

TE TAI HARURU

Journal of Māori and Indigenous Issues

VOLUME 2 - 2006

EDITOR

Khylee Quince



THE UNIVERSITY OF
AUCKLAND
Te Whare Wānanga o Tāmaki Makaurau
NEW ZEALAND

**AUCKLAND
LAW SCHOOL**

TE TAI HARURU

Journal of Māori and Indigenous Issues

VOLUME 2 - 2006

EDITOR

Khylee Quince

NGA TUHITUHI KEI ROTO

Contents

Obituary

Karina Williams 3-8

Foreword

Khylee Quince 9-11

SECTION A

THE ROLE OF WAITANGI SETTLEMENTS IN
THE REASSERTION OF TIKANGA MAORI 13

“Freeing the Natives”: The Role of Treaty of Waitangi Settlements in the
Reassertion of Tikanga Maori 14-36

– *Lyn Carter and Jacinta Ruru*

SECTION B

OWNERSHIP, RANGATIRATANGA
AND KAITIAKITANGA 39

Tikanga Maori Concepts and Arawa Rangatiratanga
and Kaitiakitanga of Arawa Lakes 40-63

– *Ngaroma Tahana*

Ownership, Kaitiakitanga and Rangatiratanga
in Aotearoa/New Zealand 64-82

– *Blair Ante Keown*

Different Ways of Viewing Land Entitlements
in Aotearoa/New Zealand 84-96

– *Anna Shackell*

Appendix to Section B 99-102

SECTION C

THE FORESHORE AND SEABED – *NIREAHA TAMAKI v BAKER* –
UNDERSTANDING NEW ZEALAND’S LEGAL HISTORY SINCE 1840
and UPDATE ON FORESHORE DEVELOPMENTS SINCE 2004 103

Reflections on *Nireaha Tamaki v Baker* 104-138

– *Jim Evans*

Update on Foreshore and Seabed Developments since 2004 139-143

– *Nin Tomas*

Appendices to Section C 145

NGA TUHITUHI KEI ROTO

Contents (cont.)

Appendix 1

- Report On The Crown's Foreshore And Seabed Policy
WAI 1071 Summary 145-151

Appendix 2

- Committee on the Elimination of Racial Discrimination
Decision on Foreshore and Seabed Act 2004 153-154

Appendix 3

- Report of the Special Rapporteur on the situation
of human rights and fundamental freedoms of
indigenous people, Rodolfo Stavenhagen..... 155-185

- GLOSSARY OF MAORI TERMS** 186-189