decision-making.
The qualitative material from the focus group discussions can perhaps serve to illuminate these differences in opinion.

B Focus Group Feedback

Both focus groups were asked the question, "how do you view tensions between older and younger people in the exercise of leadership by kaumatua and rangatira within your communities?"

1 Feedback from the elder group

Some in the elder group expressed a fear that the young can leave behind older Māori, and that young Māori can be impatient with their elders.

He momo rangatahi ka whakarongo, engari ko ētahi kāre! Ka kōrero rātou "you're too slow!" Kua mahue koutou. Me pēhea rā te rongoa e mahi tahi ai pakeke mai, rangatahi mai?

Some young people will listen, others [will not]! They say 'you're too slow!' [You have] been left behind. But what is the solution that will bring the old and the young people back working together again?

Members of this group also observed the pressures on kaumatua to be knowledgeable in tikanga and reo. Older Māori are now less likely to be able to fulfil those obligations as kaumatua, but some are loath to admit their own shortcomings.

So what do you get? Some of our older people bluffing their way through! They do quite a bit of harm to the learning of the others. Naturally the younger generation who went to university to learn about tikanga can see that there is a clash and quite rightly so … they are getting mixed messages from their so-called kaumatua!

Anei mātou ngā kaumatua! Me whakarongo mai koutou!
(We are the kaumatua. You should listen to us!)

A few of the group members recalled incidents where kaumatua had prevented the passing on of traditional knowledge to younger people, sometimes to the point where those who wanted to learn were too intimidated now to return to help their own iwi.

[One kuia took her grandson to a hui with some very distinguished people] and wanted him to speak on the paepae. The kaumatua said no, his father is still alive, and this kuia was offended. I felt sorry for that boy. We are inclined to turn to our "way back" tikanga and keep it on our young people. But we need to give a little and encourage them. They could have said come and sit and listen. That boy never came back.

We should not intimidate our young people. For our young people who have never been there – their ears are different to ours.
Other participants also pointed out that younger Māori are sometimes impatient to attain cultural proficiency, sometimes before their time. On occasion, younger Māori might have learnt a certain amount of traditional knowledge but lack the experience or the wisdom to know the right occasions to apply that knowledge.

Some of the elder group expressed strong frustration at what is believed to be marginalisation of kaumātua from real participation in decision-making affecting iwi, hapū, and other organisations. It was reported that some urban-based older Māori find themselves frequently used as a ‘dial-a-kaumātua’; an elder used especially by government departments to add ceremonial formality to an occasion such as opening or closing a meeting.

They [do not] participate … you are only there as a tekoteko [figurehead]. You start them off, say 'have a good day, [I will] be back at 3.00 pm to close you up! They [will not] actually ask us to their hui, the mechanics in the middle have got nothing to do with us.

Kaumātua can be marginalised by their own people as well. I know when to shut my mouth and it's the easiest thing to close my ears. But if I think I can deliver then I do.

Other participants pointed to the growing number of committees and organisations that have one or two kaumātua on board who are expected to speak for all Māori.

You are one of a number of people, mainly Pākehā. They want you to give a Māori perspective and that can be difficult to do.

A lack of communication with younger people sometimes leaves kaumātua ignorant of issues that they need to know about.

We have our kaumātua council meetings but often we just socialise. The meetings run from 10 - 12 pm, and then we are on our way home. And I can say; well, [I have] been to the kaumātua hui – but what have I learned? Nothing!

All participants expressed regret at what may sometimes be described as something of a rift between the generations. While the results of the interview questions indicate that many Māori may see older people as having too much influence over Māori affairs and decision-making, many of the elder group expressed a sense of marginalisation. They stated that they were isolated from the main decision-making of their iwi and expressed a wish to be 'reunited' with their younger people in a way that allowed them as older Māori real input into the decisions made their iwi.

We need a system and structure back home to do that … we need to have the young people sit at our side at home.

[It is] easy to say we should listen, but there is no point if they [do not] want us to be a part of it. It has to be a coming together.


2 Feedback of the Younger Group

At least three of the nine younger focus group members expressed some bitterness and real dissatisfaction with their experiences with some kaumatua.

They used to do things for themselves, but now they say he kaumatua ahau! Whakarongo mai! [I am a kaumatua! Listen to me!] Sometimes they profess to have the mātauranga [education, knowledge], but [do not] actually have it.

[I have] been told to sit down by a woman who has done less work for the hapū than I have. She said to me 'you're only a rangatahi'. Sometimes, older people will say 'he kaumatua ahau' [I am a kaumatua] when you say something they [do not] agree with, just to stop you. People say they are a kaumatua when they are wrong.

Some participants see older Māori with little formal education, but who possess traditional skills, being given political responsibility they feel they should not have.

[I am] quite cynical. I see [for example] one man with the reo, and we are all in awe of him and he has a position that he [should not] have. This leaves out other pakeke [older adults] out who [do not] have the language and the tikanga even though they themselves have the education.

Some participants observed that older Māori are sometimes expected to act outside the traditional sphere and are put into positions they can not cope with.

Sometimes we get stuck with kaumatua on our land trusts – but they are not the right people to run them! But we are stuck with them because of legislative requirements ... the legislation can work against us!

I can get really hōha [irritated] with old people because they [do not] play by the rules. Often they step outside what they are good at.

Several participants pointed to the Treaty settlements process as the biggest cause of tension between the generations.

The focus shifts to the money and who gets it. You have the kaumatua and claimants to that status, plus rangatahi who are professional, who think they can change the world. So money causes more tension than there ever was.

When money is involved people pretend to be what they are not.

Several speakers also recognised that, just like any other group of people, kaumatua had their contradictions and that the young need sometimes to be tolerant of that. At times the criticism meted out to the old by the young can be unfair.

The rangatahi put all that responsibility into their lap and when kaumatua make a mistake they get criticised for it. That can be really hard on some old people.
Some make little contribution, others make a great contribution. Some take a wider interest, others [do not]. In that group of kaumātua you get truckies and paedophiles and bishops. There are so many contradictions. The extent of the burden of expectations on these people, particularly on our women really shocked me.

Sometimes the young people have no patience.

C Emergent Themes

Both age groups recognised tensions between the generations in the exercise of leadership by kaumātua. The younger group expressed a stronger sense of dissatisfaction than did the older group, probably reflecting individuals’ experiences of being dismissed or discounted by older Māori because of their own youth. The members of the elder group recognised a sense of unhappiness amongst the young and noted that on occasion younger Māori have been denied status or decision-making power because of their youth and inexperience in traditional matters. For some members of both age-groups the Treaty claims process itself actually created tensions between the generations by focusing communities on money.

Both groups also recognised that some kaumātua have made themselves vulnerable to criticism by taking on leadership roles outside of the traditional cultural sphere for which they may not be experienced enough or qualified for. On the other hand there was also recognition that some older Māori were being unjustly denied participation in leadership roles within iwi and hapū because they lacked traditional knowledge of reo and tikanga. For some iwi who have suffered extremely heavy losses to their language and tikanga, this position has left them all but bereft of traditional leadership and prone to criticism from other iwi.

All participants recognised the need for the generations to reconcile their differences where possible.

D Conclusion

Part III has shown that there are several problems that prevent effective kaumātua involvement in iwi and hapū decision making. Legislation such as the Māori Trust Boards Act 1955 and typical trust and incorporation instruments establish kaumātua councils as advisory bodies with no power.

Quantitative data from the interviews show that young and old Māori are of the broad opinion that old people have more influence than is fair on decision-making, and by the same token, young people are seen by most respondents to not have enough influence on Māori affairs and decision-making. There is evidence here of some tension between the generations as to what the role of older Māori should be in their hapū and iwi affairs. On occasion, kaumātua can also be accused of preventing the involvement of younger Māori in iwi and hapū decision-making. Focus group participants also indicate that younger people can also place too great a burden on their older people and can be impatient when the older people somehow fail to fulfil those expectations.
V SOME SUGGESTIONS FOR RESOLVING TENSIONS

Law firms with a Treaty claims team may wish to create a working model that could be used in claims settlement procedures to incorporate kaumātua more effectively and usefully into the settlement process. As discussed earlier, iwi and hapū governance bodies often include kaumātua advisory councils that feed into management structures that in turn, 'manage' the affairs of the hapū.

A Focus Group Feedback

In view of existing structures and due to emerging evidence of some of the existing tensions between generations, both focus groups were given the following questions:

- How do you think kaumātua may best be integrated into governing structures in your communities?
- How do you think different generations can best work together for the good of Māori in the treaty claims settlement process?

1 Feedback from the elder group

Some participants pointed out that the governing structures of Māori communities have completely changed over the last few generations. While the place of older people used to be naturally defined by tasks around the marae, technology has changed that.

It was a natural structure. You just started at the back, got older and progressed. I learnt an awful lot. But modern machinery has taken over and those older natural governing structures have been eroded. You get your flash, up-to-date marae and you now only need five people to run it [because] they have every mod con.

The group acknowledged that that the treaty claims settlement process imposes different leadership structures and regimes. Some observed that along with trust structures and incorporations, the place of kaumātua itself could now be defined and curtailed by rules and regulations.

Kaumātua status has now become institutionalised. We think [it is] great, some of our men really enjoy it! We have to deal with that before it gets too entrenched.

The group saw more communication with the young as a solution to their perceived disenfranchisement from iwi and hapū decision-making. Largely, the group wanted to be included in discussions and to be better informed. A few members of the group did not state a desire necessarily to make political decisions on behalf of their iwi.

Kaumātua have got to realise they are not Mr Fixit! The rangatahi are there to bring their take [issue]. We are there to view the paper, say to the young, 'we [do not] understand', you bring it back so I can understand it. Let them handle it. Let them do the research.
But sometimes we do have the [traditional] knowledge about what to do – [it is] up to us to be supportive. Rangatahi have the education, kaumātua have to support them.

The group participants saw that their main contribution remains the maintenance of tikanga, but that tikanga should be a central concern for all, not just an adjunct to other tribal business.

We can give anecdotal evidence and whakapapa information that the younger ones may not know.

Ko te aroha ki te tangata hei whāngai i a rātou.
([It is our role] to give compassion, to nurture the young ones.)

Ko tātou i tipu ake i roto i ngā akoranga ā kui mā, ā koro mā…kei a tātou te mahi, te whakatikatika.
(For those of us raised with the teachings of our elders, it is for us to provide correct guidance.)

One suggestion was to create a system where the young and old come together formally to discuss issues relevant to the hapū and iwi.

In our area the old people are still sitting at the back, but we have a meeting at the end of every month to clarify with the young ones up the front what has been going on

2 Feedback from the younger group

The younger focus group participants recognised the potential marginalisation of older Māori within government departments, as well as within tribal organisations such as kaumātua council. Some participants doubted the usefulness of kaumātua councils in their present form.

Kaumātua councils are figurehead organisations that exist so government departments can say that we consulted with Māori. They have no decision-making powers. But, then the government departments get their information from iwi and hapū. If they were told that kaumātua had decision-making powers, then the government departments would expect such powers to be criteria for the kaumātua councils.

Scrap the kaumātua councils. [That is] an outdated concept. We need to use the best qualities of our kaumātua.

Others acknowledged that part of the problem in defining how kaumātua could best be incorporated into tribal governing structures is that some aspects of that role is now defined by Pākehā preconceptions of what a kaumātua should be. They thought instead that a kaumātua's role should be dictated by the skills and knowledge that they actually have rather than by what attributes other people think they should have.

It seems now that the most mana lies in the speaking role, but that is a Pākehā concept. We need to beware of the Pākehā concepts of where power and mana lie. Our old people putting down the hāngi are just as important as those on the paepae [those who speak formally on the marae].

Another idea advocated using traditional processes is to ascertain where people's skills could best be used in the interest of the iwi and the hapū.
We need to use kawa [protocol] to define people's roles in the iwi. [That is] how we should decide how we best deploy our kaumātua. Not by putting them where we think, or where they think is best, but by finding out what is the best place.

Another participant advocated looking to the whānau unit for ideas on how best to incorporate kaumātua.

Any model has to start with whānau. If you can succeed there, that is a successful building block for us all. We need an open respectful relationship. That has to start in the whānau and then transfer out. We need to kōrero with our parents and our kids.

B Emergent Themes

Both age-groups pointed to a great need for more structured and regular communication between generations as a way of resolving inter-generational tensions and to enable maximum participation for older and young Māori. People from both age groups could identify times when the generations consulted with each other in a way that was helpful for their iwi.

Many people in both groups saw kaumātua councils as ineffective and too rigid to provide kaumātua with a real voice in decision-making. Such bodies were seen as a sop to government departments or Crown requirement within the settlements processes. They were not seen to reflect the true talents and abilities of kaumātua.

Both groups were also disillusioned with the roles played by kaumātua in other organisations, such as committees or other advisory bodies. In those situations, they saw kaumātua as being singled out inappropriately to make decisions for iwi.

Individuals from both groups pointed to pre-existing community-based structures as useful devices for better integrating kaumātua and their particular talents into iwi and hapū decision-making. The natural processes and structures provided by a healthy marae environment, the family unit, and the application of traditional protocols were seen as mechanisms that, when used appropriately, enabled older Māori to use their talents appropriately and have beneficial influence on the decisions made by the iwi and hapū. The feeling from both groups was that no, one structure would magically create better roles for kaumātua in their communities. Enhancing the roles played by kaumātua depended on the following things:

- Better communication between the generations
- Individuals of both generations moving into roles that suited their specific talents and education, rather than roles that they could not fulfil
- Greater involvement of Māori communities in deciding who their cultural and political leaders were, rather than self-selection. (either by formal or informal processes)
• As shown by Part III, any strategy to integrate and educate older Māori into and about the treaty settlement process must somehow involve the marae base as an important place of contact and education.

V  CONCLUSION

Part II of this project shows that the majority of Māori respondents over the age of thirty have little or no confidence in their understanding the Treaty claims process or mandating. Approximately a third of both age groups had no or little confidence even in understanding the Treaty of Waitangi itself. These results indicate that there may be a great many older Māori who feel excluded from understanding Treaty based issues and processes that are so very important in most Māori communities today. Older Māori are more likely to feel confident in their understanding of such matters if they also have some regular connection to their marae. Therefore, the pool of older Māori who are able to contribute leadership in traditional knowledge as well as understanding of the claims process and the Treaty of Waitangi itself seems to be very small.

Quantitative data from the interviews have also shown that older Māori are seen on the whole to have more influence over Māori affairs and decision-making, whereas younger Māori are seen to be excluded from such exercises of leadership. Focus group discussions have here also revealed that while the perception is that older Māori wield more influence, defining Māori leaders as kaumātua and rangatira has become far more difficult. Modern technology and corporate structures have imposed new dynamics on traditional structures provided by the marae and traditional protocols. In earlier years their communities could designate kaumātua in an informal manner after several years spent by older Māori in apprenticeship on the marae. Today, the role of kaumātua is far more likely to be institutionalised and structured by the creation of advisory councils or consultant or special roles for government departments or other committees. This institutionalisation of the role of kaumātua, according to group participants, may take some of the power away from communities in designating whom they think are the most appropriate people for the role.

The focus groups’ material and the quantitative data also show that there are some tensions between older and younger Māori about older people’s exercise of cultural and political leadership. According to both groups some older people can be accused of claiming kaumātua status without the skills to warrant such a position, or of intimidating younger people or other older Māori with less traditional knowledge. Some younger people are reported to be unjustly critical of kaumātua who, perhaps through no fault of their own, somehow fail to live up to the enormous cultural and political expectations now placed upon them.

A Suggestions for Practice

The focus group participants did not seem to see any model or particular structure as a key to incorporating the skills and leadership capacity of kaumātua more effectively. Instead, participants appeared to see more informal and formal communication processes and traditional structures as the
means to resolve tensions and better integrate kaumätua into the decision-making undertaken by their respective iwi and hapū. The following processes were mentioned:

- Regular meetings and inter-generational communication between generations
- Kawa (marae protocol),
- Designation of marae-specific tasks and roles to those suited for those roles, and
- Values such as transparency, whanaungatanga (bringing together people as a family or kin group), and wairuatanga (spirituality).

While a law firm might deal with iwi or hapū representatives who may themselves have confidence in their understanding of the Treaty and Treaty issues, this paper confirms that many Māori are not at all confident that they understand these issues. The concern must be to ensure that appropriate education and discussion involve as many members as possible.

Participants in this project have suggested that wherever possible the processes and environs of the marae should be used in education of and communication with ordinary iwi and hapū members, and in the designation of kaumätua. This paper suggests that structured kaumätua councils can end up isolating and marginalising kaumätua. Focusing on a few kaumätua on the other hand may also end up depriving an iwi or hapū of the valuable assets and knowledge of other older Māori who may not be in those privileged positions. While such positions and structures are likely to continue, law firms with a Treaty focus may benefit from better, regular lines of transparent communication between such councils and other tribal members or younger generations.

**VII GLOSSARY**

- **Ariki** leader, first born of a high lineage
- **Hapū** extended kin group
- **Iwi** tribe or confederation of hapū
- **Kaumätua** old man or woman, often learned in traditional knowledge, often in a leadership role
- **Kaunihera** council
- **Kawa** protocol used to facilitate formal activities on the marae
- **Koroua** old man
- **Kuia** old woman
- **Pakeke** adult man or women – often refers to older people. Can be used in the same sense as kaumätua
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Rangatahi</td>
<td>literally fishing net; has come to mean the new generation, young person</td>
</tr>
<tr>
<td>Rangatira</td>
<td>high born leader</td>
</tr>
<tr>
<td>Tikanga</td>
<td>the 'right' or 'straight' way of doing things; 'the Māori way of doing things'</td>
</tr>
<tr>
<td>Whānau</td>
<td>family grouping</td>
</tr>
<tr>
<td>Whanaungatanga</td>
<td>fostering kin-connectedness</td>
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**PLATES**

Plate 1: How confident are you that you understand the Treaty of Waitangi?

Plate 2: How confident are you that you understand the process for making treaty claims?
Plate 3: How confident are you that you understand the mandating process for the negotiation of treaty claims?

Confidence

Younger (30-54)  Older (55+)

Plate 4: Percentage of participants who are 'quite a lot' or 'very' confident'

Quite a lot or very confident

No qualifications  General Qualifications  Tertiary Qualifications
Plate 5: Percentage of participants who are 'quite a lot' or 'very' confident

Plate 6: How much influence do you think younger people have over Māori decision-making and affairs?
Plate 7: Do you feel that this is their fair share?

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<th>More than fair share</th>
<th>Less than fair share</th>
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<td>30%</td>
<td>50%</td>
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<td>55+</td>
<td>40%</td>
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Plate 8: How much influence do you think older people have over Māori affairs decision and making?

<table>
<thead>
<tr>
<th>Influence</th>
<th>A little</th>
<th>Some</th>
<th>Quite a lot</th>
<th>A great deal</th>
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<td>30-54</td>
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<td>40%</td>
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<td>10%</td>
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<td>40%</td>
<td>10%</td>
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Plate 9: Do you feel that this is their fair share?

- Fair share
- More than fair share
- Less than fair share

[Bar chart showing responses to the question, with bars for 30-54 and 55+ age groups.]