

Analysing a Silent Discourse: Sovereignty and tino rangatiratanga in Aotearoa

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Within the context of both colonial history and contemporary disputes between colonial and Maori interests, this paper offers a reading of the notion of sovereignty. Data from a focus group yields a construction of sovereignty that is analysed discursively. The analysis highlights the way talk constitutes and positions people and also the way sovereignty itself is constructed. We argue that this work is novel within the social psychology of race relations. While previous work has examined the oppressive functions of 'race talk', this study offers an alternative to the dominant discourses surrounding nationhood. The paper provides insights into a previously unexamined side of the construction of race related issues, and illustrates how oppressive 'race talk' can be challenged.

Human history often recounts a bleak picture of racial, cultural and ethnic groups seeking control of land, resources, and the exploitation of other groups. This history has become closely aligned with colonisation, whereby indigenous customs and practices are eclipsed by the cultural and religious zeal of the new 'settlers'. Land previously occupied by indigenous peoples is seized by new authorities who also impose new systems of legality, education, culture and technology.

Colonial History in Aotearoa

This broad pattern of colonisation has been tragically repeated throughout the world, where policies of genocide and political decimation have resulted in indigenous peoples being humbled and marginalised (Power, 2003). The history and psychology of colonisation within New Zealand offers a story that includes, but also goes beyond a straightforward concern for land. There is an ongoing political and

psychological dynamic between colonised and coloniser that continues to unfold. The recent history of Aotearoa is liberally peppered with political debate, contest and negotiation over access and ownership of land, fisheries, and most contemporaneously, foreshore and seabed. The marginalisation of Maori aspirations extends to recent analyses that highlight how media representations cast such interests as coming from a minority rather than from an equal Treaty partner (Barclay & Lui, 2003).

Ward (1973) argues that equitable and harmonious relationships between colonists and Maori have been undermined by the practices and policies of the British Crown and successive Settler Governments. These policies have usurped traditional Maori authority while denying Maori a significant position in the newly established political and social orders. The constitutional background against which indigenous and settler concerns have been negotiated is the Treaty of

Waitangi, signed in 1840 by Governor Hobson on behalf of the Queen of England and by various leaders or rangatira of iwi and hapu in New Zealand. Maori have had their rights to self-determination, affirmed by the second article of the Treaty of Waitangi, ignored, as they have become subject to the indivisible sovereignty of the Crown. While the Treaty of Waitangi sought to capture the broad principle of two people sharing one land, promises of equal partnership have failed.

Historically, Maori have resisted the imposition of the Crown. Further they have produced different interpretations of the Treaty. As Durie (1991) notes, the Treaty was not ratified in domestic law, making it inconsequential for Tauwiwi. Since the 1850's, Maori have continued to keep the Treaty in view, taking petitions to Parliament, cases to court, and holding Maori Treaty hui. Article II of the Maori version of the Treaty protects tino rangatiratanga, or the exercise of chiefly powers (Kawharu, 1977) while in Article I of the English version Maori cede sovereignty to the British Crown. Tino rangatiratanga has been widely interpreted by Tauwiwi as Maori sovereignty which is the topic this paper seeks to explore.

Many of the enduring tensions, challenges, negotiations and renegotiations between the Crown and Maori, received increased public attention through the political protest that dominated the city of Wanganui in 1995. This extended occupation of a

public park was one of the most celebrated and debated public issues in the recent history of bicultural relationships within Aotearoa. The location was a small reserve close to the centre of the city that became occupied by members of the iwi, Te Ati Haunui a Paparangi. The reserve was widely known as Moutoa Gardens. It was renamed by the iwi as Pakaitore Marae, the name of a pre-existing pā site, as they asserted their authority over the gardens. Claims by iwi that they were celebrating their Whanganuitanga brought the concept of Maori local self-determination into the public domain. Widespread media coverage of the occupation saw members of Parliament, police, local government, and various interest groups involved in interpreting the protest. The common thread that binds the diverse interests of these groups is the language used to construct the nature of the protest, the social, political and psychological contexts of the protest, and also the question of whether these actions should be referred to as 'legitimate protest' or 'illegal occupation'. In fact, there was much debate about the basis of the protest. At one level the protest could be seen as a dispute over land ownership, invoking the legal process in seeking arbitration and resolution. At another level the protest was, arguably, a way of promoting political debate. Part of this complex debate involves the issue of sovereignty. In this paper we use discourse analysis to examine some of the arguments and themes that structured the debate around one account of sovereignty.

Discursive Psychology

Traditional social psychology has studied race relationships and racism by crudely attempting to discover 'true' motives, and by measuring levels of racism on Likert scales that mostly lack the sensitivity necessary to study such socially undesirable characteristics. In contrast, discursive psychology (Edwards & Potter, 1992) applies a social constructionist epistemology that avoids making claims about the psychology of individual perceivers. Rather, discursive psychologists regard racism as inextricably located within the language practices and widely shared discourses available in society. Such

language practices, while deployed at an individual level, are located as products of a racist society rather than being individual, psychological or cognitive products (Wetherell & Potter, 1992). Thus, discursive researchers are disinterested in the 'prejudiced', or 'racist' individual, and show an intense interest in the rhetorical and discursive resources that are widely available within society. The analytic site of discursive psychology is in the way discursive resources and rhetorical arguments are put together to construct notions of, for example, prejudice, culture and sovereignty, and provide accounts that work toward legitimating current social practices.

The current study follows a tradition of discursively studying race relationships. Internationally, van Dijk (1991; 1993) has examined white majority group members talk in Great Britain, the United States and the Netherlands, while race talk among Australian university students has been the topic for Augoustinos, Tuffin, & Rapley (1999). Within Aotearoa there are key studies by Nairn & McCreanor (1991) who identified durable patterns in the race relations talk of Pakeha; Wetherell & Potter (1992) who highlighted the discursive delicacy and ambivalence of Pakeha talk in discussions about Maori and Polynesian populations; and McCreanor's (1997) analysis of historical material (published by the New Zealand Company in 1839) that informed early 'settlers' and that was profoundly influential in informing contemporary constructions of race relations. One of the most extensive discursive examinations of race talk is found in the work of Wetherell & Potter (1988; 1992) who interviewed white majority group New Zealanders about a range of race related issues. This work highlighted the way participants were able to support existing conditions, and thereby argue that their own advantage should continue, while simultaneously deflecting suggestions of racism. Two major themes emerged from this extensive analysis.

Firstly, when matters of land ownership, past injustice, teaching Maori language in school and affirmative action programs were

discussed these were met with a 'practical politics' response. Wetherell & Potter (1992) refer to such politics as rhetorically self-sufficient or clinching arguments. Practical politics operates at the level of phrases that have a very familiar, taken-for-granted quality and that take on the status of maxims that are almost impossible to dispute. Included here are ideas such as: resources should be used efficiently; people should be treated equally; the clock can not be turned back; current generations can not be blamed for the mistakes of the past; injustices should be corrected; and it is important to be practical. In their analysis the authors demonstrate how these rhetorical resources are marshalled to effectively justify contemporary practices, thereby suppressing challenge and maintaining the political status quo. For example, while agreeing with the sentiment that past injustices should be addressed, it would also be possible to nullify the effect of this by asserting that it is impossible to turn back the clock, or by claiming a need to be practical. Notably, these resources are rich with the ideology of concern and common sense yet it is these very features that make them justifiable and, importantly, sayable in ways that traditional forms of racism were not. Reeves (1983) has referred to such talk as 'sanitary coding' whereby racism is visible and hearable, while also deniable due to the deployment of mixed and contradictory discourses that are difficult to challenge. Of course, the irony in the work of Wetherell & Potter is that it highlights how principles of freedom, human rights, equality and progress are utilised in arguments for policies that are ultimately discriminatory and racist.

A second major theme to emerge from the discursive study of race talk in Aotearoa was the way particular social groups and categories were constructed. For Wetherell & Potter (1992:118) the aim is to show "how the descriptive methods of race, culture and nation generate their own distinctive ontologies, psychologies and social theory". The idea here is that notions like race, culture, and sovereignty are not natural categories, but rather are constructed and subject to historical contingency. In other words, the meaning of these terms are highly

negotiable rather than being fixed and widely agreed. Wetherell & Potter provide the example of how before 1840 the British Colonial Office instructed their representative to negotiate a treaty with the independent Maori nation. In the contemporary talk of Pakeha the idea of Maori as a national group is unpolitical and raises difficult questions about Maori sovereignty and the status of Pakeha. For these reasons, Wetherell & Potter suggest Maori nationhood remains a largely silent discourse.

In contrast to the analysis of popularly voiced and widely available discourses, the current study seeks to examine sovereignty talk. Within contemporary politics in Aotearoa, the question of sovereignty has commonly been on the margins of public debate. Our aim differs from other discursive work that seeks to draw attention to the complex ways discourse operates to shore up contemporary social practices. Rather, we seek to highlight a discourse that implies political and psychological challenge to the status quo, and that hitherto has been marginalised. While this is clearly a question that has not been suppressed by Maori, within Pakeha talk and within wider public debate this challenging discourse has effectively remained silent.

This study differs from previous discursive studies in dealing with arguments that support Maori political aspirations. In this respect it stands apart from previous research in Aotearoa that has focussed on the oppressive functions of race talk (see for example: Abel, 1996; Barclay, 1996; McCreanor, 1989, 1993, 1995; Nairn & McCreanor, 1990, 1991, 1997; Wetherell & Potter, 1986, 1988, 1992). This corpus of work has provided systematic and comprehensive documentation of the more pernicious aspects of race talk, while the present study seeks to discursively explore the notion of sovereignty that rose to prominence during the occupation of Moutoa gardens-Pakaitore Marae.

Our analytic orientation is informed through a constructionist epistemology that suggests language is a constitutive and material force, producing the very concepts that shape our understandings of the world, the people, and the daily situations we encounter (Foucault,

1985; Potter & Wetherell, 1992; Wooffitt, 1992). Correspondingly, accounts of the occupation are not seen as objective reflections of 'the facts'; rather they are seen as constructions, negotiable and contestable, with attending political, psychological and material consequences.

Post-structuralist theories broaden the focus of discursive research to include the analysis of power (Parker, 1992). The question then becomes one of which account will be accepted as truthful and acted upon, and which will become vilified and disregarded (Wetherell & Potter, 1992). In short, the reason for the detailed examination of talk and text is that we do not regard such data as mere words, but see it as profoundly consequential. One of our central claims is that talk is inextricably involved in both the enablement and the constraint of social practices that have practical effects on peoples' lives. In short, talk matters in important ways.

Method

Data for the current analysis was taken from a focus group interview that was conducted at the time of the protest in Wanganui. Participants were five Pakeha supporters of the protest who volunteered to meet and talk about the wider context of the protest. They were supportive of the political aspirations and agenda of the protesters. This focus group formed part of a larger study that included interviews with police, politicians, protesters and members of the public. The focus group was organised to facilitate discussion around a range of topics including land claims, Maori sovereignty, conflict resolution and the future of Maori/Tauitiwi relations. Discussion was organised with a view to eliciting talk regarding the various interest groups involved with the occupation, understandings of the issues, and strategies used to support or resolve the occupation. The focus group lasted for an hour and was recorded on audio cassette, following which it was transcribed according to a modified version of Jeffersonian notation (Praat, 1998).

The data we present comes exclusively from one of the participants to whom we gave the pseudonym Gareth. The rationale for providing an

extended analysis on the talk of one participant is that Gareth was very articulate with respect to the topics under consideration, while other group members tended to agree with Gareth by way of affirmations and nods. In effect, Gareth became the group's spokesperson. Not only was this data rich but it was also unique in offering insights into a previously unexamined side of the construction of race related issues.

The following analysis offers a reading of one of the three constructions of sovereignty that emerged through the focus group discussion. The analysis focuses on the following: the construction of sovereignty, the construction of subjects in sovereignty accounts, and the consequences of both these constructions for power relations. These matters are addressed by attending to two aspects of discourse. Firstly, noting constructions and functions and how subjects are positioned through the organisation of the discourse. Secondly, discussing the overall functions of the account and the larger themes or arguments mobilised in their construction.

Analysis and Discussion

Sovereignty

Three constructions of sovereignty were produced through the focus group discussion. Sovereignty was understood as 'more control over resources', or 'sovereignty as Maori government', or sovereignty as tino rangatiratanga. This study focuses upon sovereignty as rangatiratanga (Praat, 1998). The significance of sovereignty as tino rangatiratanga is best illustrated through the context of these contrasting sovereignty accounts that are briefly described below.

Constructions of sovereignty as more control over resources are organised around talk of Maori having greater input into the running of resources. Expressions of this argument are illustrated in phrases like 'more control' and 'guardianship', or 'a say' regarding resources. The defining feature of such constructions is that control is passed to Maori within the existing constitutional structure. Through this type of account Maori are obliged to operate within existing laws

and do not have the ability to legislate for themselves. Theirs is one voice among many that the Crown should take into account.

Constructions of Maori sovereignty as separate development and/or Maori Government, have commonality in references to Maori holding some law making powers, either for Maori alone or for all people of New Zealand. A further commonality of these accounts is that they are regularly deflated through the mobilisation of powerful ideological resources such as rationality, knowledge and equality. Deflation ensures that discourses of Maori authority remain insignificant and largely disregarded. Any support for constructions of Maori sovereignty might suggest that Maori governance must be taken seriously. Such support threatens the status quo of the Crown as sole and ultimate authority in New Zealand. Deflation maintains the status quo.

Sovereignty as Rangatiratanga

The following construction could be classified as falling into the category of silent discourse. It is not as commonly accessible in the public arena as the prior two versions. For this reason we have chosen to work with this data that incorporates resources that are sparsely voiced and poorly understood. The extract under analysis examines Gareth's explanations of sovereignty that draw on a comprehensive range of rhetorical and linguistic resources. It is a very rich account which, for discursive psychologists, makes it an exciting object of analysis.

Gareth's version of sovereignty revolves around the concept of tino rangatiratanga and the consequential impact of the use of this term upon the constitutional structure of New Zealand. Our analysis focuses on the implications of this construction of sovereignty, and the ways Gareth supports his position in relation to common ways of discrediting and undermining his argument. The complexity of this account is illustrated by four extracts. The first extract reads as follows:

(1) **Int:** *What's your understanding of sovereignty?*

Gareth: *That ((pause)) what we're really talking about constantly is*

tino rangatiratanga. I mean that's the safe basis to go back to because that's what the Treaty actually says. Um sovereignty is a translation of that, and it's a translation which ah has been one that Maori have used, probably without thinking very much about it because it was clearly the word that ah that Britain was using ((pause)) and more recently the Settler Government ((pause))...

Much is accomplished in the first few lines of this account. Initially, Gareth reconstitutes the sovereignty debate in terms of tino rangatiratanga. This functions to privilege a Maori understanding of sovereignty and to implicitly position the debate surrounding Maori sovereignty as emerging from 'the legitimate Treaty', that is, "that's what the Treaty actually says". Reference to the Treaty legitimises tino rangatiratanga as a reliable and sound understanding of what people really mean when they talk of sovereignty. He explains the implicit anomaly of always having had the Treaty but still using the inappropriate word, that is, sovereignty, because of historical translation practices. The implication is that although people have been using the word sovereignty - tino rangatiratanga is the more appropriate term.

Functionally, Gareth attends to a number of issues through this explanation. Two possible criticisms of sovereignty as tino rangatiratanga are addressed. Firstly, that those who use the term 'sovereignty' do not necessarily understand tino rangatiratanga as sovereignty. In other words, the two terms are not synonymous for all users. Secondly, if tino rangatiratanga is the appropriate phrase, Maori should use this, as this is what is 'really' being talked about. Gareth deflects the implication that the fault for these misunderstandings and anomalies lie with those who use the word sovereignty, Tauwi and Maori included. He explains that the anomalies stem from a translation of tino rangatiratanga from Maori to English. Maori used the word sovereignty because it was the word used by Britain. Current users of the word sovereignty are excused for their implied ignorance or

misunderstanding of the word rangatiratanga and its location in the Maori version of the Treaty, because sovereignty is the word Maori have historically used to denote tino rangatiratanga. Maori are excused of any accusation of deliberately trying to deceive English speakers about the 'real issue'. Maori are constituted as somewhat thoughtlessly taking up the word sovereignty, as that is the word Britain was using, "...a translation Maori have used, probably without thinking very much about...because it was clearly the word.. Britain was using...".

In accounting for the confusion surrounding the term sovereignty, the British Crown is identified as the source of the misunderstanding, and Tauwi and Maori are positioned as casualties of the Crown's linguistic practices. The positioning of Maori and Tauwi in a relationship of opposition to the Crown is a general characteristic of this account. Such positioning serves to identify Tauwi alongside Maori in the matter of sovereignty. The Crown rather than Maori is seen as the antagonist.

The plausibility of taking tino rangatiratanga as central to a debate about sovereignty is further supported through constituting the Treaty as "the safe basis to go back to". Two effects are produced through this construction of safety. Through eliciting a secure foundation to support the argument about sovereignty as tino rangatiratanga, Gareth is positioned as cautious and reasonable. His credibility as commentator is enhanced and the persuasiveness of the argument is reinforced as a result of overtly being guided by safe ground. Secondly, the Treaty is constructed as a dependable and reliable document, the use of which will justify and legitimise all claims.

At this point we wish to highlight another implicit assumption in the constitution of "tino rangatiratanga... being ...what the Treaty actually says." This account refers exclusively to the Maori version of the Treaty. By omission, Gareth's construction effectively silences the English version with its attendant interpretations of the relationship between Crown and Maori. It also challenges the traditional status of the English version as official, according to the Crown (Cleave, 1989).

Additionally, it silences the substantial discourse produced when establishing the principles of both the English and Maori versions of the Treaty, as required of the Waitangi Tribunal by the Treaty of Waitangi Act of 1975. The Maori text of the Treaty is positioned as the legitimate text for consideration in negotiation between Maori and the Crown.

This argument is interesting for a number of reasons. Perhaps most notably because it functions to affirm a Maori perspective and understanding of 'sovereignty'. This reverses a more conventional and traditional power relationship of the Crown determining the position of Maori in relation to itself, and the Crown determining significance and meaning of the terms of the Treaty. Of central importance is *tino rangatiratanga*, a term that Maori are in the best position to define as it is a term from Maori language, possibly imbued with meanings that are beyond the grasp of English speakers. The account privileges understandings of the Treaty that have historically held a position of, what Foucault (1972) might describe as, subjugated knowledges. These are understandings of the Treaty and its terms that are crucial in defining the relationship between Crown and Maori, and that have been ignored or constrained through the domination of the Crown. It is only in recent years that these understandings have begun to receive acknowledgement, for example, in legislation and social and political policy.

In the next extract Gareth constructs the Crown as unwilling to address the implications of *tino rangatiratanga*.

- (2) **Gareth:** ..((pause)) *but the balance between rangatiratanga and kawanatanga is one that has to be negotiated, you can't put a hard and fast definition on it, it's a relationship and it's got to be negotiated and the crown has never been willing to negotiate it...*

In this extract the concept of *kawanatanga* is introduced. Sir Hugh Kawharu's translations (New Zealand Court of Appeal and New Zealand Maori Council, 1987, p.33), suggest *tino rangatiratanga* signifies the full and unqualified exercise of Maori chieftanship, while *kawanatanga* refers

to complete government by the Crown. Gareth defines the crux of the sovereignty debate as balancing these two competing principles (see also Nikora, 2001). The balance needs to be negotiated. Contrarily, the Crown has never been willing to negotiate this relationship. The implication is that the reason *tino rangatiratanga* remains unresolved is that the Crown has not fulfilled its obligations under the Treaty. It has not negotiated issues of power or the balance of authority with *iwi* as stated in the Treaty of Waitangi. Gareth positions the Crown as the source of the difficulties in *Tauiwi/Maori* relations. Maori are, by implication, positioned as willing negotiators, and thus by extension of the 'negotiation argument' as reasonable and rational. Such positioning contrasts strongly with the dominant discourses that form part of what McCreanor (1997) refers to as the 'standard story' of race relations wherein Maori are positioned as radical, malcontented and the source of racial tension.

The negotiation argument revolves around the premise that talking, communicating and negotiating are positive ways to address concerns. It is akin to arguments premised on notions of rationality and reasonableness that are used in talk of the Moutoa occupation. Both negotiation and rationality arguments offer similar subject positions, for example, speakers are positioned as either reasonable or unreasonable, (Praat, 1998). The extract above illustrates the Crown's position as the source of difficulties. No apparent reason for failure to negotiate is offered on behalf of the Crown except that of unwillingness. It is not that the Crown has been unable to negotiate its relationship with *iwi*, rather it is a question of preparedness or inclination. Given that the Crown is one of the signatories to the Treaty, a disinclination to negotiate its application seems unreasonable. However, this is not the only problem relating to sovereignty that the peoples of New Zealand face. A government unwilling to negotiate is a problem, however a narrow and constrained understanding of sovereignty itself is another that is clearly delineated in the following extract.

- (3) **Gareth:** *...We could get into much more detail than that. um -I think for instance that this country has suffered. ah from picking up a notion of sovereignty=of national sovereignty based on the way that Britain saw it, and still to some extent sees it. in one narrow window of her history mm ah and it's a very unusual meaning and it's a meaning that says sovereignty is a single thing and it's concentrated and exercised only in one place mm and most of the states in the world that I'm aware of don't operate that way*

Gwen: *right*

Gareth: *they're mostly federal states and they see sovereignty as having a variety of levels right each of which has it's own rights and can't be interfered with by the other levels=take the United States as the the classic example=but it's certainly not the only one um- and that I think is precisely what the treaty ((pause)) in the Maori text foresaw because that's what the chiefs were already used to, that was a pattern that they were used to thinking about. ah and it seems to me that a federal model would serve all our needs much better than a single national kind of sovereignty, mm um but we're just not ready, we're not sophisticated enough for that kind of discussion yet...*

There are several interesting features produced through this extract. We begin with the undermining of New Zealanders' understanding of sovereignty and by implication the unfavourable positioning of New Zealanders. The first point to appreciate in this part of the account, is that Gareth reconstitutes sovereignty as impacting upon all people in New Zealand, not just Maori. That is, "...this country has suffered...". As citizens of the country all New Zealanders are called to examine their understandings of sovereignty. These understandings are constructed as problematic when Gareth asserts New Zealanders have been "suffering" from picking up a notion of "national" sovereignty. The effect of this construction is to position New Zealanders as victims, and to challenge

people to see sovereignty in a new light.

Not only are New Zealanders suffering under a "notion of national sovereignty", this notion is imported from Britain. This construction challenges the independence of New Zealand as a nation by trading on the idea that this country is still a fledgling state holding onto colonial traditions inherited from Britain. Lending more weight to this problematic view of sovereignty is the historical specificity. The notion is taken from a narrow window of British history and is unusual in its meaning. Thus, New Zealand, and by implication it's citizens are positioned as holding onto meanings that are passé. Interpretation might suggest that New Zealanders are backward or narrow-minded or that New Zealanders are conservative and old fashioned, even unusual in their attachment to this imperial notion of sovereignty. New Zealanders are not keeping pace with the rest of the world. Such positioning is inconsistent with the once popular view of New Zealanders as leaders in social and political change: for example, first in giving women the vote, forerunners in the modern welfare state, and having the best race relations in the world (Wetherell & Potter, 1992). This positioning of New Zealanders challenges us to liberate ourselves from suffering, assert our independence, modernise, and above all recognise our allegiance to an historical anomaly.

Having undermined New Zealanders' common understanding of sovereignty, Gareth offers a contrast and another more favourable and enlightened option. He explains how other nations in the world operate by adopting a federal model along with it's variety of autonomous levels of sovereignty. For those who are uncomfortable with the 'victim' position constituted through Gareth's account, but who are nevertheless reluctant to give up familiar forms of constitutional and legal arrangements, Gareth offers an easily understood and familiar example. His use of the United States of America functions to assure readers that a respected, stable, and enduring option is proposed. He offers an example with which New Zealanders will have some familiarity. A further assurance of the normality or

applicability of the federal model is offered when Gareth offers inclusiveness. He repeats the point that most states in the world operate with a federal model; "take the United States as the classic example - but it's certainly not the only one..". Gareth's use of these examples serves to normalise the alternative view on offer. Undermining the common view of sovereignty in New Zealand and normalising the federal model works to make this alternative more acceptable.

With the normality of a federal model established, Gareth then associates this model with the Maori text of the Treaty. The Maori text of the Treaty is constructed as a progressive document that perceived, over one hundred and fifty years ago, the needs of today's New Zealanders. A federal model is construed as consistent with the way chiefs thought about authority. Maori chiefs are positioned as enlightened, expansive, knowledgeable thinkers and governors. Such support adds weight to the argument that the Maori text of the Treaty is the safe and appropriate document to consult in reviewing sovereignty. These constructions also bolster the argument that New Zealand has been operating with a model of sovereignty that is contradictory to the terms set out in the real Treaty. The implication here is that an alternative to the familiar, yet erroneous, notion of sovereignty has been available all along but has somehow been obscured or overlooked as a model of governance. The Crown suppresses political aspirations through earlier being constituted as unwilling to negotiate the terms of the Treaty with Maori, and through its efforts to enforce indivisible and absolute authority in New Zealand. In contrast the chiefs of yesteryear are implicitly positioned as the bearers of knowledge or ideas that will be beneficial not just for Maori but for "all" New Zealanders, both at the time of the Treaty signing and well into the future. In contrast to the Crown, Maori have foresight, while the Crown is adrift in misplaced ancient times.

In effect this extract offers New Zealanders some positioning options. If we understand and are sympathetic to Gareth's argument we can choose between sophistication and

impercipience. On the other hand, if we resist Gareth's challenge we can remain blameless. The fault will lie not with us, but with our naivety, and the Crown's duplicity. Gareth offers a federal model as an alternative to the common notion of national sovereignty, but simultaneously introduces an impediment to the implementation of such an alternative; the lack of readiness and sophistication of New Zealanders, ... "...we're just not ready, we're not sophisticated enough for that kind of discussion yet". His construction has a number of implications. Gareth is positioned as sophisticated, after all, he has re-introduced these ideas, and is therefore closely allied with the knowledgeable Maori chiefs. Gareth's status and credibility are increased. New Zealanders, on the other hand, are positioned as undeveloped and naïve. We are not culpable for our erroneous beliefs, and as you will recall we have also been duped by the Crown. We can either sit back and wait to become more sophisticated, or we can take up the challenge of becoming mature enough to confront and discuss our current understandings of sovereignty and move toward an alternative that could be beneficial for all people. On the positive side, this positioning through the organic metaphor of maturation, allows for change in the national psyche, it is just a matter of growing up a bit more and reaching a stage where we are able to discuss these important matters. Change is portrayed as an inevitable and natural process with the implication that at some stage the question of sovereignty will be confronted. Such positioning also indirectly absolves Gareth of responsibility for this issue; he can raise it, but in relation to this organic metaphor there is nothing he can do about it, other than talk.

Finally Gareth outlines how a federal model would work.

(4) **Int:** *How would a federal model work?*

Gareth: *I think it would work around two, two issues one is that the tribes would be recognised as one part of that kind of local sovereignty if you like, ah rather like the states of the United States, on a smaller scale, and similarly I would hope that ah our local*

bodies would also have a form of sovereignty...

A federal model for New Zealand is constructed as local sovereignty for both tribes and local bodies, the latter presumably including district and regional councils. This construction introduces a practical implementation of balance and fairness, thus supporting the argument to change the current system. It is not only Maori who receive consideration through this account, local government bodies are also recognised as important and accordingly are also granted local sovereignty. Functionally, this construction rebuts accounts of sovereignty as solely a concern of Maori. Further, arguments for tino rangatiratanga are addressed through an appeal to the notion of local sovereignty. Additionally, Gareth effectively positions himself as an unbiased and fair commentator. The good of all people is to be taken into account, and all people will benefit through a reframe of the sovereignty debate. Gareth continues to normalise his proposals, while also taking care, through repeated reference to the operation of political representation and power sharing in the United States, not to sound unrealistic.

Summary and Conclusions

The rhetorical delicacy with which this account is put forward is notable. Throughout this account Gareth addresses the dilemma of putting forward a perspective on sovereignty and the Treaty that is supportive of Maori interests, but that at the same time ought not offend Tauwi. Considerable effort is made to keep both Tauwi and Maori on-side. For arguments to be deemed acceptable it is crucial that Gareth is seen as reasonable and rational rather than pro-Maori. Rhetorically, this poses some difficulty. In trying to persuade the audience of a perspective that could be viewed as favourable to Maori, Gareth courts the risk of being judged as partial, radical or extreme. Thus, in addition to constructing an explanation of sovereignty, Gareth's talk attends to common ways in which his explanation might be discredited or undermined. A common example might be discrediting a speaker as biased or invested and, or, undermining the argument itself through appeals to

'good old kiwi values' such as equality and fairness. Such appeals are unaccommodating of, and negate, special treatment or consideration for particular groups.

Gareth's account of sovereignty is produced with due attention to concerns of bias and credibility. Firstly, he confronts us with our past misunderstandings about sovereignty - but then excuses ignorance by shifting responsibility and direct blame to the Crown, commonly understood, in New Zealand, as the Government. This is a crucial strategy that serves to enable access to this particular debate for various partisan groups, rather than just Maori. These groups are united against the Crown, engaged in a discourse of us against them. Attributing blame to the Crown, or indeed any element outside Tauwi and Maori, is a recurrent theme. Accounting for responsibility by invoking a third party serves a function of shifting blame for negative race relations from Maori, and repositioning both Maori and Tauwi as victims of repressive colonial rule. Thus, matters that are traditionally regarded as solely Maori become the concern of all New Zealanders.

Secondly, Gareth privileges the Maori version of the Treaty, suggesting that it is, and should become for all citizens, the foundation through which relationships between Crown and Maori are negotiated. The Crown, again, is implicitly culpable for the state of race relations in Aotearoa. The Crown is constituted as unwilling to negotiate with Maori despite signing an agreement of relationship with Maori as the other partner. Maori, in contrast, are positioned as the party who have always been willing to negotiate and debate these relationships. This is an indication of their maturity and insightfulness. Moreover, Maori are positioned as the knowledgeable keyholders of a viable and harmonious New Zealand. From the time the Treaty was signed Maori have known what would work for them and what could work for the whole country. Adherence to Maori foresight would have saved Aotearoa from turbulence and trouble. Maori, or at least the Maori text of the Treaty is the key to harmony.

This criticism of the Crown and

favourable positioning of Maori is constituted through a 'negotiation argument'. This argument is organised around the premise that talking, consulting or negotiating are positive ways to deal with issues. Gareth constructs the Crown's failure to negotiate as unwillingness, and consequently the Crown is positioned as unreasonable, negative, or simply stubborn. Maori, constructed as willing negotiators, are positioned as positive, reasonable and willing to problem solve. Constituting the problem in terms of the negotiation argument offers the hopeful option that when all parties agree to talk resolution will be achieved.

Finally, Gareth identifies "the problem" as an understanding of sovereignty that New Zealanders have adopted from an archaic Britain. Because New Zealanders have adopted and maintained this outdated notion of sovereignty, they are, by implication, positioned as parochial and still reliant on England. This is a negative connotation that invites New Zealanders to examine their immaturity alongside the common notion of sovereignty and consider alternatives. Gareth poses a problem for us by undermining our current idea of sovereignty, but then solves it for us by giving us a new constitutional arrangement - one that not only grants Maori sovereignty, but also endows greater autonomy to established Crown bodies. Not only Maori benefit from the new plan, thus challenges of inequality and unfairness are obviated. In reconstructing 'the problem' as 'our notion of sovereignty', rather than say, the actions of Maori, sovereignty is reconstituted as a concern for all New Zealanders. Correspondingly, sovereignty debate gains status and importance. It behooves all of us to pay attention. We are all affected, and there is an opportunity here for us all to benefit. Additionally, entering the debate will signify our growth and maturity. We will be rewarded through alignment with like-minded people and possibly even personal representation through our new-found ability to talk about such issues. The proposition is positive and appealing.

We consider this account to have both political and analytic significance. From an analytical perspective,

significance lies in the speakers use of themes and rhetorical strategies, traditionally used when placing blame for ethnic disharmony with Maori (McCreanor, 1997), in order to reposition the Crown as antagonist. This repositioning highlights the flexibility of linguistic resources and the ways erstwhile themes and notions can be used to constitute new arguments; arguments that are just as persuasive as those they contrast, if they are heard. The account challenges traditional power relationships between Crown and Maori as marginalised. The analysis also illuminates an effective immobilisation of the Crown as authority. Rather than a competent authority the Crown is repositioned as ill-informed and incompetent in this matter. The positioning of Maori, on the other hand, does not echo a maladjusted Government through taking up a position of dominion; instead Maori are positioned as offering wise considerate counsel combined with mature egalitarian negotiation practices. Through this subtle transformation power relations are reversed.

Politically, sovereignty as tino rangatiratanga problematises the Crown's right to indivisible and unqualified sovereignty in New Zealand. This account not only challenges the extant constitutional structure, but offers an alternative to it. It makes reasonable what other, more mainstream, accounts construct as unreasonable. The issue of sovereignty is cast as pivotal in the process of confronting New Zealanders with some challenging questions. To what extent do we wish to be influenced by an erroneous past? To what degree are we prepared to consider alternative visions of the future? How can we define ourselves as a nation? How do we see ourselves as bicultural partners? How should we negotiate our futures together? What is the role of the Crown in promoting bicultural governance? These questions are both complex and psychologically important. They go to the heart of concerns about the nature of our national identity and as such are of importance to the social psychology of bicultural relationships in this country. These questions are as important today as they were 160 years

ago. They have profound impact on our everyday interactions that argue for ongoing examination. These questions and the surrounding debates continue to have political and psychological currency.

In relation to our analysis, such questions are also brought forth through traditional European arguments suggesting that Maori 'move on' (Wetherell & Potter, 1992). A fundamental difference highlighted through this account, however, is that the traditional questions are allied with 'a naïve, immature Settler orientation', whereas the same questions raised through this accounting of tino rangatiratanga are produced as a robust, measured and seriously considered outlook. The same questions, yet the focus has changed.

Our analytical focus upon this often silent discourse invites us all to question our interpretations of bicultural relationships in New Zealand and our interpretations and relationships with the Treaty. It invites us to consider alternative understandings impinging upon the people of Aotearoa and raises questions such as: How are biculturalism /governance/friendships constrained through our Treaty interpretations; how are they enabled? Perhaps questions of, what is the correct interpretation, what is right or wrong, are irrelevant when we have concerns with quality of life and considerate governance. Perhaps it is more, or just as, relevant to spend time developing our understanding of the implications of our processes. In other words, what are we producing through the various ways that we talk of sovereignty, of tino rangatiratanga, of biculturalism, of the Treaty?

Ironically, a central component of this account is to position the people of Aotearoa, together, in opposition to the Crown. As a rhetorical strategy it works well. It lays responsibility fair and square with the Government, as Crown representatives, thus devolving and excusing ordinary citizens of any blame for this conundrum. The irony is that in a democracy the Government are also representative of the people. No matter how we position 'it', the Government is not necessarily a separate entity, despite us making it so, in various situations, for our convenience. As

representatives of the people, the Government are not solely responsible for the governance of Aotearoa. Ultimately, we might collectively need to take responsibility for this debate. Perhaps, as this account suggests, when we are mature enough to listen, things will change. Taking heed of accounts such as this one, must surely contribute to this development.

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