

# 'Bloodshed' if seabed bill passed

**POLITICS:** Maori academic likens dispute over bill to the Israeli conflict

BY SIMON COLLINS

One of the country's top Maori academics says parts of New Zealand will see the same kind of bloodshed as seen in Palestine and Israel if the Government nationalises tribally owned parts of the coastline.

Professor Margaret Mutu, the head of Maori Studies at Auckland University and chairwoman of the Ngati Kahu tribe of the Far North, told the parliamentary committee

on the Foreshore and Seabed Bill in Auckland yesterday that Ngati Kahu would stop the bill being implemented in its district.

"The warning by a senior civil servant of the inevitability of civil war if this bill is enacted is not hyperbole," she said in a prepared statement.

When National MP Dr Wayne Mapp asked her if she seriously believed civil war was inevitable in Ngati Kahu's district if the bill was passed, she said: "I think that is clearly stated in this paper, which is authorised by Ngati Kahu."

Dr Mapp then asked what she meant by civil war. She said: "The sorts of things that I thought everybody knew about, that happen in Palestine and Israel."

Dr Mapp later issued a press statement questioning Auckland University's employment policies and urging it to distance itself from Dr Mutu's "inflammatory statements".



**'If you are in any culture in the world and assert that you are going to take over another culture's territory, that is a declaration of war.'**

Professor Margaret Mutu

"Freedom of speech does not extend so far as to threaten civil war. That is tantamount to treason," he said.

Maori Language Commission chief executive Haami Piripi came under fire early this month for predicting civil war if the bill is passed.

An Auckland University spokesman said the university had no comment to make on Dr Mutu's remarks.

Dr Mutu, who had six other Ngati Kahu leaders and advisers with her, was applauded by the mainly Maori audience of about 60 people.

The opening day of the select committee's Auckland hearings was at the Alexandra Park Raceway.



WATCH AND WAIT: An audience of 60 heard submissions at the first day of hearings on the Foreshore and Seabed Bill.

PICTURE: PHIL ESTCOURT

Many in the audience were among almost 4000 people who made written submissions against the bill but were not given a right to speak. The committee decided to hear fewer than 400 submitters before reporting the bill back to Parliament on November 5.

Auckland District Maori Council chairwoman Titewhai Harawira said her council, the Tai Tokerau (Northland) Maori Council, and the New Zealand Maori Council were still waiting for replies to their submissions.

Committee chairman Russell Fairbrother said the committee was

not "an entertainment" and did not want to hear people who "do not understand the issues in the bill".

"The committee is hearing those who have issues to contribute to the bill and will help us in our consideration of the bill," he said.

Yesterday the committee heard from 14 Pakeha submitters and four Maori groups.

Tensions were high from the start, when a committee staff member was upset by the way she was treated by a group of Maori asked to leave when the committee met in private before the public hearings began.

Although no complaint was laid with police, Mr Fairbrother said the worker was "visibly shocked and upset".

When the hearings started, Mrs Harawira stood to welcome the MPs to Auckland. Mr Fairbrother ordered her to sit down, then asked police officers to escort her out. She sat down before they did so.

Mrs Harawira's daughter Hinewhare sat at a press table and spread a Tino Rangatiratanga (Maori sovereignty) flag over it. Mr Fairbrother allowed her to stay but told her repeatedly to stop shouting, and officials removed the flag at

lunchtime.

Many of the audience wore Maori Party jackets and applauded their party leader Tariana Turia when she arrived three hours after the hearings started.

The bill places coastal land below high-water mark in Crown ownership, but allows Maori groups to go to the courts to have customary rights recognised.

However, submitters noted that land held in freehold title by either Maori or Pakeha owners was exempted from the bill.

The chairman of the Whakaki Lake Trust near Wairoa, Walter Wilson, said he was going home happy after MPs pointed out that his land would not be affected because it was in freehold title.

Planner Kathleen Ryan said the bill was "racially targeted" because it nationalised foreshore areas where Maori groups might have been able to prove customary title, but exempted freehold properties.

The secretary of the Bay of Plenty Regional Council's Maori representation committee, Waaka Vercoe, said tribal land rights passed down from tipuna (ancestors) in "tipuna title" continued to underlie any modern land titles.

Auckland University law professor Jock Brookfield, author of Waitangi and Indigenous Rights, Revolution. Law & Legitimation, said "the great mass" of legal authority in English-speaking countries supported the judgement of the Court of Appeal in the Ngati Apa Marlborough Sounds case last year that customary title to parts of the foreshore could be established by indigenous people.

He suggested a compromise where the Government could still nationalise the foreshore but held it "upon trust for Maori customary owners if and where they are judicially sustained".

Hearings continue today.