

Playthings for the Foe¹: The Repatriation of Human Remains in New Zealand

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The repatriation of human remains in New Zealand is occurring today in a co-operative, low-profile manner, while in most other parts of the world it attracts high publicity, debate and antagonism. It is shown that the situation in New Zealand is fundamentally different because aspects of Maori culture influenced the kind of remains sought, the way they were collected and also the political and cultural development of the country, so that today Maori are in a much stronger position in their own country than are other indigenous populations around the world. The repatriation movement is thus to a large degree controlled by Maori, whereas other indigenous peoples often require media attention and government intervention in order to achieve their aims, if they are able to at all. It is argued that other colonial countries and their museums first need to solve fundamental issues involving internal inter-cultural relations before they will be able to move forward in a positive, co-operative manner with repatriation.

Introduction

The repatriation and reburial of indigenous human remains is a contentious and often highly antagonistically debated subject in most colonial countries today. New Zealand, however, is a clear exception to this rule, where the issue is generally characterized by co-operation, respect and consensus, and is largely under the control of the indigenous people themselves. The central questions this paper seeks to answer are why, and to what extent is this true? What historical factors and processes have combined to produce an environment where Maori, museums and archaeologists are working together in partnership, rather than against each other in conflict? An overview of the New Zealand situation both historically and today is required in order to gain insight into these questions, and to then be able to better understand the dynamics of possible solutions for other parts of the world.

The analysis begins by providing an overview of Maori traditions in relation to death and burial, followed by an historical investigation of why and how human remains from New Zealand were collected, which is essential to understanding the development of the current situation. It then looks at the relationship between Maori, museums and archaeology in New Zealand today, and how the repatriation and reburial issues manifest themselves there in contrast to other countries such as Australia. The current situation in New Zealand has been assessed by interviews

carried out with museum personnel and Maori elders held on two visits to the country in February and June 2006, and by a survey of public opinion carried out in Auckland during the latter trip.

Traditional Maori beliefs

Pre-contact Maori spiritual beliefs were a complex mixture of dualist and animist components. It was believed that after death one's *wairua* (spirit) left the body and went to dwell in another place (Marsden, 1992: 133), but also that the physical remains still contained some important essence of the departed (Oppenheim, 1973: 16). The remains of most, though not all, individuals were therefore held to be both inalienable and of great value.

Integral to Maori beliefs regarding both the living and the deceased were the concepts of *mana* and *tapu*. *Mana* is the power, prestige, charisma and spiritual authority of a person, while *tapu* means that a person, place or thing is sacred and untouchable (Mahuika, 1992: 45; Marsden, 1992: 118–119). *Tapu* was a concept that was taken very seriously, and if ignored could lead to sickness and even death (Manihera *et al.*, 1992: 9). The remains, property and burial places of the dead were permanently *tapu* (Oppenheim, 1973: 15), and transgression often had fatal consequences (Best, 1982: 23).

As the most sacred part of the body for Maori, the head was especially imbued with both *mana* and *tapu*, and the preserved heads of relatives and friends were kept and exhibited on important occasions (Davidson, 1984: 177), while it was also common 'to bring back the head of a detested enemy chief that he might be insulted and reviled in death by the widows and orphans he had created in life' (Te Rangi Hiroa, 1962: 299). It was also essential to retain these heads, as their return would eventually be required in order to make peace with that enemy (Robley, 1896: 138).

The amount of *mana* possessed by an individual (and thus the degree to which they were *tapu*) was a major determining factor in the way that their remains were treated. When a warrior was taken prisoner in battle, for example, he lost all *mana*, and thus also all *tapu*, meaning that his captors could treat him as they wished (Oppenheim, 1973: 16). While a tribe would almost certainly fight for the return of ancestral bones with associated *mana*, they would not do so in the case of remains of members of their tribe who had been taken prisoner and thus lost all *mana*. This was a terrible situation for Maori to contemplate, as the following account from Maning (1863: 68) makes clear:

Two brothers were flying for their lives down a hill-side. A shot broke the leg of one of them and he fell. The enemy was close at hand. Already the exulting cry, 'Na! na! mate rawa!' was heard. The wounded man cried to the brother, 'Do not leave my head a play-thing for the foe.' There was no time for deliberation. The brother did not deliberate; a few slashes with the tomahawk saved his brother's head, and he escaped with it in his hand, dried it, and brought it home . . .

Once they had become artefacts bones were thought to be imbued with positive qualities, and were thus used for practical purposes. The bones of non-*tapu* slaves were used to make spear points, fish hooks and flutes, but those of slain enemies and

those stolen from the burial grounds of rival tribes were also used to gain their *mana* (Best, 1976: 375; Gudgeon, 1885: 195). The collection of bones for such purposes by desecrating the burials of enemy tribes was a common method of taking revenge and also a frequent cause of conflicts.

In contrast to outsiders, the remains of a person belonging to the local tribe were always *tapu* and handled and buried with great care. Early European explorers such as James Cook and Marion du Fresne all noted the guarded and secretive nature of burials. Where burial caves were used, they were often shared by several *hapu* (sub-tribes), and only *tohunga* (priests) were allowed to enter. Should someone trespass in such a cave, retaliation would therefore follow from all of the *hapu* who shared it (Oppenheim, 1973: 74).

European motivations for collection

The first and overriding motivation for many of the Europeans who directly sourced Maori human remains was profit. This included those who simply sought remains out on commission as well as those, such as the naturalist Andreas Reischek, who intended to sell his collection for considerable profit on return to his native Austria (King, 1981: 32). A second motivation was artistic. Collector Horatio Robley for example specialized in preserved tattooed heads and became a major 19th century authority on Maori tattooing, which he described as ‘a remarkable work of art’ (Robley, 1896: 13).

The main driving force behind the demand that collectors sought to meet, however, was directly related to major contemporary theories and perceptions of mankind and the world. For the majority of the European public during the early days of colonization, foreign items associated with death were seen as fascinating representations of exotic worldviews, which emphasized the differences between ‘primitive’ and ‘advanced’ cultures (King, 1981: 91), and were thus the target of ‘curio collectors’ (Te Rangi Hiroa, 1962: 300). The public’s perception of non-European cultures in this way reflected scientific opinion at the time, which strongly presumed that human populations were naturally to be ordered in a racial evolutionary taxonomy (Institute of Ideas (IOI), 2003: 3). Museums and universities were thus clamouring for specimens from every race around the world in order to demonstrate the correctness of this belief with their comparative anatomy collections. Maori remains were also sourced by New Zealand museums for use in exchanges, with Thomas Cheeseman of the Auckland Museum, for example, thereby successfully building up the museum’s collection with items from around the world (Tapsell, 2003: 158).

A final motivation for collection was a belief that the Maori as a people were dying out (Walker, 1990: 172). This was partly due to the influence of social Darwinism, and also because a range of factors, including increased warfare and introduced diseases, had caused a massive crash in the Maori population of over 75% during the 19th century (Stannard, 1989: 48). Many Europeans who visited New Zealand were convinced that there was no other possible outcome and, influenced by these views, many men such as Reischek saw the collection of skeletal material as a ‘rescue operation for science’ (diary no. 2 p. 118, quoted in Kolig, 1996: 118, trans. author).

Trading for human remains

Europeans initially obtained Maori remains through trade, beginning with James Cook's first voyage to New Zealand in 1769–1770, which included numerous instances where the members of the crew traded for remains both out of curiosity and scientific and ethnographic interest. This early trade took place with relative ease because the type of remains involved were not of great concern to the Maori, being mostly skeletal remains of enemies left over from cannibalism, which Europeans collected as evidence of that behaviour. Once they realized the value of these remains, Maori soon began to be more proactive in trading, and visitors to the country in the early part of the 19th century were already being offered remains in return for muskets and gunpowder (e.g. Cruise, 1820: 47, 90–91).

Traders visited the country relatively sporadically at first, but there was a boom from 1820 onwards when the government of New South Wales made a concerted effort to develop the flax trade (King, 2003: 126). Many sought to augment their incomes through a professional trade in Maori remains, some of them through frequent visits to the ports and others by actually establishing premises and businesses in the country for the purpose. Ship captains such as Brind and Jack traded muskets and ammunition for heads to sell on the market in Sydney (Elder, 1932: 498), Joe Rowe traded heads from his store in Kapiti (Robley, 1896: 178), and James Carruth and Eric Craig were involved in trade with museums and foreign collectors (Tapsell, 2005: 159). New Zealand museums became actively involved in the trading of Maori remains during the latter half of the 19th century. In addition to Thomas Cheeseman in Auckland, Julius von Haast of the Canterbury Museum in Christchurch and James Hector of the Wellington Museum were also active.

That the trade in remains was at the time thought to have been fairly conducted is evidenced by the roles of several prominent people as middlemen (Figure 1). A man with a reputation as the beloved protector and friend of the Maori people, Governor Sir George Grey sent a Maori skull from the Ati Awa in Taranaki to private collector Joseph Barnard David in Britain in around 1854 (Fforde, 1997: 53), and also attempted to purchase remains from a burial cave in Kawhia through an intermediary (King, 1981: 95). The head of the Church Mission Society, Samuel Marsden, is recorded as having traded for heads on several occasions, including one from the chief Pomare in 1814 (Butler, 1927: 194), and three more on subsequent occasions in 1821 (Butler, 1927: 166).

As can be seen from the above, much of the trade in remains in the first half of the 19th century also took place with full Maori co-operation and the remains traded were primarily those of enemies. An increasing trade in preserved heads was ensured, however, because the demand for heads was high on the European side, and this was matched on the Maori side by growing demand for muskets. Tribes that did not possess these were at a critical and often fatal disadvantage to those who did, as in the case of the Te Arawa (Tapsell, 1998: 64):

... the 1823 attack by Hongi Hika's warriors, armed with muskets, turned Te Arawa's world upside down ... In the aftermath of the devastating defeat, the surviving rangatira realised that Te Arawa must rapidly modify their understanding of the world or face extinction.

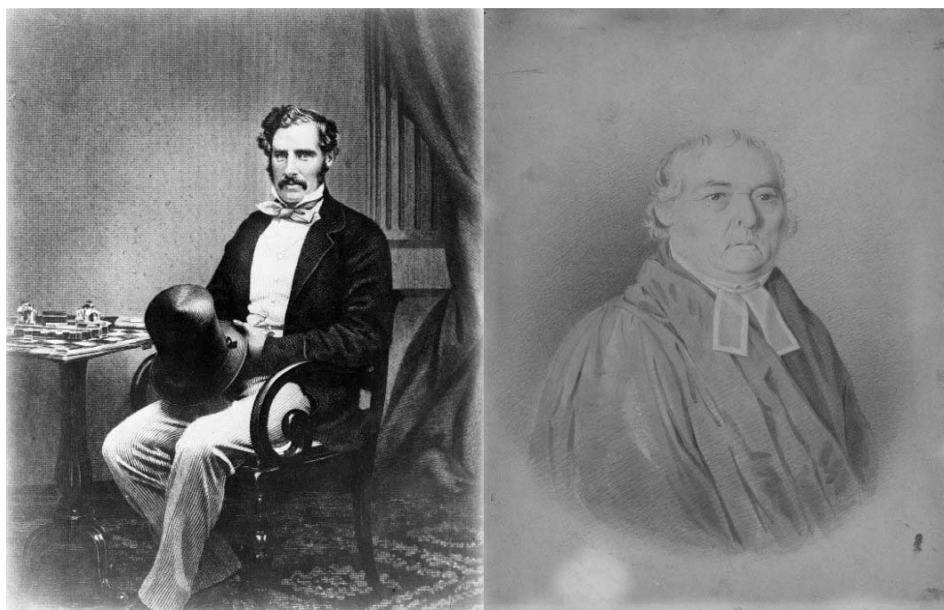


FIGURE 1 Lesser-known collectors: Sir George Grey and the Reverend Samuel Marsden. *By permission of the Alexander Turnbull Library (reference numbers NON-ATL-0004 and G-620, respectively).*

In order to obtain as many muskets as possible, some chiefs had their slaves tattooed and then executed for market the moment their faces were healed (Te Rangi Hiroa, 1962: 300). Raiding of enemies to obtain heads for trading also increased. When ‘... met by Rutherford in 1820–21, the chief Pomare showed him several heads of enemies he had killed, and told him that these would be taken to the Bay of Islands and traded for arms and powder there’ (Robley, 1896: 173). This intertribal arms race, known as the Musket Wars, lasted between 1818 and 1833 (Belich, 1986: 20). The Nga Puhi chief Hongi Hika in particular was quick to see the importance of muskets, and acquired 500 on a trip to England in 1819 (King, 2003: 137), the result of which was devastating for other tribes. Marsden reported that he returned from one campaign with 70 trophy heads (Elder, 1932: 173), many of which would have been traded.

Under normal circumstances Maori would not have traded heads to a great extent, and it required a fight for survival to induce them to do so. The heads of enemies were taken not only as objects for derision, but also so that, by their return, peace could be made with the opposing tribe, either during an ongoing conflict or in future to prevent a new one from occurring (Robley, 1896: 138). It was thus only in circumstances where a tribe feared that it could not defend itself without muskets, and where it was certain that it would never in future intend or need to make peace with the tribe from whom the heads had been taken, that it would trade those heads.

In no circumstances would a tribe trade the heads of their own chiefs however, as being parted from these would be too unbearable. The inalienable value of these

heads can be seen in the fact that, when involved in bargaining for land with a chief who could not be persuaded to part with it, his mind could be changed by offering in return the head of an ancestor (Weiner, 1992: 57). As the trade in heads became widespread, the practice of preserving the heads of friends and relatives was correspondingly dropped, to avoid the possibility of their being obtained and sold by others (Robley, 1896: 170).

There was a rapid decline in the number of heads and other remains being traded by around 1840, as a result of four main factors. The first of these was a Government Order issued in 1931 by Governor Darling of New South Wales that forbade the trade and required that any heads still in circulation be returned to their point of origin (Robley, 1896: 180). The next was the end of the Musket wars around 1836, by which point the tribes were greatly reduced in numbers and tired of fighting (Walker, 1990: 84). There was now also a balance in the distribution of muskets, so no one had any significant military advantage (Belich, 1986: 20), and no longer requiring an increased number of muskets, Maori motivation to take part in the trade also lessened. At this time the practice of sacrificing slaves to trade their heads was also discontinued as they had both become scarcer and their value as agricultural workers for produce traded with the growing European population had increased (Polack, 1840: 79). The final factor was the introduction of European law and culture. The missionaries discouraged the tattooing and keeping of heads (Oppenheim, 1973: 20), which was reinforced by the signing of the Treaty of Waitangi in 1840. In addition to extending the rights of British citizenship to all Maori, the new government in New Zealand determined to forcibly suppress 'savage practices', including human sacrifice and cannibalism (Orange, 1987: 30) and effectively ended all trade in human heads as well (Tapsell, 2005: 157).

The only remaining channel of trade that was tolerated was then that utilized by the museums, which reached a peak during the late 19th century before coming to a virtual end in the 1920s as demand from European museums dried up, with theories of racial hierarchies having proved unsuccessful (Fforde, 2004: 40).

Collection by theft

A large number of the human remains collected in New Zealand were obtained by methods other than trade, without the consent of the owners. Theft and grave robbing had been resorted to in some measure from the early 1800s, but became much more frequent once trading opportunities became limited.

Maori regarded theft very seriously, and while other punishments were sometimes decided upon death was not uncommon, even when everyday items were involved (Firth, 1929: 339). Those who desecrated burial sites would invariably have met with the harshest of outcomes. According to Robley (1896: 169), the '... first head taken to Sydney, of which there is any record, was brought from Foveaux Straits in 1811. It was obtained by theft, and a boat's crew was nearly cut off for *utu* (revenge)'. As Maori took great care to hide and guard the remains of their ancestors, the easiest targets for theft were the heads of enemies, often displayed on poles around villages (e.g. Maning, 1863: 65–73) (Figure 2). After a while displayed heads became scarce, both because of the thefts themselves and because



FIGURE 2 Enemy heads on display outside a Maori village.
From Maning (1863).

the Maori realized what was happening and removed them, so collectors then turned to grave robbery to satisfy demand.

It was very clear to all collectors active in New Zealand that the disturbing of graves was of the greatest offence to Maori (e.g. Buller, 1895: 148; Reischek, 1952: 62–65, 215). Nevertheless, Maori graves were plundered systematically throughout New Zealand by a range of collectors such as the amateur naturalists Andreas Reischek and Walter Buller, travellers such as John Carne Bidwill, museum suppliers such as C. Tothill, and countless others.

The exploits of Andreas Reischek are an excellent case study in behaviour and motivation, also providing some further insight into Maori involvement with collecting. An Austrian taxidermist resident in New Zealand from 1877 to 1889, Reischek made nine collecting expeditions throughout the country (Aubrecht, 1995: 19), collecting primarily zoological but also ethnological specimens, and whenever possible, human remains. An understanding of the motivations and justifications of collectors such as Reischek is particularly useful when assessing the validity of modern-day museums' arguments for retaining these collections.

Reischek is especially notorious for his theft of two 'mummies' from a cave in the King Country region during a visit there under the protection of the Maori King Tawhiao in 1881. Ferdinand von Hochstetter, Reischek's patron back in Austria, had spent nine months carrying out geological surveying for the New Zealand government in 1858 (Aubrecht, 1995: 15), and in 1867 he published an account of the trip that included a description of the cave that contained the remains (von Hochstetter, 1867: 329). Reischek wanted to please von Hochstetter and had been personally reminded by him of the cave's location and the desirability of obtaining more remains for the museum in Vienna (Kölig, 1996: 131).

Reischek was in no doubt as to what the consequences of his theft being detected would have been, stating that the ‘... undertaking was a dangerous one, for discovery might have cost me my life’ (Reischek, 1952: 215). His diary from 5 January 1883 contains an outline of a letter to von Hochstetter in which he gives details of the operation, including the fact that he also had the help of a local chief (Kolig, 1996: 107, trans. author):

... I persuaded two half casts and a Maori chief to help me by means of generous payment ... It rained the entire time we were underway and we had to hide the mummies in swamps during the daytime in order to avoid suspicion ... should you find it interesting to publish my superficial account of the discovery of the four mummies, it is at your disposal to do so ...

This is an important passage as the fact that a chief could be influenced to participate in such an act of collection shows clearly that Maori involvement was pervasive and complicated.

The chief Reischek mentions is not identified, but the two local men who assisted him were Irish immigrant John Ormsby and Tommy Green, who was half German, half Maori (King, 1981: 99). The remains were probably from the Ngati Wehi *hapu*, including the 17th-century chief Tupahau (King, 1981: 97). Tapsell (2005: 161) argues that the willingness of Ormsby and Green to assist Reischek can be seen as a result of the breaking down of traditional Maori society after the 1860s wars against the crown and the actions of the Native Land Court, which effectively abolished communal ownership of land and forced many Maori into debt as a result of high survey and court costs (Orange, 1987: 186). The fact that both men, as well as the chief mentioned by Reischek in his journal, were well paid (in the case of the former £200 each; King, 1981: 99) lends some credence to this view, but the King Country had not been under the New Zealand government’s jurisdiction for around 25 years, and thus the Native Land Court would have had little or no influence there. Owing to migrations and conflict, the area had been occupied by five different *hapu* over time, with the result that the various caves located there contained remains from each of these. The Ngati Te Wehi had been there in the 17th century, but had long been absent by the 1800s (King, 1981: 94).

It is therefore unlikely that either Green or the chief desecrated the graves of their own ancestors, and were thus probably much easier to persuade than would otherwise have been the case. This does not mean that most local Maori who were equally distantly related to the Ngati Te Wehi were not deeply offended and angered when the theft was discovered, but it does demonstrate the fact that there was still, for some, a difference in the reverence paid to one’s own ancestors and those of other tribes, whether they be enemies any longer or not. As will be seen later, this variety of attitudes is still prevalent today.

While not denying that it would be unacceptable today, there is a strong feeling in Austria that Reischek’s behaviour should be viewed in the context of his time, for example Dimt (1995: 7, trans. author):

His efforts to deliver to distant Europe a picture of New Zealand’s at the time not so well-known nature, ‘savages’ and ‘cannibals’, have to be seen through the eyes of the closing years of the 19th century.

Kolig (1996: 15) in particular argues that Reischek was no different to other men of science at the time in Austria, believing according to Social Darwinism that extinction of primitive cultures was unavoidable. Reischek did in fact express this view in a lecture given at the Anthropological Society in Vienna after returning from New Zealand (Reischek, 1890: 99, trans. author):

The influence of civilisation will soon displace this intelligent, once powerful people also. The Maori is dying out, as he does not evolve his culture and cannot adapt.

Whether Reischek's motivations of gaining wealth and recognition were really balanced by his justification of assisting in the research into racial hierarchies and the preservation of specimens of a dying race for science or not, these reasons later proved to be unfounded and irrelevant, as will be shown in the following sections.

Reischek was also not alone in his methods. The eminent ornithologist Sir Walter Buller and his son also collected Maori remains from grave sites wherever possible (Buller, 1895: 148), and they also seem to have been able to rely on assistance from some individual Maoris, with the label on the cut-away bottom of a Maori coffin in his collection for example stating that it was '... robbed by a half-caste from an ancient burial place at night' (Kolig, 1996: 121, trans. author). Cheeseman of the Auckland Museum also personally collected from burial caves (Tapsell, 2005: 158), and it is likely that other museum directors such as von Haast and Hector were also active collectors, though there are no publicly available records of this.

Grave robbing eventually ended as a result of several factors. The number of caves and burial sites was limited, so after a systematic programme of collection there was very little left, which was compounded by Maori removing and reburial remains from many of the locations once they realized what was happening. In addition to this, many scientists were of the belief that Maori had not changed since arrival in New Zealand (Sutton, 1977: 176) so no older specimens were required for study, and it eventually became clear that the Maori were not dying out at all, so the justification of 'rescuing specimens for science' became inapplicable.

The fact that in these cases grave-robbing occurred only with the assistance of individual Maori is very important, as it demonstrates that Maori were not always simply passive victims of European actions, but did in fact maintain some control of the process and their decision to participate was influenced by cultural factors such as strength of kinship ties.

Collection via archaeology and development

By 1900 the supply of remains from burial caves around the country had come to an end and much of the land containing burials was no longer in Maori hands, with 83% of the country now belonging to either the government or people of non-Maori descent (King, 2003: 258).

Excavations in the early part of the 20th century were more or less a continuation of museums collecting for trade, and while archaeology has since become an established discipline in all of the country's universities, the recording and analysis of human remains has played a relatively limited role (Phillipps, 1980: 149). New

Zealand collections of archaeological human bone are comparatively small, to which several factors have contributed. These are the separation between the disciplines of archaeology and physical anthropology in New Zealand, the fact that the archaeological sequence is relatively short and therefore has not been expected to yield valuable evidence, the view that human remains are not worth studying based on a belief that the Maori have remained unchanged since arrival in New Zealand, and that the small sample sizes gained from Maori sites cannot yield useful results (Sutton, 1977: 176–177).

A significant amount of Maori human remains have also found their way into museum and university collections as a result of being discovered inadvertently through development activities. Such remains were usually taken directly to the institutions, sometimes being simply left on the steps in paper bags (Tapsell, 2006).

The immediate Maori response to collection

The Maori response at the time of collection came in various forms depending on the time and the circumstances, involving on occasion *utu*, preventative measures and appeals to government. Early traders often underestimated the anger and resentment their actions would create among Maori, and were sometimes lucky to either get away with their lives or were killed in acts of *utu*, as in the case of Joe Rowe in 1831 (Robley, 1896: 178).

Amongst the heads which Joe Rowe had purchased were two of Taupo chiefs. These were seen at his store at Kapiti by their relatives who entreated him to give them up. He laughed at them. Finding he had arranged this expedition, they left before him and went to await his arrival . . . While eating, a party of natives joined company and one of the natives went and sat down in the boat. Rowe called out to Powers to turn him out, but knowing more of the natives, Rowe proceeded to do so himself, and the Maori promptly killed him with a blow to the head . . . Rowe's head and that of another of the men were steeped and dried in the usual way for sale.

Once it became clear that the remains of their ancestors were now of great value to both Europeans and other Maori (especially in the case of tattooed heads), many Maori began to take actions to prevent those remains falling into the hands of others. It is likely that many ancestral heads were buried so that they could not be stolen or sold (Te Rangi Hiroa, 1962: 300), and bones were removed from caves and buried elsewhere. When Reischek's theft from the King Country was discovered several years later for example, all of the remaining bodies were removed and reburied in secret to prevent a repetition, and the Waikato and King Country tribes refused to co-operate with local archaeologists up until the 1960s (King, 1981: 103).

In some cases Maori attempted to seek justice through official channels, and were willing if necessary to raise such matters with the government. Acting on a complaint in the 1890s for example, the Attorney General ordered the curator of the Canterbury Museum to remove a Maori head from display (Robley, 1896: 181), and in 1932 the Native Affairs Minister Sir Apirana Ngata intervened with the Auckland Museum on behalf of a Maori community whose ancestral graveyard was being excavated (Tapsell, 2005: 163).

These cases demonstrate initial Maori opposition to the collection of remains and their willingness to use official channels to seek redress. It was mainly when Maori presence and influence in government became stronger from the 1980s onwards, along with other factors such as the *Te Maori* exhibition, that the New Zealand repatriation movement came into being.

The situation today

To understand how New Zealand is approaching repatriation it is necessary to look at the country's cultural situation in regards to how Maori and *Pakeha* (New Zealanders of predominantly European descent) stand together 166 years after the country's colonial era began, focusing both from an ethnic perspective and on New Zealand's museums and archaeological community.

The distribution of Maori human remains today

It is currently believed that there are over 200 preserved Maori heads in foreign institutions (New Zealand Press Association (NZPA), 2005a), along with a similarly large number of bones. The 2003 Working Group on Human Remains report lists a minimum of 187 items of Maori remains held in 21 institutions in the UK alone (Department of Culture, Media and Sport (DCMS), 2003: 12). The two largest collections currently to be found outside of New Zealand include the American Museum of Natural History in New York, which contains the remains of 37 individuals (NZPA, 2005c), over 20 of which were originally Robley's collection (Te Rangi Hiroa, 1962, 301). While one of Reischek's two 'mummies' was returned in 1985 (Kolig, 1996: 114), the Völkerkunde Museum in Vienna still contains the other 'mummy' and the rest of his collection of 37 skulls (Reischek, 1952: 308) plus other skeletal material, as well as skulls from other New Zealand sources (Kolig, 1996: 105).

Because of the extremely lucrative export trade the number of heads actually still in New Zealand collections in comparison by the 1930s was as few as ten (Elder, 1932: 10). Little is known about the contents of institutions in Eastern Europe and the ex-Soviet Union states, and it is possible that a significant number of remains still exist in private collections (Rangiiria Hedley, personal communication, 2006; Kolig, 1996: 118).

The Maori situation today

Maori people in New Zealand today are still at a disadvantage to *Pakeha* according to statistics relating to health, economic opportunity and crime. Despite this, they are generally recognized as being in the best position of any indigenous people in the world when it comes to rights and self-determination (Vince Collison, personal communication, 2005).

The reasons behind this belief are various, including the facts that New Zealand is a bicultural, bilingual and respectful country (Rangiiria Hedley, personal communication, 2006), in which Maori form a comparatively high proportion of the population and have a relatively strong political presence and support (Vince Collison, personal communication, 2005). In large part the reason for this goes

back to the strength of Maori when Europeans first began to attempt the colonization of the country. Von Hochstetter noted the resilience of Maori language and culture in 1867 as evidenced by ‘... their indifference to the English language ... While in other British colonies the natives are made to learn the language of their lords, upon New Zealand the Englishman is compelled to study the Maori tongue’ (von Hochstetter, 1867: 215). He further noted that the Maori experience of colonization was quite different to that experienced by native Australians (1867: 221):

I have long since come to the conclusion, that the modern Englishman is as cruel and unprincipled a scoundrel as the world has ever seen. – In simple truth, we pay the Maori large sums for his land, because he is an acute and powerful savage, we swindle the Australian out of his birthright, because he is simple and helpless.

The difference is underlined by the fact that Maori were granted British citizenship with the Treaty of Waitangi in 1840, 70 years after first contact (Orange, 1987: 6), while indigenous Australians were effectively first recognized as citizens when added to the national census in 1967 (Richardson, 1989: 12), 197 years after Cook declared sovereignty over New South Wales. In 1974 New Zealand went a step further when the Maori Affairs Amendment Act made Maori an official language (Watkin, 2004), and the country thus officially bilingual.

The Maori situation has improved significantly over the last 30 years as a result of recent treaty settlements and ethnicity-based legislation, which has redressed many (though by no means all) of the inequalities imposed upon them since colonization. Comprising over 18% of the population, approximately one in five New Zealanders today consider themselves to be Maori. Statistics measuring Maori political participation, employment, home ownership and tertiary education have all improved significantly, representing a level of empowerment not experienced by many other minority indigenous peoples around the world, and resulting in a greater ability to influence policy, negotiate and directly affect change. This is shown in Table 1, in contrast to the same figures for indigenous Australians.

TABLE 1
A COMPARISON OF MAORI AND INDIGENOUS AUSTRALIAN STATISTICS

Statistic	Maori		Indigenous Australians	
	Year	%	Year	%
Percentage of total population	2001 ^a	14	2001 ^b	2.2
Percentage with tertiary qualification	2001 ^a	21.2	2001 ^b	0.03
Unemployment level	2003 ^a	10	2001 ^b	75.5
Percentage home ownership	1996 ^a	50	2001 ^b	9
Political representation (percentage of politicians at national/federal level)	1996 ^c	12.5	2000 ^d	0

Compiled from: ^aWatkin (2004); ^bAustralian Bureau of Statistics (ABS) (2001); ^cWalker (1990); ^dSaunders (2000).

One result of the political and economic power possessed by Maori is that they have not had to compromise as indigenous Australians have, for example with ‘keeping places’ where the remains are returned to indigenous control but not reburied (Richardson, 1989: 187), keeping alive the possibility of future research (Figure 3). Similarly, Maori have been able to affect repatriation of remains with little publicity, while indigenous Australians have been forced to use press coverage and lobbying for public support as a last resort (Richardson, 1989: 187), despite the fact that they do not traditionally like to speak of ancestors in public (Te Hau Tutua, personal communication, 2006).

New Zealand museums today

The Te Maori exhibition that toured the USA in 1983–1985 resulted in greater Maori involvement in museums, so that in 1995 Maori visitors to museums comprised 9% of the total (G O’Regan, 1997: 65). This was followed by an increase in Maori staff at the seven largest museums from seven in 1980 to 45 by 1995 (G O’Regan, 1997: 70). Te Maori also meant that elders were asked to focus on the Maori content of museums for the first time (S O’Regan, 1990: 103). This was the genesis of the repatriation movement in New Zealand, as Maori then began to question how *taonga* (highly prized objects) had come to be in Museums in the first place (Tapsell, 1998: 148).



FIGURE 3 A cartoon from the *Dominion Sunday Times*, 27 September 1992. The reality is that Maori are one of the few indigenous peoples with sufficient economic and political power to forward their own cause.

By permission of the Alexander Turnbull Library and the author, Frank Greenall, *Dominion Sunday Times*, 27 September 1992.

Of the four main metropolitan museums, all now have *iwi* (tribe or tribal) involvement to some level (G O'Regan, 1997: 10), although this varies in some aspects that are of importance to the success of repatriation efforts. In a 1997 survey of 350 New Zealand museums, almost all expressed a strong commitment to work with *iwi* to find a solution to repatriation requests, and only one would not co-operate (G O'Regan, 1997: 54).

The next sections will focus on the two largest museums, The Museum of New Zealand, Te Papa Tongarewa, in Wellington, and the Auckland War Memorial Museum (AWMM), Tamaki Paenga Hira. Both of these museums have bicultural policies and active repatriation systems, but with some key differences that determine the success with which they are able to work with Maori communities to return remains. In particular, issues still being faced by Te Papa highlight the successful methods being employed in Auckland, which represent the trend in the country's museums overall.

The Museum of New Zealand, Te Papa Tongarewa

The old Dominion Museum in Wellington had from time to time been described as a 'colonialist' and 'monocultural' institution (Henare, 2005: 270). In 1998 it reopened its doors in a new location on Wellington's waterfront with a redefined mission of representing a bicultural New Zealand, involving Maori staff and cultural participation, and housing a functioning *marae* (community meeting place), the only museum in the country to do so (Williams, 2005: 84).

The museum also contains an 'ancestral remains vault', or *wahi tapu*, which is the only place in New Zealand specifically designed to hold unprovenanced Maori ancestral remains (Tapsell, 1998: 148). Because of this, Te Papa is the receiving museum for the majority of remains returned to New Zealand, and has a proactive programme of researching and requesting repatriation from overseas institutions (NZPA, 2005c). According to James Te Puni, who was Director of Maori Strategy in 2006, the museum had identified 200 such institutions (Thompson, 2006), and the *wahi tapu* was reported to contain the remains of over 100 individuals (NZPA, 2005c), including around 55 preserved heads (NZPA, 2005a).

Despite relative success in obtaining the return of remains from overseas, Te Papa has faced difficulties in returning these to their source communities because of fundamental problems with the way in which they have pursued their bicultural strategy in the past. For tribal elders throughout New Zealand it is essential that any repatriation situation be approached by forming partnerships with the museum in question's *tangata whenua* (the tribe belonging to that area) (Tapsell, 2002: 289). In modern Maori culture where relationships between *iwi* are highly co-operative, *tangata whenua* take their responsibility for the spiritual care of any *taonga* or remains from other *iwi* that fall within their territory very seriously, and from a reciprocal point of view it would be highly disrespectful to other *iwi* not to deal with them regarding such matters. This is not something that has been well dealt with by Te Papa to date, and it manifests itself in three main ways.

The first problem is that there is no legislative requirement for the museum to either employ or be governed by members of the *tangata whenua* (G O'Regan, 1997: 10), in this case the Te Ati Awa *iwi*. Because of this the visiting tribes do not

feel comfortable dealing with Maori staff at the museum, as they feel it is disrespectful to the *tangata whenua* (Tapsell, 1998: 186). There is also a strong feeling that Maori staff who do not represent the *tangata whenua* often have separate agendas, which conflict with those of Te Ati Awa (Tapsell, 1998: 198).

The second area of difficulty surrounds the *marae*, which was built specifically for the museum and has no attachment to the *tangata whenua*, existing in a 'kind of customary non-space' (Williams, 2005: 85). Because a *marae* customarily is the place where *tangata whenua* and visiting tribes interface, this further alienates the Te Ati Awa and adds to the unease of other *iwi*.

The third issue is that Te Papa's involvement of Te Ati Awa on an external basis has also been minimal and inconsistent. In some cases the museum has worked with one of the *iwi*'s two *hapu* only, causing offence to the other, and neither have been sufficiently involved in the care of the *wahi tapu*, despite this being something established with the integral involvement of the *tangata whenua*, and being something for which they feel highly responsible. There is the concern on the part of the Te Ati Awa and other *iwi* that if they are not included to a greater degree, the human remains in the vault may cease to be spiritually protected (Tapsell, 1998: 209).

Because of the above issues, while Te Papa has been successful in securing the return to New Zealand of Maori remains from foreign institutions, it has not been able to return any significant number of these remains to source communities, its ultimate goal. An interesting case study, in contrast, is that of the Auckland Museum.

The Auckland War Memorial Museum, Tamaki Paenga Hira

As with Te Papa, the Auckland War Memorial Museum (AWMM) comes customarily under the care of its *tangata whenua*, the Ngati Whatua, who feel a strong obligation to other *iwi* to care for the museum's *taonga* (Tapsell, unpublished). Unlike Te Papa, the relationship of Ngati Whatua to the museum is established in the Auckland War Memorial Museum Act 1996, through which a Maori advisory committee known as the Taumata-a-Iwi was created. The Taumata-a-Iwi is appointed by Ngati Whatua, and in turn appoints a member of the Museum's board. The AWMM is thus the only museum in the world with a legislated indigenous advisory committee (Tapsell, personal communication, 2006), and the *tangata whenua* are assured of stable and ongoing integration with it. This close relationship with the Ngati Whatua is unique among New Zealand museums and likely to become a model for others in future (Kawharu, 2002: 301). Because of this other *iwi* feel comfortable dealing with the museum through the Taumata-a-Iwi, and the museum is recognized as a serious and dedicated partner for issues such as *taonga* management and repatriation.

The AWMM human remains database contains 1317 discrete remains (Tapsell, personal communication, 2006), of which 90% are provenanced, largely owing to the meticulous record keeping of Thomas Cheeseman (Fforde, personal communication, 2005), this total including those returned or exchanged in the past (Fforde, personal communication, 2007). Because it does not house a *wahi tapu* specifically designed to contain unknown remains, the museum does not seek the return of unprovenanced remains in the way that Te Papa does, and therefore expects to be

able to return all Maori ancestral remains in its collection by mid 2007 (Thompson, 2006), as part of its Ancestral Human Remains Return to Source Project initiated in 2001 (Tapsell unpublished). At least seven repatriations had been carried out through the *tangata whenua* by June 2006, and any unprovenanced remains left at the end of the process will be given to the Ngati Whatua to care for (Tapsell, personal communication, 2006). The museum's policy is to automatically comply with all requests for repatriation from tribes that can substantiate their connection to remains, and return them with both as little delay and publicity as possible (Tapsell, personal communication, 2006).

That the AWMM's partnership with Maori through the Taumata-a-Iwi is sincere is demonstrated by the fact that recognition of Maori ownership of all human remains also extends to granting access to them and also to any associated information. When information from the archives relating to specific repatriations was requested by the author, the Taumata-a-iwi were consulted and access was not automatically given, on the basis that all researchers should first obtain the permission of the *iwi* to whom the remains belong, demonstrating that there has been a clear transfer of ownership.

New Zealand archaeology today

Broadly speaking, New Zealand museums are many steps ahead of archaeology in regard to the forming of partnerships with Maori communities. While at one point, for example, remains in the AWMM were studied freely by archaeology students from the University of Auckland, the students are now required to first approach the *iwi* to whom the remains belong for permission first. This has effectively put a cap on such research, with the last request for access having been in 2001 (Tapsell, personal communication, 2006). That no more contact had been made in the following five years indicates that some universities currently either have difficult relations with Maori and thus cannot negotiate access, or that they prefer to turn to easier ways of access if interaction with the people whose remains they intend to study and therefore better understand can be avoided.

Many Maori still have very negative images of archaeology and see archaeologists as uninterested in forming mutually beneficial relationships (Butts, 1990: 114). This has been changing over the last 20 years however, and, as in the case of the AWMM, it is the involvement of *tangata whenua* that is making the difference. In many cases today mediation between archaeologists and *iwi* is provided by the New Zealand Historic Places Trust, which now includes representatives of the *tangata whenua* on Maori advisory and archaeological committees (S O'Regan, 1990: 100).

Another positive sign from the perspective of Maori is that the two largest archaeological collections of remains are now being returned. Negotiations between the Ngati Hinewaka *hapu* and Te Papa for the return of remains from Palliser Bay and the Palliser coast began in 2005 (NZPA, 2005b), and in 2006 the Canterbury Museum has agreed in principle to return the remains of 53 individuals from Wairau Bar to the Rangitane *iwi* (NZPA, 2006). Seeing that modern scholars are willing to return remains and work with *tangata whenua* means that over time more Maori will come to differentiate archaeologists from fossickers and be willing to co-operate and engage more with them.

That archaeology in New Zealand is still at a crossroads is evidenced by an incident in recent years where remains were removed from Auckland University excavations without the full approval of the local *tangata whenua* (i.e. all of the *hapu* in the area), and then brought to Auckland without the knowledge involvement of the Ngati Whatua. This is an unacceptable situation for Maori as ‘... to accept into one’s territory unknown ancestral remains represents spiritual dangers which most elders do not wish to contemplate’ (Tapsell, 1998: 148). Ngati Whatua have now established a policy and set of procedures together with the university senate to ensure that they will be appropriately involved in any such situation in future (Tapsell, personal communication, 2006). This demonstrates that while progress is being made, some sections of the archaeological community still require time to adapt. The overall trend in New Zealand though is one of increased involvement and control in the collection and return of Maori remains by *tangata whenua* groups, essentially a reassertion of Maori sovereignty in areas of Maori culture.

Current perspectives on repatriation in New Zealand

As in other countries, the repatriation movement in New Zealand is based on current cultural beliefs, not traditional ones, although in many areas these are the same (Hubert, 1989: 161).

Maori perspectives

As mentioned in the preceding sections, it is very important for Maori communities to ensure that their ancestors have received a proper burial on tribal land and to be able to continue to look after them. Where remains have been acquired through grave robbery, archaeology or development in the past, there is usually no question that they should be returned at some point. In scenarios where remains were traded, either by individuals or by other tribes into whose possession they had come, there is also a belief that the case for repatriation is still strong because of contemporary aims (Henare, 2005: 48), such as relieving the suffering of modern descendants and establishing good intercommunity and community–institution relationships. Remains may have been sold as objects, but for Maori they contain *mana*, spirit, and effectively the ancestors themselves, none of which can be sold (Clavir, 2002: 219). Because these things are intertwined, it is necessary to repatriate remains so that the ancestors can be taken care of. For Maori it is the case that the current generation is in fact owned by their ancestors, and that they have a responsibility to look after them (Tapsell, 2003: 246).

While it would be an exception for a Maori community not to want the return and reburial of a direct or communal ancestor, there are some situations both individual and communal where this is the case. Some Maori communities have been so disrupted by the colonialization experience that they are not currently in a state to be able to make consensual decisions and take measures to care for remains adequately. While in these cases it is still desired that the remains come back one day, the community may prefer to wait until it has regained enough strength. This is expressed by Tapsell (2003: 246):

No one wants their grandparents . . . to come home to find their place now in a mess, the children fighting or even worse run away, and those left behind unwilling to provide them with long-term care.

In the case of preserved heads, for some the return of the heads of slaves is not desirable. Te Rangi Hiroa (1962: 301) for example, noted that Robley's collection of heads in New York had been offered for sale, but that New Zealand had declined to purchase them:

Perhaps it is better that they did not come home, for some of the specimens with blurred and hastily executed details bear eloquent witness to one of the effects of the white man's encouragement of native art for commercial purposes.

There is a counter-view however, that such heads should be returned but not reburied, instead being made available to modern artists to study for the purpose of reviving the art form (Te Hau Tutua, personal communication, 2006).

Case studies – Joe Malcolm and Te Hau Tutua

In order to gain more insight into current tribal perspectives on repatriation, two Maori elders who have recently been involved in repatriation from the AWMM were interviewed on 1 July 2006. Joe Malcolm, of the Te Arawa *iwi* and Ngati Pikao *hapu* was interviewed at his home in Rotorua, while Te Hau Tutua, of the Ngati Awa *iwi* and Ngati Hikakino *hapu*, was interviewed at the Whareroa *marae* in Tauranga.

The repatriation of remains to Ngati Pikao occurred when Joe proactively learnt that the AWMM contained remains from the *hapu*. He wrote to the museum to request their return, received a quick response, and was able to take a small delegation to collect the remains almost immediately. There was no press surrounding the repatriations, with only those within the *hapu* who were particularly concerned about the remains being involved, these including relatively few young people. The ceremonies to welcome and rebury the remains were very moving, even traumatic for some members of the community:

I asked one fellow to help out at the ceremony, and at the right point asked him to go and pick up the bones. He went over but when he got there he just froze. He was petrified. I had to go and take over.

In the case of the Ngati Hikakino, Te Hau's *hapu* were contacted first by the AWMM. They also kept a low profile during the repatriation process, and limited the reburial ceremony to a small group of *hapu* members.

When it comes to their attitudes to ancestral remains, both elders are generally in agreement but diverge from one another in certain aspects. Joe would only request the return of remains that belonged to his *hapu* or his wife's, and would not accept remains from other *hapu* or that were unprovenanced, as he has no association with those. He would definitely request the return of remains from overseas if he knew of them, saying ' . . . those are our bones. They are our property'. Te Hau, in comparison, does not want all remains to be returned, unless they are offered, and even if from within his own *hapu*, he would only want to repatriate named individuals. The difference between the two viewpoints is really one of degree – Te Hau must know

exactly who the ancestor from his *hapu* was, while for Joe it is enough to know that they are from his or his wife's *hapu*.

On the topic of reburial, Joe believes that all remains should be reburied, but Te Hau prefers that tattooed heads be kept:

What do they want these heads back for? Only to bury them and then they are gone. I'd rather they were there to be studied. A lot of artists are reviving the art of tattooing now and it would help them to study them.

On the topic of museums, both men once again diverge. Te Hau does not have a problem with museums holding remains for study, as long as they are not displayed: 'I don't think these bones in the museums are a problem. I don't have a problem with them there at all'. Joe, on the other hand, feels that museums should fully divest themselves of all remains, and that his *hapu* '... can't sleep well if we know that the bones are up there in the boxes'. He would prefer that the remains were not available for study: 'I would rather they didn't. I can understand students wanting to study them, but there has to be another way'.

Similarly, in regard to archaeology Joe believes that reburial of uncovered remains should be immediate, while for Te Hau the important thing is that *iwi* should be notified straight away so that they can remove the *tapu*, but then it is all right for archaeologists to remove the remains for study, as long as they are returned later.

These interviews show that there is a range of opinion among Maori with regard to the handling of ancestral remains and their study. As a rule only close ancestors of a particular *hapu* or *iwi* are accepted for return, but the definition of 'close' can vary. This is essentially a continuation of the beliefs held by earlier generations of Maori that determined which remains they were willing to trade or assist in the collection of. This interest in the return of remains only from own kin groups means that repatriation cases are always of very clearly provenanced remains, and thus without the possibility of opposition from scientists who dispute their ancestry with regard to the community involved.

Survey of public opinion

In order to ascertain the opinion of the New Zealand public on repatriation issues with regard to archaeology, an informal survey was carried out in the Auckland Domain (a large park surrounding the AWMM) over four days in June 2006. For purposes of comparison with the UK, the survey was based on one conducted by Cambridgeshire Archaeology in 2005 (Carroll, 2005). While additional demographic questions were added to the New Zealand survey to ensure that all respondents were New Zealand citizens and to track ethnicity, as well as an international repatriation component, the core questions on reburial were kept the same. The core questions to both surveys and the comparative results are shown in Table 2.

As can be seen, opinions were almost the reverse in New Zealand compared with the UK. New Zealanders are more likely to think reburial is the correct thing to do, and to take religion and the feelings of the local community into account, rather than the requirements of archaeologists. In an additional section of the Auckland

TABLE 2
A COMPARISON OF PUBLIC OPINION IN NEW ZEALAND AND THE UNITED KINGDOM REGARDING
REBURIAL OF HUMAN REMAINS

Question	NZ response	UK response
Were you aware that skeletons excavated by archaeologists are frequently kept after the fieldwork?	58%	85%
Do you think that skeletons should be reburied?	82%	70%
If YES, at what point in time:		
Immediately after excavation	21%	5%
If requested by the local community	65%	25%
A set time after the excavation (say two years)	4%	27%
When archaeologists decide the skeletons have no further scientific or research use	11%	71%
Other (please state)	0%	2%
Human skeletal remains can aid future scientific study. Do you think it is appropriate to keep skeletons for future scientific work?	32%	88%
Do you think that the buried person's religion should make a difference to how the skeleton is treated?	83%	56%
Do you expect to see human skeletons displayed in museums?	53%	79%
Do you think this is appropriate?	29%	73%

Extended from Carroll (2005: 12) with NZ data. Percentage figures indicate the proportion of positive responses.

survey, 70% were in favour of repatriation from overseas museums. These results indicate considerable public support for Maori repatriation efforts and reflect the degree to which the country has become bicultural, with growing respect for Maori values and for *tangata whenua* in New Zealand communities.

Conclusions

Why New Zealand is different

Essentially New Zealand is now moving ahead in a spirit of co-operation and biculturalism on issues such as repatriation because it has been willing to approach and, to a great extent, resolve the causes of such problems, for example the systematic addressing of treaty grievances by the Waitangi Tribunal since 1984 (Orange, 1987: 249). Fforde (1997: 172) has concluded that in Australia:

Reconciliation through repatriation occurs not only because appropriated items are returned, but because this process accords recognition and respect to the legitimacy of modern Aboriginal society.

The New Zealand situation is essentially the reverse of this, where repatriation has instead occurred because of a long-term reconciliation of cultures. In countries such

as Australia and Canada, the indigenous peoples are still at a significant disadvantage to the rest of the population that will take many generations to overcome, assuming that there is the political will to do so. The fact that these peoples do not currently possess effective political influence indicates that this is unlikely to happen more quickly. Unfortunately unless this balance is first redressed and historical injustices dealt with, the populations of these countries, including their museums and archaeological communities, will not be moved towards bicultural attitudes and repatriation will continue to be a flash point for conflict and antagonism.

The future of museums in the wake of repatriation

When many archaeologists and museum personnel around the world view repatriation and reburial of human remains to be a threat to their institutions and the very knowledge they stand for, they are in fact missing a critical and exciting opportunity. By repatriating remains they are taking an important step towards redressing serious issues of cultural ownership and breaking down the barriers that have been constructed over centuries between themselves and the very cultures they claim to represent and interpret.

By using repatriation as a first step, museums can form partnerships with representative groups of those cultures (such as *tangata whenua* in New Zealand), and ultimately reinvigorate and maintain the relevance of their collections. When a museum enters into an exchange of knowledge with indigenous groups, both sides stand to gain substantially. Museums can obtain deeper, contextual interpretation of their collections, and include reference to the modern descendants of those who made them, increasing the relevance of the collection to the world today. Indigenous groups can regain knowledge of the meaning, use and manufacture of objects and aspects of their cultures that are no longer common, and ensure that their cultures are presented to the rest of the world appropriately. In New Zealand there is the hope that such partnerships could also be a way to reconnect community members who have become alienated from their ancestral culture, further strengthening the community (Tapsell, 1998: 154).

Unless museums begin to reflect the increasingly global world in which cultures are mixing and learning to work together on a scale never seen before, they run the risk of losing their relevance in the present, becoming little more than showcases of outdated world-views in themselves.

Notes

¹ Manning (1863: 68).

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