# The historical context of colonisation and statutory social work

## Background Paper

### Introduction

The significance of history reflects the importance of having a working understanding of the lessons learned in the past, the impacts of lived experiences and events, the changing environments and the influence of significant people. Within the context of Aotearoa/New Zealand, there is a need to acknowledge the place of history in supporting the legitimacy of differing and, at times, conflicting world views, philosophies or perspectives held by tangata whenua [Māori] and tauiwi [non-Māori] (Spoonley, 1993; Thomson, 1993). The position taken here is that the social, spiritual, intellectual, political and economic terrains of struggle in Aotearoa have been significantly influenced by the way in which tangata whenua and tauiwi world views have responded to each other (Walker, 1990; Sharp, 1990; Hazlehurst, 1988).

This paper provides an historical snapshot into Aotearoa New Zealand using two key time slots of pre-contact Māori Society and post-contact with tangata whenua and tauiwi. The third part of this paper focuses on mapping out the historical development of social work and its influences on the State's response to child welfare and protection in Aotearoa New Zealand. It is understood that this paper will contribute to a foundation from which Oranga Tamariki can be supported with deepening our understanding of New Zealand's history to assist in the shift towards a Māori centred position, underpinned by a mana enhancing paradigm for practice (delivered in a Crown context) that values, respects and understands Te Ao Maori wellbeing.

### Pre-contact Māori society

There are three key themes to understand when looking at traditional Māori society:

**1. Aotearoa was a Māori world**

Te Reo Māori with colloquial variances was the mode of communication. Māori thinking, philosophies, esoteric learnings and cultural wisdom were passed down from previous generations. Māori history; institutions of learning, political processes, customs, practices and law dominated Aotearoa.

**2. Māori development spanned 1,000 years**

Before the arrival of navigators, colonials, whalers and sealers in the late eighteenth century, the pre-contact period stretched 1000 years[i] of cultural, political and social development – hugely influenced by a strong dependency on Te Tai Ao/Te Ao tūroa [the natural environment]. In other words, Māori were far from a primitive society (Ruwhiu, 1999).

**3. Māori social organisation was effective**

A collective lifestyle with a social structure made up of whānau, hapū and iwi tied to a genealogical line displayed effective forms of social organisation and belief systems (Eruera, 2015). Internally, a social rank of rangatira/tohunga [intermediaries with Ātua], tutua [commoners] and taurekareka/pononga [slaves] was dependent on the level of mana [power, authority]. Responsibility of caring for mokopuna extended to kuia, koroua, whāea, mātua and whanaunga within their whakapapa (Walker, 2004). Whānau often lived among their hapū in pā or villages. Land was shared and often occupied by multiple whānau groups.

While iwi territory was marked, individual land title and the concept of land ownership were not practiced.[ii]

**Post-contact**

Captain Cook's arrival to New Zealand in 1769 resulted in positive and negative impacts. For example, the trading of potatoes, blankets, nails and pigs were some of the items which soon became essential foods, tools and household items for Māori. In 1788, the British established a colony in New South Wales and Sydney soon became the staging post for traders. By the 1830s, many iwi were engaged in trade, including cultivating flax, the production of crops and raising pigs (Orange, 2013). Well before Te Tiriti o Waitangi was signed in 1840, Māori had travelled as far as Tahiti, Australia and London, with the first Māori visitor to England in 1806 (Ministry for Culture and Heritage, 2020).[iii] Upon the arrival of Europeans to New Zealand, Māori were often described as a fit and healthy people with highly active lifestyles (Lange, 2011; Clarke, 2007). However, contact with Europeans had immediate consequences for Māori wellbeing. In 1790 and 1810, Ngāti Whātua experienced the worst of the influenza epidemics in Tāmaki Makaurau [Auckland]. The introduction of alcohol, prostitution, venereal disease and muskets further affected wellbeing. Subsequently by 1840, the population of Māori was reduced by 40% (Walker, 2004, p. 80)

Two key documents lay the foundation for tangata whenua and tauiwi relations. The first key document of post-contact New Zealand was the Declaration of Independence 1835.[iv] It was the first document recognised by Britain where Māori declared sovereignty over New Zealand.[v] Partnership, participation and protection between tangata whenua and tauiwi was founded in Te Tiriti O Waitangi. Signed in 1840 by 540 rangatira, the Te Reo Māori version of Te Tiriti guaranteed 'te tino rangatiratanga' [absolute sovereignty] of Māori over their lands, villages and treasures. However, breaches of Te Tiriti O Waitangi occurred from the outset, including the illegal felling of tōtara, mānuka and kauri trees by European settlers and sawmills (Swarbrick, 2007).

By the 1850s, settler society rapidly grew and Māori continued to sell land with a degree of trust intact. However, the Land Wars of the 1860s fought between the British and Māori significantly impacted on this relationship and the introduction of legislation such as the New Zealand Settlements Act 1863 and the Native Lands Act 1865 depleted iwi of their land and resources, severely undermining their social and economic positions (Fisher, 2015). By the end of the nineteenth century, European attitudes viewed Māori as a dying race and regarded Te Tiriti O Waitangi as nothing but a nuisance[vi]. In 1877 Chief Justice James Prendergast declared Te Tiriti a "legal nullity" (Orange, 2013, p. 68). Despite more than 800,000 hectares of land seized, and a further 1 million hectares sold by 1900, numerous petitions made by Māori and Government commissions of inquiry did not halt this process.[vii] Māori became socially displaced and isolated from whānau due to the loss of land and mahinga kai. Colonisation eroded social structures, controls, language and traditional Te Ao Māori knowledge which were protective, impacting negatively on the wellbeing of Māori and their whānau. By the turn of the century Māori were in the minority, severely affected by land loss through war, law and confiscation[viii], impoverished and fighting albeit underground to maintain their culture identities[ix].

In the early and mid-1900s, the social and cultural displacement of Māori continued unabated, using the banner of 'creating welfare dependency on the State' measured by the poor and undeserving poor (Tennant, 1986). Internationally, New Zealand was viewed as a prime illustration of harmonious cross-cultural relationships between Tangata Whenua and Tauiwi - often referred to as a societal exemplar of the Egalitarian Ethos[x]. However, in the latter part [1970s to 1990s], increased urbanisation and Māori land protest movements challenged the fabric of New Zealand society[xi]. New generations of Māori leaders expressed strident demands for social justice and tino rangatiratanga, rejecting a century of policies of

assimilation and integration. The exposure of racial discrimination that Māori faced shattered the illustration of New Zealand as a haven of race relations. The passing of the Treaty of Waitangi Act 1975 and the establishment of full immersion kura kaupapa Māori signaled a new form of cultural assertiveness and reclamation of te tino rangatiratanga.

From 1990, there were many illustrations of paradigm shifting in education, health, politics, business, leadership, whānau, hapū and iwi. For example, the shifts from non-incorporated to corporatised iwi, toward bicultural learning in mainstream schools and in current times, the use of Te Ao Māori values and principles by the Department of Corrections inside their Hōkai Rangi strategy (Ara Poutama – Department of Corrections, 2019). For Oranga Tamariki, our paradigm shift is a result of the historic and current trauma faced by whānau, hapū and iwi.

**Historical Context of the Child Welfare system in Aotearoa**

It is important to contextualise the early contact experiences regarding welfare perspectives advanced by settler governments in New Zealand. Initially these were strongly influenced by pastoral care in the form of church benevolent societies and outreach programs[xii], while the 1887 Destitute Person Act emphasized nuclear family responsibility to care for loved ones[xiii]. The 'Old Age Pension (1898)' introduced the old English poor law principles of deserving/undeserving, benevolence and discipline in welfare responsiveness[xiv].The establishment of the welfare state saw the New Zealand Government become the main provider of social and welfare services, through the departments of Education (Child Welfare Division), Māori Affairs (Māori Welfare Office), Health, Social Security and Justice.

Prior to the Department of Social Welfare Act 1971, elements of a developmental social work professional ethos emerged under a range of titles including Child Welfare Officers, Māori Welfare Officers, Māori Wardens and Field Officers (Dale et al, 2017). Tauiwi Pākehā dominated these service roles[xv]. Dependency, paternalism, integration and an eye towards being 'one New Zealand' highlighted that the roots of social work as a profession, especially statutory social work, was a tool of the oppressor. In the 1960s and 1980s, New Zealand's social work history as a profession saw it in the front line of societal change.[xvi] Incremental changes occurred inside the Department of Social Welfare (renamed Children Young Persons and their families, now called Oranga Tamariki). In 1984-85, a report on institutional racism in the Department of Social Welfare[xvii] accelerated change towards being responsive to Māori that lead to the external inquiry of *Pūao-te-Ata-Tū*.[xviii] The landmark report was influential in drafting the Children, Young Persons, and Their Families Act 1989 (now known as the Oranga Tamariki Act 1989).

The defining characteristic of the social and political context during the period 1993 to 2000 reflects the scaling-back of the State and the wider political climate of neo-liberal economic reform of the late 1980s. Within this framework the foundations were laid for a social development approach to welfare that balanced market-driven policy with a commitment to support those in need (Dale et al, 2017, p. 83). However, as stated by Smith (2004), it was not surprising that trying to fit the structure of a not-for-profit welfare service into this mould resulted in destructive consequences. Mounting criticisms of the renamed Child, Youth and Family (CYF) service in the 2000s prompted several internal and external reports culminating to CYF's Mā Mātou Mā Tātou Strategic Plan 2012-2015 and the Report of the Expert Panel on Modernising Child Youth and Family (2015) which resulted in an overhaul of the care, protection and Youth Justice systems from 2016 to 2017. In the current context, shifting practice with whānau, hapū and iwi from the traditional Eurocentric position toward mana-enhancing practice opens the door for change (see The Report of The Māori Inquiry into Oranga Tamariki, p. 68-71).

While the New Zealand Government did not institute specific policies of forced removal of Māori children, historical atrocities were committed[xix]and have had inter-generational

impacts, including the loss of cultural identity and language within whānau, and the disproportionate over representation of tamariki Māori in the care of Oranga Tamariki. Historical understanding and practices within child welfare, such as the focus upon the child as an individual, rather than as part of a family unit, have contemporary consequences (Dobbs, 2015, p. 13; Whānau Ora, 2020). Many of the problems associated with child abuse and neglect in communities are directly related to experiences of colonisation (Ministry of Social Development, 2015 as cited in Libesman, 2004).

**Conclusion**

The pervasive impact of colonisation (the loss of land, culture, family, language and self-determination) resulted in immense socio-cultural and economic disadvantage for Māori. It directly increased the likelihood of whānau dysfunction that is embedded and sourced in historical and contemporary factors, linking to the overrepresentation of tamariki Māori in the statutory child welfare system in New Zealand (Dobbs, 2015). Although historic milestones such as *Pūao-te-Ata-Tū* challenged statutory social services to transform their practice with Māori and reduce disparities, by the 2000s, the promise of *Pūao-te-Ata-Tū* had failed to be recognised (Whānau Ora, 2020). Change is required within the policies, practices, and processes of Oranga Tamariki and a shift toward mana-enhancing practice values Te Ao Māori and recognises the significance of history (Oranga Tamariki, 2020). Understanding the complexities of New Zealand history with an emphasis on Māori perspectives is part of enacting Te Tiriti O Waitangi obligations and mana-enhancing practice.

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i Refer to White, J. (1849; 1888). *The Taonui Manuscript and Ancient History of the Maori*; Smith (1913; 1907-10) *Lore of the Whare Wānanga*; Ngata (1970, 1961, 1959*) Ngā Mōteatea*. There are also iwi accounts such as Ngāti Porou, Ngāti Kahungunu, Rangitane, Kaitahu, Ngāpuhi, Tūhoe, Waitaha, Taranaki of pre-contact history.

ii The concept of owning land, especially in an individual sense, originated in European ideology.

iii Moehanga (Te Mahanga) of Ngāpuhi.

iv It was signed by 34 rangatira from Te Tai Tokerau (Northland) and by 1839 it had 18 further signatures, including Te Hāpuku of Hawkes Bay and Te Wherowhero of Waikato who later became the first Māori King. It was drafted by British resident, James Busby, with help from missionaries Henry Williams and William Colenso.

v While the larger narrative is that the British were concerned France would acquire New Zealand, additional evidence has showed that by the requirements of international law, the Crown required Māori to assert sovereignty before transferring it to the Crown through Te Tiriti O Waitangi. See Windsor, 2007 and Cox, 2002.

vi Tauiwi attitudes towards Māori expressed anxiety for land and the lack of protection from Māori. Māori survival was by Māori accepting European values, laws and institutions.

vii Māori pushed for the Native Representation Act (1867), Native Rights Bill (1894) and Kauhanganui - the Council of Chiefs, developed Māori Parliament. Political Māori entities such as Kingitanga, Rātana and Ringatū movements were also established.

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[viii] Parsonson (in Rice, 1992, p. 190) highlights the use of war, law and confiscation to take land from Māori.

[ix] Marae remained a bastion of resistance from Pākehā attempts to assimilate the indigenous nations of Aotearoa. Te Reo me ona Tikanga Māori and kawa maintained whānau, hapū and iwi histories.

[x] The Hunn Report (1961) focused on integration also referred to as a 'Claytons paradigm shift to develop a uniform, united society' by combining elements of Māori and Pākehā cultures to form 'one New Zealand culture'. Sharp (1990) argued that integration is just another form of assimilation.

[xi] For example, the Māori Land March/Hīkoi (1975) and Bastion Point (1977).

[xii] Church women's groups who were in privileged societal positions to display acts of altruism to those in need (Tennant, 1986).

[xiii] However, the State role of care above that of whanaunga or extended family introduced the notion of dependency that was to plague the social wellbeing of tangata whenua.

[xiv] Māori were often excluded for not meeting culturally generated criteria including showing proof of age and held individual land titles.

[xv] As expressed in *Pūao-te-Ata-tū*, many of these tauiwi were far removed from the realities of Māori life and lacked the understanding of how to respond to Māori wellbeing. Many also actively supported and progressed departmental integration policies and practices on Māori, further negatively impacting on tamariki/mokopuna, whānau, hapū and iwi.

[xvi] Influenced by overseas expansion of influence in psychology (intrapersonal development), sociological societal understandings (radical, systemic critical advocacy for the oppressed) and cultural relevance (valuing indigenous voices and grappling with the politics of difference, injustices, equity, rights and equality) social workers organised themselves into a professional body, marched and protested alongside those marginalised; Māori, the Unions, Women's Rights, Gay Rights.

[xvii] *Pūao-te-Ata-tū* identified our history with a Māori lens and challenged the Department of Social Welfare to acknowledge its own institutional racism. It analysed the roots of dependency for Māori and changed public expectations about statutory agency accountability, consultation and transparency.

[xviii] Maatua Whangai was one of the developments of the time.

[xix] For example, placement of Māori children with Tauiwi Pākehā to advance integration.