

“The Long Journey Home: Return of Our Ancestors ”

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The Long Journey Home: Return of Our Ancestors' Bones

Introduction

When the Moriori ancestors arrived on their island home over 1000 years ago, it represented the terminus of Polynesian navigation throughout the Pacific. Once they had arrived on Rekohu (Chatham Island), there was nowhere else to go. The next landfall was South America 8,000 miles away. A millennium after their arrival, their culture would be virtually destroyed and their bodily remains subjected to numerous indignities with many ending up in public and private collections all over the world.

This paper will tell the story of those ancestors and the efforts being made by their present day descendents to repatriate their remains back to Rekohu. It will also talk of the efforts being made by Moriori to reclaim our heritage and identity as a people and to reclaim a connection, if not ownership, with our many taonga (treasures) contained in museums and private collections throughout New Zealand and overseas.

This paper will also discuss some of the positive and negative experiences Moriori have had in working with museums in New Zealand regarding the repatriation of our karapuna and the exhibition of our taonga held in museum collections. In particular it will discuss the importance of building positive relationships with those institutions that hold our taonga in trust.

Brief Historical Background

The ancestors of Moriori originated in Eastern Polynesia. Moriori traditions tell us they migrated directly to Rekohu and some made it to New Zealand. This happened about the same time as the Maori ancestors were settling New Zealand, or about 900AD. It is hard to be exact with such remote dates. There was a period of interaction between mainland New Zealand and Rekohu but from about 1400-1500AD onwards, all contact ceased. Moriori evolved a unique lifestyle on their island home, some 800 kilometres east of New Zealand. They outlawed warfare and cannibalism and learnt to live in peace among themselves, sharing the resources of the land and the sea.

The Moriori dialect is similar to the old Southern Maori dialect and dialects of some old East Coast tribes of the North Island. Much of the hokopapa (genealogy) is similar as are place names and many traditions. There are thus close links between Moriori and mainland Maori tribes but for a period of 500 years or more, Moriori had evolved their own separate lifestyle and customs.

The first Europeans arrived in 1791 on the English brig "Chatham". They marked their short stay by shooting a Moriori on the beach during an altercation and leaving trinkets and baubles in a Moriori canoe as a form of atonement. This was the first contact that Moriori had had with the outside world for more than 500 years. Sealers and whalers soon followed and by about 1830, the Moriori population of 2,500 people had declined to 2000 through the introduction of disease and the wholesale slaughter of seal colonies that were a staple food and source of clothing for Moriori.

In November 1835, two tribal groups from Wellington invaded Rekohu. Upon their arrival, they were fed and sheltered by Moriori but the invaders had other desires. They began to

takahi or walk the land claiming it and killing anybody who showed resistance. Moriori met to discuss what response they would make and determined to hold fast to their ancient covenant of peace by not resisting with violence and instead chose to offer to share the Islands resources with the newcomers. This offer was rejected and about 300 Moriori were killed in the initial attacks and survivors enslaved. Moriori were put to hard labour for their masters and forced to break their many tapu or sacred beliefs. As a consequence, many died of kongene or despair believing their gods had deserted them.

From 1835 to 1870, the population plummeted to a mere 100 survivors. Despite Moriori petitions to the Governor of New Zealand and colonial administration for protection of the law and restoration of their rights, Moriori were dispossessed of practically all of their lands by the Native Land Court in 1870. Ngati Mutunga received 97.3% of the land and Moriori a meagre 2.7%. By 1900 there were 10 known Moriori and by 1933, it was recorded that the last known Moriori of full blood had died.

But what was not so well known, was that there were many families of part Moriori and Maori mixture and also that many Moriori children had been secretly taken from the Island and brought up among Maori families in New Zealand. There were also Moriori taken to Mainland New Zealand and traded as slaves to other tribes.

Grave Robbers and ‘Bone Collectors’

By the mid-1800s, it was apparent that due to the abject conditions Moriori were forced to live under, and the lack of any protection from the Crown, it appeared inevitable that the Moriori people were doomed to extinction. This was also at a time when there was considerable interest in the theories of Darwin. As Michael King was to write later in his book:

“Nobody in New Zealand – and few elsewhere in the world – has been subjected to group slander as intense and as damaging as that heaped upon the Moriori. They were regarded by many Victorians as the lowest in God’s hierarchy of created beings; and by non-Christians as negative proof of the Darwinian precept that only the fittest survived.”¹

What these early writers did not appreciate was that they were observing a people who had been living a nightmare for more than a generation and who were broken in spirit and often the desire to live. When Tommy Solomon, the last known Moriori of full blood, died in 1933, the resident magistrate of the Chathams publicly declared the Moriori ‘race’² to be extinct.

Anthropologists, ethnologists and others curious to research this dying ‘race’ rushed to the Chathams to study and collect ‘research material’ on Moriori. Due to the Moriori practice of burying their dead in the sand dunes and sometimes strapped to living trees, Moriori skeletal remains were easily obtainable by these bone collectors. In addition, many skulls and other human remains were often found scattered on the surface of the land where they had been discarded following the killings. Many of these human remains were collected for medical research purposes and experimentation in Universities both in New Zealand and overseas. Skulls and other bones were measured in an effort to prove Darwin’s theory correct that only the fittest survived. Other even more dubious characters travelled to the Chathams to knock

¹ Michael King, *“Moriori: A People Rediscovered”*, Revised Edition, 2000, pp 15-16.

² Moriori are *not* a separate race but belong to the same proto-Polynesian family as Maori, Rarotongan, Samoan, Hawaiian and Rapanui (Easter Islands).

the good teeth out of skulls found lying along the beaches to sell to make dentures for middle class businessmen living in London!

Moriari, like their Polynesian cousins throughout the Pacific, buried their dead with taonga such as necklaces, adzes and other symbols of importance to assist them during their journey in the afterlife. These taonga were also plundered. The writer has personally visited every museum in New Zealand and has been constantly amazed at the vast number of Moriari artefacts that form part of their collections. There are also significant collections in museums throughout Europe and the United States.

Moriari, unique among Polynesians, carved living trees. These carvings represented effigies of deceased ancestors and are known to Moriari as 'rakau momori'³. The belief was that by carving the image onto the tree, the spirit of the departed would be infused into the tree which acted as a kind of portal to the spiritual homeland. These places were very tapu and were used for meditation and reflection. A chance to commune peacefully with one's ancestors. But these trees were not beyond being souvenired and some were removed from the Islands by chainsaw in the 1960s and ended up in the Otago Museum and elsewhere.

Moriari Renaissance: 1980-2005

Against this rather dismal background, it would be easy to be fatalistic and overwhelmed by the apparent hopelessness of it all. However, the remaining descendants of the Moriari people proved to be resilient! Like the famed phoenix, Moriari have arisen from the ashes. Over the past 25 years, the descendents of these families have been working hard to reclaim their identity and heritage and rebuild their cultural and economic base on Rekohu. These initiatives are being spear headed by Hokotehi Moriari Trust ("Hokotehi"), formed in 2001 as the body to represent all Moriari living on the Chathams, on mainland New Zealand and overseas.

A major task of Hokotehi in recent years has been to assist with identifying people who are of Moriari descent. Today there are approximately 1,000 people who identify as Moriari. But the actual figures for those who can trace their hokopapa to a Moriari ancestor may be as many as 8,000 people.

The Moriari renaissance began in 1980 with a television documentary about Moriari and the erection of a statue of Tommy Solomon on Rekohu in 1986 and gathered momentum with the publication of Michael King's book "Moriari: A People Rediscovered" in 1989. A treaty claim was filed in 1988, heard in 1994/95 and reported on in 2001. The claim, which is based on the failure of the Crown to intervene to protect Moriari from the worst effects of slavery and the unjust loss of lands through the Native Land Court, is currently under negotiation. For the past 15 years Moriari have been negotiating to receive their share of the treaty fisheries settlement assets which were finally secured in September 2005.

Hokotehi's organisational base is situated at Kopinga Marae with a CEO and staff. Its strategic plans include helping to rebuild the economy of the Chatham Islands, and providing cultural, social and economic sustenance for future generations of Moriari people. These plans include establishing a centre for peace studies and conflict management based on the legacy of peace handed down from the ancestors and Hokotehi is working with a mainland group who share a similar vision for a peace centre in Aotearoa. In January 2005, the Island

³ Rakau Momori are carved on living Kopi trees which in New Zealand are known as Karaka trees.

witnessed the largest gathering of people for more than 160 years during the opening ceremony for the new Moriori meeting place known as “Kopinga Marae”.

Our plans also include the construction of a whare taonga on the Marae grounds to house Moriori taonga. We are also in discussions with ‘Te Papa Tongarewa: The Museum of New Zealand’ (“Te Papa”) in relation to the repatriation and reburial of our karapuna.

The relationship between IPR and Taonga

What then is the connection between cultural taonga and intellectual property rights? As these issues assume more importance nationally and internationally, more questions are raised than answers provided. It seems to be a recent phenomenon driven by issues such as the Treaty of Waitangi in Aotearoa/New Zealand and globally via the focus on the rights of Indigenous Peoples in United Nations fora such as the Draft Declaration on the Rights of Indigenous Peoples, the World Intellectual Property Organisation and the Convention on Biological Diversity.

But is it really a new phenomenon or the continuation of an old familiar theme? A major concern of indigenous peoples worldwide is that their cultural and intellectual property rights (e.g. designs, marks, carvings, language, traditions, stories etc) are being misappropriated by non-tribal members without their consent and usually for the sole reason of cashing in on the increasingly ‘trendy’ indigenous brand. However, this form of intellectual misappropriation merely continues the story of cultural expropriation experienced by indigenous peoples since the earliest days of colonisation.

An elder once told me that all of our cultural and intellectual rights are contained within the fabric of our hokopapa (whakapapa or genealogical tree) and that if we understand our hokopapa, we understand who we are, where we have come from and where we are going. Every one of our karapuna (ancestors) represents a link in the genealogical chain. All of our traditional knowledge, customs, values and birthrights are contained within our hokopapa. This is far broader than the narrow legal notion of intellectual property rights that seek to exclude others by creating private property rights for commercial and scientific gain.

The theft of ko imi, and associated adzes, necklaces, bone pendants and other taonga from urupa (burial sites) was a misappropriation of both tangible and intangible cultural property. Each of these taonga contains within it the knowledge of those who made it and is imbued with its own special mana or power. Today when these taonga are again handled or worn by living descendants of these people, the ancient power can be revived if the wearer or bearer is the ‘right person’. Equally, if that person is not the ‘right person’, the consequences can be severe and in the most extreme cases, even lead to death. The observance of rituals and karakii (prayer) are important in this context to cleanse the tapu and protect the wearer. These intangible customs and protocols are the cultural and intellectual heritage rights of indigenous peoples. But more important than the ‘rights’ associated with these taonga are the obligations to observe proper respect for the atua (gods) and the spirits of those who have gone before.

What is different today is the form of misappropriation. Whereas in the past, the focus was primarily on the tangible and collectable cultural taonga, the focus is now more increasingly on the intangible knowledge associated with those taonga. Even the display of taonga in museums and other public displays, without the consent or involvement of the tribal group from whom they originated, may be viewed as a form of misappropriation of intellectual

property rights. Some may regard this perspective as extreme but from a Moriori perspective, it matters to us how our culture and taonga are portrayed and displayed.

Challenges and Importance of Building Positive Relationships with Museums

For Moriori face-to-face dialogue and communication has been essential for building positive collaborative relationships with museums. However, our experience has also shown that it is also critical that these institutions have staff who are both knowledgeable of and empathetic with the tribal groups and cultures with whom they are dealing. For example, when a Moriori delegation visited Otago Museum in about 1995 to inspect the collection of tree carvings the Museum had in its possession, we were stunned to discover that these carvings were stored under a stairwell in the basement of the museum. They had been this way for the past 30-odd years. The staff member who was showing us around was completely non-plussed and seemingly unsympathetic to our protestations about proper care of these important taonga. It was not until we met with the Director of the Museum, that we felt our concerns were not only being listened too but understood. We are pleased to say that since that time, these taonga are being taken greater care of and Moriori have been successful in assisting negotiations for the loan of some of these rakau momori.

Moriori were also successful in negotiating the loan of Hatitimatangi⁴, an important Moriori atua, from the Auckland Museum for their display at Te Papa. This particular atua was stolen from a burial cave on Rekohu by a European sheep farmer, Thomas Ritchie, in the late 19th Century and was eventually sold to the Auckland Museum where it is currently held. This atua is important to Moriori, and is the only one of its kind in existence. In about 1996, a delegation of Moriori met with the Deputy Director of the Auckland Museum and made our views known that we considered this taonga belonged to Moriori and that it had been stolen from an urupa and eventually sold to the Museum. In effect, the Museum was in receipt of stolen goods that had significant cultural and spiritual significance to Moriori. We requested its eventual return to Moriori.

The Museum at that time appeared sympathetic to what we had to say and a draft memorandum of understanding was prepared setting out the terms upon which Moriori would establish a long-term relationship with the Museum which would include consultations and discussions over exhibiting our taonga at the Museum and an acknowledgement of Moriori as the tribal custodians of Hatitimatangi and other taonga. Whilst the memorandum stopped short of revesting ownership, this matter was left open for later discussion. Unfortunately, that memorandum was never finalised as the Museum, for reasons that still remain obscure, began to lose interest in continuing discussions with us. Litigation was considered but did not proceed.

Eventually, the Auckland Museum did agree to a fixed term loan of Hatitimatangi for the Moriori exhibition at Te Papa but only after prolonged discussions and some arm twisting. Bizarrely, not long after the atua (god stick figure) was returned to Auckland Museum, a staff member at the museum who works closely with the museum Maori Advisory Group visited the Chatham Islands to meet with representatives of Ngati Mutunga (whose ancestors had invaded Rekohu in 1835), and stated that in his opinion, the provenance of Hatitimatangi was in doubt and that it may belong to Ngati Mutunga and not Moriori. Even of greater concern

⁴ This atua figure is carved from totara wood that washed up on the shores of Rekohu and is similar in size and appearance to wooden carvings from Rapanui (Easter Islands) with exposed ribs that were plaited during ceremonial use.

was the views being promoted by this individual that the provenance of Moriori human remains held by the museum were also now in doubt.

This individual had not notified Moriori that he was visiting Rekohu and nor did he contact Moriori about his opinions before promoting them publicly. It was only that one of our members was attending this meeting that she found out the purpose of his visit and was understandably shocked. To this day, Moriori have still not received a satisfactory explanation from the Museum regarding this person's motives and whether or not they represent the official views of the museum. Contact with the Maori Advisory Group to express our indignation proved to be unhelpful and inconclusive. We were advised by phone that "they are the guardians of these taonga" and a promised meeting to discuss the matter never eventuated. Needless to say these actions seriously soured the relationship between Moriori and the Auckland Museum. Only recently has this relationship taken a more positive turn when two Maori representatives (not including the individual in question!) of the Museum attended the opening of Kopinga Marae on Rekohu in January this year. Moriori remain hopeful that this issue can be resolved for the benefit of all involved and the relationship got back on track.

On a more positive note, Moriori over the past 10 years have been able to develop a successful and mutually beneficial relationship with Te Papa. To date, Te Papa is the only museum in New Zealand that has formally approached Moriori and invited them to fully participate in planning the exhibition of Moriori taonga at their museum. Moriori have also loaned a number of their taonga to Te Papa for inclusion in the exhibition. Moriori have been consulted and involved in every repatriation undertaken by Te Papa involving Moriori karapuna. Te Papa has advised that they hold more Moriori human remains than for any other tribe in the country which probably reflects the over zealous interest that researchers and bone collectors had in Moriori skeletal remains in the mid-nineteenth century.

At the opening of Kopinga Marae, Te Papa generously provided a number of their staff to help install an exhibit and display of Moriori taonga, which they brought down with them from among their own collections. They have also indicated their willingness to assist Moriori in the future development of their own whare taonga at the Marae. Hokotehi are also closely working with Te Papa in relation to the repatriation and reburial of our karapuna on Rekohu.

I have had the advantage of working with staff at Te Papa over this 10-year period. It is my observation that a large part of the success in this relationship building can be attributed to the progressive policies developed by the Board of Te Papa, and just as importantly employing tangata whenua and pakeha staff who are highly trained, skilled and dedicated to the work they do. Most importantly they have demonstrated a willingness to proactively engage with Moriori, keep an open mind and listen to our concerns. Moriori have never felt more at ease that our taonga and our karapuna are in good hands and expertly cared for by Te Papa staff.

It cannot be emphasised enough, the importance of developing positive and mutually empowering relationships between Iwi and museums. For these relationships to be successful there is a need for museums to see themselves as more than merely curators of taonga and ko iwi tangata (human remains) on behalf of the public good, but also for Iwi to be willing to work in partnership and collaboration with museums. In Moriori experience this can be an effective means of protecting ones cultural and intellectual inheritance.

Initiatives to Regain Control over Moriori Taonga and IPR

Over the past 20 years, Moriori have made various efforts to reclaim a degree of ownership and control over their taonga. These efforts include buying back collections of artefacts from private collectors, bidding at auctions, seeking protection for sacred sites on private land on Rekohu, developing relationships with museums, reciprocal loan arrangements for taonga and working with Te Papa for the repatriation of karapuna from overseas institutions.

More recently, Hokotehi have been working with the Crown to develop a comprehensive cultural landscape database of all archaeological sites, waahi tapu (sacred) sites and other places of cultural and spiritual significance to Moriori on Rekohu, Rangiauria and outlying islands. In addition to these initiatives, private individuals have also been coming forward to voluntarily return taonga and ko imi that have come into their possession over the years.

As part of its negotiations with the Crown to settle their treaty claim, Moriori have outlined a proposal to develop a comprehensive cultural landscape database which will involve, in several stages, a comprehensive literature review of all written records pertaining to Moriori waahi tapu, urupa, archaeological sites, tribal landmarks, ancestral sites, indigenous place names and traditional food gathering areas. The second stage will involve an on the ground site survey of these places of importance and gathering oral testimony from those elders living on the Island who still have knowledge of these places. The purpose of the cultural landscape database is twofold. Firstly, to inform the development of a cultural redress package as part of the Treaty negotiations process and secondly, to provide Moriori with an up-to-date database, a cultural audit if you will, of the cultural landscape of Rekohu and outlying islands. It will also provide a platform for determining what needs to be done to provide better protection for these landscapes and associated taonga.

Our strategic plan for 2005-2010 includes the development of cultural heritage tourism and work towards building a centre for peace studies and conflict resolution on Rekohu. This latter initiative is being pursued in conjunction with a mainland working group committed to establishing a peace centre attached to a mainland university. Throughout our plans for cultural, social and economic development, Hokotehi is keenly aware of the need to protect our cultural and intellectual property rights both old and new. Important to this strategy is the fostering of understanding among the local community and our own people of what is acceptable practice and what is not. For example, tourists visiting Kopinga Marae are asked not to take any photographs of the carvings in and around the Marae without express permission. Images of these carved human figures which have appeared on cushion covers, T-shirts and jewellery items sold by non-Moriori and without our consent, are being actively challenged. Often people are unaware that they are causing offence and are happy to discontinue the practice once the position is fully explained. Not everyone is so accommodating however.

Conclusion

Through the various avenues and initiatives discussed above, Hokotehi, over the medium to long-term, seek to regain control over their cultural and intellectual heritage rights. Moreover, as a people who have suffered greatly through a dual process of colonisation⁵ and subsequent vilification by early historians and ignorance within the education system, Moriori

⁵ Firstly by Europeans in 1791 and secondly by two Maori tribes in 1835.

are understandably keen to ensure that their reinvigorated identity and pride in their culture is future-proofed against misappropriation and misrepresentation.

Having said that, Moriori are not opposed in principle to non-Moriori having access to their culture and intellectual property providing it is with their prior informed consent and is used for an appropriate purpose. Indeed, it is a central tenet of the Moriori philosophy to share what they have. Through putting in place proper processes, Moriori hope to monitor the use (and prevent the abuse) of their taonga and to foster an environment that acknowledges Moriori cultural proprietary rights in and over all of their taonga.

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