

## section 4.2 |



appendix 3

### Outcomes of Consultation: Submissions from the Public

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## 4.2 Analysis of cultural, spiritual and religious issues for Maori raised in Public Meetings

### Background

The purpose of the Public Meetings was to allow the Commission access to the views and opinions of a cross-section of New Zealanders. Fifteen meetings were held throughout the country between September and November 2000. The planning and programme of Public Meetings and the process for seeking and recording public views is set out in detail in Appendix 1 (see “Processes of the Commission: Public Meetings: the process” and “Operational detail: Public Meetings operation”). A summary of outcomes is presented previously in this volume. This section deals with the issues for Maori raised in the Public Meetings.

Of relevance to the Maori Consultation programme is the fact that meetings were facilitated by two independent, bilingual (in English and Maori) contractors.

Workshop discussion questions were grouped into eight categories derived from the Warrant and were of general relevance, except four in the cultural/spiritual grouping that specifically asked about issues for Maori in relation to genetic modification (and four that asked the same questions about non-Maori views).

The questions were as follows:

What are the cultural, spiritual and religious issues for Maori associated with the use or avoidance of genetically modified food (production and consumption)?

What are the cultural, spiritual and religious issues for Maori associated with the use or avoidance of genetically modified crops (production and consumption)?

What are the cultural, spiritual and religious issues for Maori associated with the use or avoidance of genetically modified pharmaceuticals (production and consumption)?

What are the cultural, spiritual and religious issues for Maori associated with the use or avoidance of genetically modified medical procedures?

A further workshop question on cultural/spiritual issues asked:

How should spiritual, religious and ethical concerns be weighted against societal/economic benefits?

Early in the programme of meetings, the basic groupings of issues was followed fairly closely; that is, persons attending the meetings grouped their responses in a similar way. However, later meetings often developed their own categories in addition to those used in the schedule of questions. There are therefore responses on such matters as the Treaty of Waitangi (which was not specifically referred to) that arose either in answer to the cultural/spiritual questions, or because those attending meetings identified this as an essential topic.

## Methodology

For the purposes of this analysis, written responses on the summary cards have been used. Feedback from the second part of the meetings was recorded and noted by the Commissioners. The opinions voiced during this segment have been included in the Commissioners' deliberations, contributing to the content of their report.

### Whose views?

People attending meetings were not asked to identify themselves by ethnicity, nor by age, residential locality or any other identifier. However, on occasion, members of the public who were Maori identified themselves as such when speaking from the floor or in the course of writing their views on the summary cards. Equally, some of the responses on the summary cards indicate that the respondent was non-Maori. Where it is possible to confirm that a response is non-Maori (through self-identification in the response), this is noted below.

Overall, there was a noticeable Maori presence at most of the Public Meetings, ranging from a kura kaupapa and accompanying adults at the Manukau City meeting to a meeting in Greymouth with approximately 60% of the attendees identifying as Maori.

The following summary of views cannot therefore be described as an outline solely of Maori views on issues for Maori. However, a proportion of the views summarised on the response cards talk of such things as “my tupuna”, or “we Maori”, or of Treaty promises for “our taonga”. In other cases, some views (a smaller proportion) appear to set out non-Maori views: one for instance refers to “we Pakehas”, another talks of “their” and “them” in referring to Maori. On the basis of this approach, it is possible to say that this summary captures a predominantly Maori outline of views.

Maori responses were not confined to the cultural/spiritual questions, and Maori views are also present in the summary of responses to the general questions presented earlier in this volume (see “Public Meetings: summary of outcomes”).

## Issues raised

The responses reflect, to a degree, the categories of issues raised by the questions. However, some “categories” have been added, for instance the Treaty of Waitangi, as indicated above, and intellectual property, because of the frequency with which comments on these topics appear. The responses have been grouped as follows:

- attitudes and knowledge
- Treaty of Waitangi
- tikanga/spiritual
- food and medicine
- intellectual property.

Respondents’ use of the terms “GM” (genetic modification) and “GE” (genetic engineering) is retained in quoting their responses.

### Attitudes and knowledge

Some meetings recorded preliminary issues about the way in which the questions had been framed and categorised. In New Plymouth, there was a query about whether there was a difference between the ethical concerns of Maori and non-Maori. In Nelson, it was stated that cultural, spiritual and religious issues about genetic modification are not exclusive to Maori. One Auckland respondent was “exceedingly annoyed” at a perceived “lack of real acceptance of people other than Maori having spiritual attitudes regarding land, animals, plants etc”.

Another theme (primarily in the northern part of the country) was that of the need for more knowledge about the issues. A respondent in Manukau City said:

We are Maori and we should have the right to know what GE is all about. We need honest answers.

Another spoke of a lack of knowledge around the world, and the right to have this knowledge so that decisions could be made on whether genetic modification is “good or not”.

### Treaty of Waitangi and genetic modification

Some responses about the Treaty asked how the Treaty “relates” to the debate on genetic modification. This query was raised several times in different ways at

Palmerston North. In most areas, however, there were clear views on the relationship between the Treaty and genetic modification. There was a view that genetic modification is a breach of the Treaty. This was clearly stated in Dunedin and, at the other end of the country, in Manukau City.

In other areas, more detailed comments were provided. For instance, in Wellington, one response indicated that genetic modification is a breach of the Treaty because it “denies the element of partnership” in decisions. Another response came from a person who identified as a “young pakeha” and indicated that Maori will soon be in the majority and Maori views should have a standing at least equal to that of other views. Treaty principles of partnership and good faith were referred to in Manukau City. Genetic modification was seen as contrary to these, and to the guarantee of tino rangatiratanga.

In Hamilton the question posed was “Does GM breach the Treaty?” There were mixed responses: some said they were uncertain about the legal answer to the question; another stated an inability to answer the question adequately and noted that there were “transgenic sheep” at Whakamaru “with local hapu blessing”. There was one clear response that genetic modification does not breach the Treaty and could potentially be a tool to maintain the integrity of the native flora and fauna. There was also a firm answer of “yes” to the question of whether genetic modification breaches the Treaty, together with the comment that the “rights of tangata whenua” should be affirmed. The response from Gisborne was straightforward: it called for the Treaty to be honoured for both partners and concluded “we don’t know what we are mucking about with!” In Whangarei, there was opposition to “GE” because under the Treaty, “all Maori taonga are ours”, and “Our genes are us. They are taonga”. Other Treaty references were made in connection with specific issues (for example, food) and are referred to elsewhere.

### Tikanga/spiritual

This category attracted the most comment, in part because the formal questions specifically asked about spiritual/cultural issues. In Dunedin, there was concern about the “reductionist” effect of genetic modification on the practice of tikanga and kaitiakitanga. Palmerston North responses were unclear about the relationship between the Treaty and genetic modification, but it was clearly stated there that Maori concerns about taonga and whakapapa need to be addressed. In Wellington, it was said that “spiritual, intellectual and physical matters inform each other”, that respect for individual mauri and wairua must be maintained, and that species relationships should be respected, together with the mana, wairua and mauri of particular species. One respondent cautioned against making decisions that

might harm future generations. Another referred to the obligations and responsibilities of mana tangata tiaki.

Responses in Rotorua similarly referred to mauri and wairua, and to whakapapa.

In Whangarei, one response stated:

I am opposed to GE because it discounts my whakapapa. All my ancestors are disregarded when our genes are tampered with. It is our responsibility to protect our ancestry for our tamariki.

Again in Whangarei, it was said that the body is tapu — sacred even when dead. In Napier, the view was expressed that “GE” is “against the natural process” and against the whole process of creation, with a conclusion that “species borders should not be crossed”. There was also concern about the “social implications” of genetic modification and who might profit from it.

At northern meetings (in Hamilton, Manukau City and Auckland City), there were more detailed responses from Maori and non-Maori. In Hamilton, one non-Maori response stated that “we Pakehas understand species connection at a deeper and frankly more correct level than any pious evocation of religious myths”. Another response asked whether any ethnic or cultural grouping can “lay claim” to be guardians of species, even indigenous species that evolved millions before the arrival of humans.

Other responses in Hamilton spoke of the need for protection for tikanga, mauri, kawa, te ira tangata, whakapapa, te taiao, hauoratanga and nga taonga tuku iho. One mentioned a “lack of recognition” of human relationships with historical and aquatic species “eg tuakana/teina roles” and fear of contamination of indigenous species.

In Manukau City, there was concern that cultural, spiritual and moral reasons for opposing genetic modification were not seen as being as important as scientific facts and the mitigation of risks.

In Auckland, one respondent commented that there were several groups that opposed the transfer of genes between species because of their spiritual beliefs including Maori, Jewish, Muslims and others. Another response focused on Maori as the indigenous people of New Zealand with a cultural and spiritual connection with the land. To introduce genetically modified foods “into these subtle vibrations of their energy” was seen as likely to be “highly toxic”.

## Food and medicine

There was consistent anxiety nationally about the effects of GM on food. In Wellington the Treaty was seen as the basis for an agreement to protect the food

chain and taonga tuku iho. In Manukau City, one response stated “my mana Maori comes from my tupuna, not a riwai, kumara or ika.” There was a call for scientists to “leave our food alone”; again, a view that food is taonga to be protected against experimentation, summed up in one comment that “the Treaty of Waitangi said leave our kai alone”. There was also concern about transgenic issues: one response in particular said “Maori don’t need moth genes in our tomatoes.... We say no to GE food.”

There was also concern that Maori medicines be protected from modification, and from commercial exploitation.

In Hamilton, issues of genetically modified food, crops and pharmaceuticals were considered together and recommendations made for:

- active involvement by whanau and hapu in research or experimentation, or monitoring research or experimentation
- appropriate Maori specialists to be on any decision-making bodies, and whanau and hapu to be represented
- a genetic bill of rights to be drafted by whanau and hapu and circulated for widercomment
- development of containment guidelines in partnership with whanau and hapu to prevent escape of genetically modified materials
- whakapapa protection mechanisms
- development of guidelines by and for Maori on risk management ensuring recognition for each whanau and hapu
- ethical protocols to be developed with whanau/hapu/iwi for their particular area.

## Intellectual property

There was concern about ownership of the intellectual property rights in plants and crops. In Palmerston North, a question was asked about what constitutes the spiritual property of a plant. In Wellington, it was said that that intellectual property rights should remain with indigenous cultures, and not be patented or modified. People in Rotorua were concerned about protection of flora, fauna, native plants and medicines and the guarantees provided in the Treaty, and there were similar concerns in Auckland and Whangarei.

## Summary

Overall, there seemed to be a clear distrust of genetic modification in relation to Maori.

In Maori responses there were constant and consistent references to the Treaty of Waitangi throughout the country, ranging from the view that genetic modification breaches the Treaty principles of partnership and good faith to the view that the Treaty guaranteed protections for taonga, including native flora and fauna, and tino rangatiratanga, meaning that decisions about genetic matters involving tangata whenua or taonga were matters for Maori. There was a view that transgenic modification was unacceptable, that there were Maori obligations to respect and protect plants and animal species from genetic modification, and that foodstuffs should not be interfered with. There were also recommendations about the need for Maori involvement in decision-making if genetic modification did proceed.

Non-Maori responses fell into one of two broad categories. There were those that questioned or opposed the idea that Maori views be sought, either because they were not sure what differentiated Maori and non-Maori views, or because they believed there was too much emphasis on Maori views on spiritual matters, to the exclusion of others. There was also a small group of responses that was strongly sceptical or dismissive of perceived Maori views.

The other category of non-Maori responses supported the approach of seeking Maori views. One asked “How have you sought Maori views in a safe and robust manner?” In others, there was a concern to address Maori issues, to acknowledge protections in the Treaty, and expressions of respect for perceived Maori views of safeguarding the environment.