

**IN THE WAITANGI TRIBUNAL  
TE ROHE POTAE INQUIRY DISTRICT**

**WAI 898**

**IN THE MATTER** of the Treaty of Waitangi Act 1975

**AND**

**IN THE MATTER** of Te Rohe Pōtae Inquiry District (Wai 898)

---

**GENERIC CLOSING SUBMISSIONS ON SOCIAL AND CULTURAL ISSUES:**

**URBAN MIGRATION AND DISPERSAL FROM HOMELANDS**

**Dated: this 19<sup>th</sup> day of September 2014**

---

<b>RECEIVED</b>
Waitangi Tribunal
<b>19 Sep 2014</b>
Ministry of Justice WELLINGTON

**MAY IT PLEASE THE TRIBUNAL:****INTRODUCTION**

1. These 'Generic Closing Submissions on Social and Cultural Issues: Urban Migration and Dispersal from Homelands' are filed for the benefit of all Claimants in Te Rohe Pōtae Inquiry District. Counsel note that this is not to prevent Claimants from taking their own positions and presenting their own submissions on this theme. These submissions provide a generic high level overview and position only and do not address issues raised by individual claims which Counsel understand will be covered in Claimant specific closing submissions.
2. This document provides an overview on the issue of urban migration and dispersal from homelands.<sup>1</sup> This document should be read alongside the 'Answers to the Waitangi Tribunal Statement of Issues on Social and Cultural Issues: Urban Migration and Dispersal from Homelands'.
3. An important issue for Te Rohe Pōtae Waitangi Tribunal inquiry concerns the impacts of urban migration and dispersal of Te Rohe Pōtae Māori away from their tūrangawaewae.
4. As early as 1926, a movement of Māori from rural areas into towns was under way, robbing communities of leadership and initiative.<sup>2</sup>
5. From the 1950s there was a significant shift of Māori from rural to mostly urban areas.<sup>3</sup>
6. The role played by Crown policies and practices in the movement of Te Rohe Pōtae Māori from their tūrangawaewae is deserving of close scrutiny.
7. There is little doubt that the scale and duration of the outflow of Māori from Te Rohe Pōtae were driven by a serious and deteriorating imbalance between population and resource.<sup>4</sup>

---

<sup>1</sup> Waitangi Tribunal Statement of Issues (Wai 898, #1.4.3), Issue 23.6-23.8, pp 141-142.

<sup>2</sup> Dr Terry Hearn, *Māori Economic Development in Te Rohe Pōtae Inquiry District c. 1885 to c.2006*, (Wai 898, #A146), pp 563, 637-638

<sup>3</sup> Helen Robinson, *Te Taha Tinana: Māori Health and the Crown in Te Rohe Pōtae Inquiry District, 1840 to 1990*, (Wai 898, #A31), p 168

8. Significantly, there is clear evidence that the Crown was aware that Te Rohe Pōtae Māori had been marginalised economically, confined geographically, disadvantaged socially and relegated politically,<sup>5</sup> resulting in a large-scale movement of Te Rohe Pōtae Māori from their tūrangawaewae to urban areas.<sup>6</sup> Despite this, more effective Crown intervention to improve the situation for Te Rohe Pōtae Māori did not begin until the late 1930s.<sup>7</sup> Although with a half hearted attitude, as the Crown was of the view that Te Rohe Pōtae Māori “ought to be coming into the towns to work”.<sup>8</sup>
9. The evidence shows that:
- (a) The Crown encouraged and contributed towards the migration and dispersal of Te Rohe Pōtae Māori away from their tūrangawaewae to urban centres;
  - (b) The Crown failed to take Te Rohe Pōtae Māori relationship with their tūrangawaewae into account when implementing Crown policy resulting in urban migration and dispersal; and
  - (c) Te Rohe Pōtae Māori have as a result suffered and continue to suffer from adverse effects arising from urban migration and dispersal from their tūrangawaewae.

## **CROWN DUTIES**

10. Under the terms and principles of the Treaty of Waitangi, the Crown was, and is, under a continual obligation to:
- (a) Actively protect Rohe Pōtae Māori rangatiratanga and their lands to the fullest extent practicable;
  - (b) Act reasonably and with the utmost good faith towards Rohe Pōtae Māori;

---

<sup>4</sup> Wai 898, #A146, p 617

<sup>5</sup> Wai 898, #A146, p 617

<sup>6</sup> Wai 898, #A146, p 617

<sup>7</sup> Wai 898, #A146, p 617

<sup>8</sup> Wai 898, #A146, p 564

- (c) Adopt a fair process in any dealings with Rohe Pōtae Māori and their lands;
- (d) Recognise and uphold Māori customs and practices;
- (e) Foster and protect the autonomy of Rohe Pōtae Māori;
- (f) Ensure that they retained lands that they did not wish to sell and their tino rangatiratanga over those lands;
- (g) Ensure Rohe Pōtae Māori were left with a sufficient land base for their present and future needs;
- (h) Remedy wrongful acts and omissions of the Crown and its agents;
- (i) Ensure that its practices, policies and legislation permitted Rohe Pōtae Māori to develop their land as they saw fit;
- (j) Consult with Rohe Pōtae Māori and obtain consent for measures which might affect or diminish their rangatiratanga and local autonomy; and
- (k) Ensure that Rohe Pōtae Māori were able to decide their own land entitlements according to their own lore, laws and tikanga.

### **CROWN CONCESSIONS AND ACKNOWLEDGEMENTS**

11. The Crown has not made any concessions in relation to the urban migration and dispersal from homelands issues being considered by the Tribunal.
12. The Crown recognises that: *“the concept of tūrangawaewae plays an important part in Māori society and the Māori world view, and that in moving to urban centres some Rohe Pōtae Māori may have lost their connection to their traditional rohe”*.<sup>9</sup>
13. However, the Crown denies *“that it is primarily responsible for the urban migration of Rohe Pōtae Māori”*.<sup>10</sup>

<sup>9</sup> Crown Statement of Position and Concession, (Wai 898, #1.3.1), para 1272, p 400

<sup>10</sup> Wai 898, #1.3.1, para 1272, p 400

14. This view is rejected and is not supported by the evidence presented in Te Rohe Pōtae inquiry. The evidence shows that the Crown land reforms and hunger for land was primarily responsible for the large scale urban migration and dispersal of Te Rohe Pōtae Māori from their tūrangawaewae.
15. In particular it is submitted that the Crown can be held primary responsible as a result of its many interventions and failures to actively protect Te Rohe Pōtae Māori by:
  - (a) Failing to protect them from the rapid pace of land alienation under Crown pre-emption;
  - (b) Failing to ensure that they retained sufficient reserves for their present and future needs;
  - (c) Failing to ensure that they retained sufficient lands and resources of an economic size and of sufficient quality for their present and future needs;
  - (d) Failing to ensure that the remaining lands which they wished to retain were able to be utilised by the Māori owners by way of lease or as capital to fund land development;
  - (e) Compulsorily vesting Māori land in the Māori Land Boards removing lands from the management and control of Te Rohe Pōtae Māori;
  - (f) Failing to ensure that the lands vested in the Māori Land Boards were managed properly and that the lands were either benefitting the owners through rental incomes or returned to their Māori owners;
  - (g) Failing to establish suitable trusts and management systems to enable Māori to communally develop their remaining lands;
  - (h) Failing to provide adequate assistance for Māori agriculture and trade;
  - (i) Failure or refusal to act on recommendations of Native Land Commission to reserve some land for Māori commercial development; and

- (j) Facilitating a massive transfer of wealth from Rohe Pōtae Māori to Crown and settlers.

## PREVIOUS TRIBUNAL FINDINGS

16. A number of previous Tribunals have considered the issue of urban migration and dispersal from tūrangawaewae. Set out below are some of the findings and statements made by previous Tribunals on the issue of migration and dispersal of Māori from tūrangawaewae.
17. The Ngati Awa Raupatu and the Whanganui River Tribunals have discussed the issue of urban migration and dispersal from tūrangawaewae.<sup>11</sup> The Ngati Awa Raupatu Tribunal stated that although in some cases ‘it is evident that large numbers of tribal members left their home area for opportunities elsewhere, it is not always certain that this was a consequence of raupatu or other losses of resources.’ For reasons provided below it is clear from the evidence that land loss and Crown land reforms was central to the urban migration and dispersal of Te Rohe Pōtae Māori from their tūrangawaewae.
18. The Whanganui River Tribunal found that:<sup>12</sup>

*land loss and land reform must have had an impact... Certainly, no one has pointed out to us any positive policies designed to give effect to the Treaty’s guarantee of continued possession of the land by Māori so long as they might wish to retain the same in their possession.*

19. Counsel submits that, as in the Whanganui River Tribunal, land loss and land reform not only ‘must have had an impact’ but was central to the migration and dispersal of Te Rohe Pōtae Māori from their tūrangawaewae.<sup>13</sup>

## STATEMENT OF ISSUES

20. The Waitangi Tribunal’s Statement of Issues raises the following questions in relation to this theme:

---

<sup>11</sup> Wai 898, #1.4.3, pp138-139

<sup>12</sup> Waitangi Tribunal, *Whanganui River Report*, p 83

<sup>13</sup> Wai 898, #A31, p 168; There were 89.1% of Māori living in counties in 1936, 82.1% of Māori living in counties in 1945, 79.5% of Māori living in counties in 1951 and 33% of Māori living in counties in 1971.

- (a) *Issue 23.6: Have legislation, policy and practices of the Crown promoted or contributed to the migration of Rohe Pōtae Māori away from their home areas to urban centres?*
- (b) *Issue 23.7: Has the Crown taken into account Rohe Pōtae Māori's relationship with their tūrangawaewae when implementing policy?*
- (c) *Issue 23.8: What were the Crown's duties to mitigate the adverse effects, if any, of urban migration? What adverse effects, if any, has urban migration had on Rohe Pōtae Māori? How has the Crown attempted to mitigate any adverse effects?*

## **THE CROWN AND URBAN MIGRATION**

21. The majority of Māori lived in rural areas during the late 1920s to 1930s.<sup>14</sup> From the 1950s there was a marked shift of Māori from rural to mostly urban areas.
22. Instead of actively protecting Rohe Pōtae Māori and the retention and occupation of their remaining lands, Government policies were put in place to encourage Māori to move away from rural areas with limited employment prospects, to urban areas.<sup>15</sup> Dr Helen Robinson stated that the movement was from the most rural parts of the inquiry district to the regional centres of Te Kuiti and Ōtorohanga, as well as to urban centres outside the district.<sup>16</sup>
23. The evidence shows that many Te Rohe Pōtae Māori had no real choice but to leave their tūrangawaewae in order to survive. There were simply not enough land and resources in Māori ownership for Te Rohe Pōtae Māori to provide for themselves and their whanau.
24. Horace Belshaw calculated that if all the Māori freehold land in the country was developed 5,000 farms could be established, supporting 20,000 people or a quarter of the Māori population at that time.<sup>17</sup> However, Belshaw went on to observe that no tribe had sufficient land to support all its people and that “a

---

<sup>14</sup> Wai 898, #A31, p 70

<sup>15</sup> Wai 898, #A31, p167

<sup>16</sup> Wai 898, #A31, p167

<sup>17</sup> Wai 898, #A146, p 563. See also Horace Belshaw, *Māori economic circumstances*, Sutherland, editor, *The Māori people today*, p 192

great and increasing majority must find other means of livelihood". He was thus certain that migration to the country's urban centres and entry into other occupations was inevitable if Māori were to be economically self supporting.<sup>18</sup>

25. The Crown position, as stated in the Crown Statement of Position and Concessions, states that "in the first half of the 20th century Native land development schemes helped rural Māori communities to develop and strengthen by providing employment in rural areas. Various land development schemes operated in the Rohe Pōtae, including at Mahoenui, Kawhia, Mangaroa, Oparure, Aramiro, Pirongia, and Ngahape".<sup>19</sup>
26. In 1938 it was clear that the small holdings being created under the Māori land development programme were being expected to support a population considerably in excess of their capacity to do so.<sup>20</sup>
27. The Crown was fully aware that further Māori land development would employ only a small proportion of the expected increase and that, in the absence of any significant decentralisation of industry, a large-scale dispersal of Māori into the country's urban centres was foreseeable.<sup>21</sup>
28. In 1949, the Māori Affairs Department began to focus more on urban housing.<sup>22</sup> In the 1960s there were various other schemes to encourage Māori home improvement and ownership, but these tended to focus on urban areas rather than rural locations such as most of Te Rohe Pōtae.<sup>23</sup> Māori were also encouraged to move away from areas without job opportunities or amenities such as schools and medical services.<sup>24</sup> Significantly, in 1959 a Māori Affairs Department Report noted that some were reluctant to do this because of strong ties to the areas. In response to this perspective a Māori Affairs Department Report stated, "Here is not only a question of building the houses, but of helping

---

<sup>18</sup> Wai 898, #A146, p 563. See also Belshaw, p 192

<sup>19</sup> Wai 898, #1.3.1, para 1277, p 401

<sup>20</sup> Wai 898, #A146, p 563

<sup>21</sup> Wai 898, #A146, p 637

<sup>22</sup> Wai 898, #A31, p 224

<sup>23</sup> Wai 898, #A31, p 224

<sup>24</sup> Wai 898, #A31, p 224

the people to reorient their thinking about the new world in which they are living".<sup>25</sup>

29. Further encouragement for dispersal came in a 1960 presentation of the Department of Labour to the industrial Development Conference.<sup>26</sup>

*We cannot afford to allow Māori population to pile up in backward rural areas which are incapable of carrying any great concentration of people. There is already evidence of under-employment amongst Māoris in some of these areas and there must be a much greater migration ... out of these areas in the near future than there has been in the past ... Māori migration to urban areas should already be flowing at a rate of possibly some 4,000 a year and must continue to increase in volume year by year.*

30. Also in 1960, J.K Hunn, who encouraged assimilation, proposed that the government should encourage the town-wards movement as part of an effort to close the gaps between Māori and Pākehā with respect to housing, health and employment.<sup>27</sup>
31. In that same year an interdepartmental committee (Māori Affairs, Labour, Industries and Commerce, and Education) was established to deal with Māori employment, specifically to 're-locate' underemployed Māori, survey job vacancies, promote employment opportunities, transfer Māori to places where employment was offering, provide accommodation, and follow up with social welfare work. The committee concluded that "the transfer of surplus Māori labour to places of full employment must be deliberately fostered in the best interests of the national economy as well as for the general well-being of the Māori people".<sup>28</sup>
32. In 1961, the Department of Māori Affairs noted that:<sup>29</sup>

---

<sup>25</sup> Wai 898, #A31, p 224

<sup>26</sup> Wai 898, #A146, pp 563-564

<sup>27</sup> Wai 898, #A146, p 564

<sup>28</sup> Wai 898, #A146, p 564

<sup>29</sup> Wai 898, #A146, p 563

*there are small industries in Te Kuiti and Otorohanga and so on, these are not sufficient to cope with the demands [for jobs] with the result that there is quite a lot of movement out of the district. This becomes most marked in that to date much of the relocation material [sic] to Hamilton has come from the Maniapoto zone. Outlying areas such as Makomako, Kawhia, Rakaunui, Marokopa, and Mokau have provided the bulk of the new applications for group housing in Hamilton.*

33. The support offered by the State to the manufacturing sector, the financial and related assistance made available to those Māori disposed to move, and the education and training programmes provided in the main urban centres played their part in encouraging Te Rohe Pōtae to move from their tūrangawaewae to urban centres.
34. Based on the evidence, Counsel asks the Tribunal to find that Crown policy encouraged and contributed towards the migration and dispersal of Te Rohe Pōtae Māori away from their tūrangawaewae towards urban areas.

### **CROWN POLICY VS TŪRANGAWAEWAE**

35. Tūrangawaewae is one of the most well-known and powerful Māori concepts. Literally tūranga (standing place), waewae (feet), it is often translated as ‘a place to stand’. Tūrangawaewae is important to Te Rohe Pōtae Māori as Tūrangawaewae are places where Te Rohe Pōtae Māori feel especially empowered and connected. They are their foundation, their place in the world, their home.<sup>30</sup> Without a tūrangawaewae a hapū has nothing.<sup>31</sup>
36. The Crown failed to take Te Rohe Pōtae Māori relationship with their tūrangawaewae into account when implementing their various policies on and including:
  - (a) Land tenure reforms to create individualised titles;
  - (b) Crown purchasing of Te Rohe Pōtae lands;

---

<sup>30</sup> Te Rohe Pōtae Nga Korero Tuku Iho hui 1 transcript, (Wai 898, #4.1.1,) Bob Elliot, p 173, Te Rohe Pōtae Nga Korero Tuku Iho hui 3 transcript, (Wai 898, #4.1.3), Kuratauri Purnell, p248, Te Rohe Pōtae Nga Korero Tuku Iho hui 5 transcript, (Wai 898, #4.1.5), Barbara Marsh, p57. Te Rohe Pōtae Nga Korero Tuku Iho hui 5 transcript (Wai 898, #4.1.5), Harry Kereopa, p 236.

<sup>31</sup> Te Rohe Pōtae Hearing Week Four Transcript, (Wai 898, #4.1.10), Harold Maniapoto, p 450

- (c) Crown partitioning of its interests through the Native Land Court;
  - (d) Provision of reserves;
  - (e) Land development schemes. The small number of farms was insufficient to assist Te Rohe Pōtae Māori in remaining in their tūrangawaewae; and
  - (f) Department of Māori Affairs policy on re-location.
37. The Tribunal has heard from Te Rohe Pōtae Māori themselves regarding the importance of their tūrangawaewae and the sense of identity, continuity and belonging it provides.
38. As the Tribunal have travelled Te Rohe Pōtae and heard from its people from their own tūrangawaewae, the practical importance of 'their own place of standing' has been illustrated more powerfully in a physical sense, more than words can do justice.
39. In this regard, the efforts of the Crown to acquire substantial tracts of Māori land and resources for low prices and then to facilitate the dispersal of Te Rohe Pōtae Māori from their tūrangawaewae to urban centres must be seen as a breach of the Treaty.
40. Many Te Rohe Pōtae Māori were faced with no choice having either lost their lands and resources or ability to utilise them, other than to move to the cities.
41. The direct impacts on particular communities will be covered within specific claimant closing submissions.

#### **ADVERSE EFFECTS OF URBAN MIGRATION AND DISPERSAL ON TE ROHE PŌTAE MĀORI**

42. Although the details of the adverse effects of urban migration and dispersal are to be covered in specific claimant closings the following general submissions are worth noting:

43. The dispersal of Māori from rural to urban areas began during world war II and continued:<sup>32</sup>
- (a) In 1936, 89.1% of Māori lived in counties;
  - (b) In 1945, 82.1% of Māori lived in counties;
  - (c) In 1951, 79.5% of Māori lived in counties; and
  - (d) In 1971, 33% of Māori lived in counties.
44. The statistics show that within a short time frame the population lost a potential 33% of their Māori population. Creating issues for the Ahi kā and also for the Ahi teretere.
45. Dr Helen Robinson states that “when we consider that birth rates in the counties were still very high for most of this time, the amount of movement is remarkable”.<sup>33</sup>
46. Similarly, Dr Hearn states that the proportion of Māori classified as urban dwellers rose from 35% in 1956 to 62% in 1966 and 76% in 1976. Whereas in 1926, 84% of Māori lived in rural areas and 16% in urban centres, by 2001 those proportions had been reversed with 84% living in urban centres and just 16% in rural districts.<sup>34</sup>

### ***Impact on Ahi kā***

47. Dr Hearn states that the departure of so many people in the working age groups deprived their home communities of income.<sup>35</sup>
48. The loss of people adversely affected access to the services that larger populations usually support.<sup>36</sup>
49. Such departures also robbed communities of leadership and initiative.<sup>37</sup>

---

<sup>32</sup> Wai 898, #A31, p 168

<sup>33</sup> Wai 898, #A31, p 168

<sup>34</sup> Wai 898, #A146, p 567

<sup>35</sup> Wai 898, #A146, pp 637-638

<sup>36</sup> Wai 898, #A146, pp 637-638

<sup>37</sup> Wai 898, #A146, pp 637-638

50. The loss of population size was especially apparent to the Ahi kā in situations where support from the hapū and iwi were required. For example at tangi when:<sup>38</sup>
- (a) kaumatua were needed on the paepae,
  - (b) kuia for the waiata and karanga,
  - (c) whanau were needed in the kitchen preparing kai for the manuhiri and whanau pani
  - (d) further whanau required to undertake specific roles such as:
    - (i) preparing the tūpāpaku;
    - (ii) preparing the urupā;
    - (iii) karakia; and
    - (iv) assistance with hapū and marae tikanga.
51. Dr Robinson stated that rural Māori housing was neglected from the 1950s, partly because of the urbanisation and partly due to Government policy.<sup>39</sup>

### ***Impact on Ahi Teretere***

52. Those that had migrated from their tūrangawaewae experienced the following adverse effects, including:<sup>40</sup>
- (a) moving away from ancestral lands to small, often rented, properties;
  - (b) reduced contact with and support from extended whanau;
  - (c) reduced contact with marae;
  - (d) separation from Tūrangawaewae;

---

<sup>38</sup> Claimant evidence

<sup>39</sup> Wai 898, #A31, p 226

<sup>40</sup> Wai 898, #A31, p 169

- (e) separation from significant sites such as maunga, wāhi tapu;
- (f) reduced exposure and possible loss of te reo;
- (g) substandard housing;
- (h) less reliance on growing their own kai due to reduced land holdings;
- (i) increased consumption of processed foods; and
- (j) different occupations.

53. On the other hand, Dr Robinson notes that the shift from rural areas to urban towns brought people close to medical services such as hospitals.<sup>41</sup>

## **CONCLUSION**

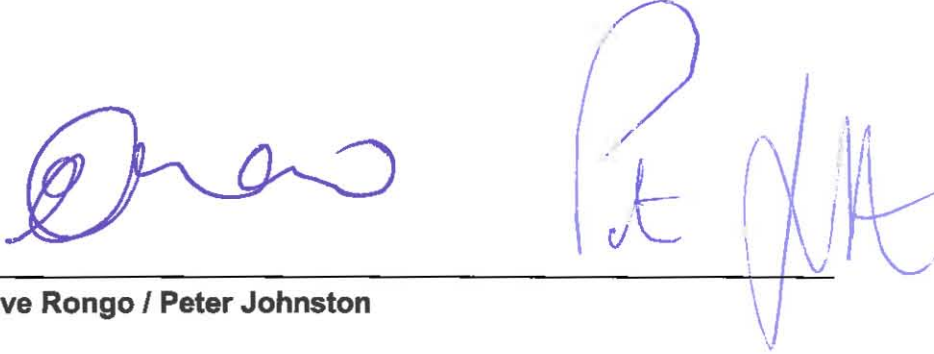
54. Based on the available technical evidence, it is clear that many Māori in Te Rohe Pōtae inquiry district were left with little choice but to move away from their tūrangawaewae in order to survive and in order to be eligible for Crown assistance in education, health and employment.
55. The Crown's policy of persuading Māori to move to urban areas meant that many people were forced to relocate to urban centres to seek better housing and employment conditions.
56. In relation to the Tribunal Statement of Issues, Counsel submit that the evidence presented to the Tribunal proves that:
- (a) The Crown was primary responsible for the migration and dispersal of Te Rohe Pōtae Māori away from their tūrangawaewae to urban centres;
  - (b) The Crown failed to take Te Rohe Pōtae Māori relationship with their tūrangawaewae into account when implementing Crown policy resulting in urban migration and dispersal; and

---

<sup>41</sup> Wai 898, #A31, p 169

- (c) Te Rohe Pōtae Māori have as a result suffered and continue to suffer from adverse effects arising from urban migration and dispersal from their tūrangawaewae.

**Dated** at Wellington this 19<sup>th</sup> day of September 2014

Two handwritten signatures in blue ink. The first signature on the left is a cursive script that appears to read 'Eve Rongo'. The second signature on the right is also in cursive and appears to read 'Peter Johnston'. Both signatures are positioned above a horizontal line.

**Eve Rongo / Peter Johnston**