

**Mercedes  
Vicente<sup>1</sup>**

Royal College of Art,  
Critical & Historical  
Studies,  
London, UK

## **A RIVER WITH STANDING: INDIGENOUS EPISTEMOLOGIES AND ARTISTIC COLLABORATIONS**

“It matters what ideas we use to think other ideas with.”

-Marilyn Strathern

I felt bewilderment and hope when reading in *The Guardian*, in 2017, that the Whanganui River in Aotearoa New Zealand had been granted legal standing or personhood rights. What did it mean? What might be the political impact of such a legal status on our current ecological crisis? Could this halt the course of capitalist encroachment on nature and its resources?

First, I would like to state that I do not speak for Indigenous peoples—or for the Māori to be more specific—nor from the vantage point of some-

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<sup>1</sup> Visiting Lecturer at the Royal College of Art, Critical & Historical Studies, London, UK.

one with these particular forms of knowledge. Having lived in Aotearoa New Zealand for eight years, my contribution is as an outsider from a position of affinity, looking into epistemologies that are not my own. This outsider position is, however, one I wear by now with familiarity, after living among different cultures and languages in other countries for much longer than in my own. This statement is not to justify my presence here; it is a stated awareness of stepping into someone else's territory with a willingness to learn with, alongside, *not about but from*, difference. I am well aware that it not only "matters what ideas one uses to think other ideas with", but also that thinking must be conducted with response-ability. Further, I write in the hope that this thinking may foster transcultural exchanges and alliances as citizens, using Melissa Williams notion of "citizenship as shared fate", that is, rejecting the notion of a singular citizen identity, for a citizenship that recognises difference among cultural groups bound by a shared fate.<sup>2</sup>

With this in mind, and returning to Strathern, here is an idea to think other ideas with: "*Ko au te awa, Ko te awa ko au*" / "I am the River, and the River is Me".

In 2017, the Whanganui River became the first river in the world bestowed with personhood rights, in recognition of Māori's kinship to the river, which they consider their ancestor. Equally, they see themselves not as masters of, but rather part of, the universe and as equals to the mountains, the rivers, and the seas. The river is of spiritual

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<sup>2</sup> Williams, Melissa S. (2005). Citizenship as Identity, Citizenship as Shared Fate, and the Functions of Multicultural Education. In McDonough, Kevin and Feinberg, Walter (Eds.), *Citizenship and Education in Liberal-Democratic Societies: Teaching for Cosmopolitan Values and Collective Identities*. Oxford: Oxford Scholarship Online.



**[Fig. 1].** Whanganui River, Aotearoa New Zealand, 2008. Source: Wikimedia Commons under Creative Commons Attribution-Share Alike 4.0 International licence.

importance for the Māori; it is considered *taonga* (treasure). The Te Awa Tupua Bill reflects the Whanganui tribe worldview that sees the river “as a living whole that stretches from the mountains to the sea, including its physical and metaphysical elements”.<sup>3</sup>

This alignment of Indigenous epistemologies and the legal realm shifts Western anthropocentric legislation based on human sovereignty over nature, and adopts a biocentric integration of humans with their environment. This law not only redresses Māori sovereignty and protects the river. It identifies legally, for the first time, an epistemic

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<sup>3</sup> Te Tari Tohutohu Pāremata, Parliamentary Counsel Office. (2016). *Te Awa Tupua (Whanganui River Claims Settlement) Bill*. Retrieved from: <http://www.legislation.govt.nz/bill/government/2016/0129/6.0/d56e2.html>.

order that extends the social contract that had excluded nature, establishing, in Michel Serres' terms, a "natural contract".<sup>4</sup>

Earlier this year, I gave a presentation that looked at this case from its legal perspective. It offered a comparative approach to other legislated rights of nature (such as the Constitutions of Ecuador and Bolivia) and other rivers in the world that have subsequently attained equal rights (Ganges and Yamuna in India and Atrato in Colombia).<sup>5</sup> I was examining the alignment of Indigenous rights and the rights of nature in light of Naomi Klein's argument that these rights represent the last line of defence in our environmental crisis and could "actually change everything", suggesting not just an environmental but a systemic change.<sup>6</sup>

Today my focus is on the Māori epistemological premises of this case, explored through artistic practices that engage in land rights and the rights of nature in Aotearoa New Zealand. Through connected case studies, I reflect on the evolution of Māori political and cultural debates, as well as on some of the ethical concerns, drawing from the work of early video artist Darcy Lange and contemporary artists Nova Paul and Natalie Robertson.

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<sup>4</sup> Serres, Michel. (1995). *The Natural Contract*. Ann Arbor: University of Michigan Press.

<sup>5</sup> O'Donnell, Erin L. and Talbot-Jones, Julia. (2018). Creating Legal Rights for Rivers: Lessons from Australia, New Zealand, and India. *Ecology and Society*, 23 (1), 7. <https://doi.org/10.5751/ES-09854-230107>, paragraph 27.

<sup>6</sup> Klein, Naomi. (2014). You and What Army? Indigenous Rights and the Power of Keeping Our World. In *This Changes Everything* (367-387). London: Penguin Random House.

## Context

The legal personhood of the Whanganui River was achieved as part of the Treaty of Waitangi settlement, the country's constitutional document signed by the British Crown and Māori chiefs in 1840. This prolonged litigation case lasted nearly 150 years. It was the culmination of a longstanding history of Māori political struggles that blossomed with intensifying political consciousness and resistance in the 1970s and 80s, during what came to be known as the "Māori Renaissance".

This movement sought Indigenous self-determination, standing against colonialism and its enclosures of Māori land. It was fuelled by the formation of Māori activist groups and a string of land occupations and marches, including the 1975 Land March, Bastion Point (1977-78), and the annual protests on Waitangi Day commemorating the Treaty. It led to the establishment of the Waitangi Tribunal in 1975, a permanent commission for land claims that breach the Treaty.<sup>7</sup>

## Darcy Lange

In his *Māori Land Project* (1977-80), Pākehā (European descendant) artist Darcy Lange joined the efforts of Māori activists and fellow documentarians to raise awareness and mobilise support for their land rights. He collaborated closely with Māori activist and photographer John Miller (Ngāpuhi and English-Scottish descendant). The project documented two cases of land alienation: Bastion Point and the Ngāti Hine land block. The former was Māori land confiscated by the Government in 1840 and later gifted to the Auckland City Council to be sold for

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<sup>7</sup> Derby, Mark. (2011). Māori-Pākehā Relations - Māori Renaissance. In *Te Ara, The Encyclopedia of New Zealand*. Retrieved from: <http://www.teara.govt.nz/en/Māori-pakeha-relations/page-6>.

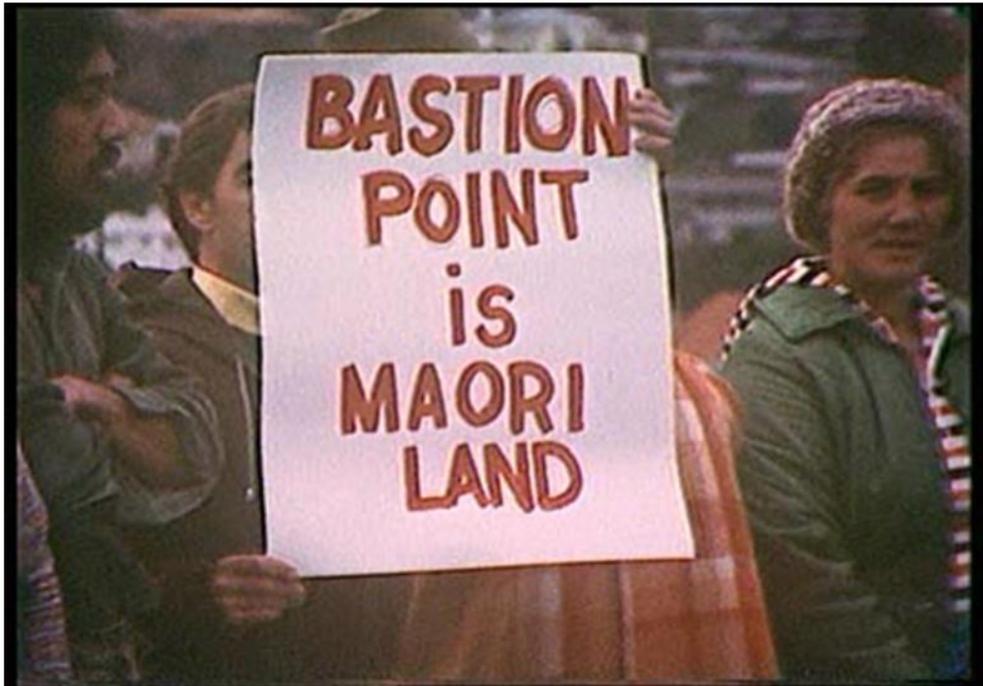


[Fig. 2]. John Miller, *The Maori Land March on the Wellington Motorway*, (October 13, 1975), 1975.

real estate development. The latter involved a legal dispute in stopping the land from being leased by a forestry corporation.

The occupation of Bastion Point led by Ngāti Whātua-o-Ōrākei lasted over sixteen months. It became one of the most public cases of Māori political action that polarised the country. The eviction day was captured in Māori filmmaker Merata Mita's documentary *Bastion Point Day 507* (1980). In 1991, the Government returned the land to the local tribe as part of the Treaty settlement.

Spending time with the Ngāti Whātua members and activist supporters during the rather uneventful winter months, Lange portrayed their daily



[Fig. 3]. Darcy Lange, *Maori Land Project*, 1977-80.

lives while living communally in the intimacy of the *marae* (meeting house). His video-making aligned with Māori filmmaker Barry Barclay's notion of "the camera being a listener". Barclay believed that "to be Māori, you must first be a listener" and follow the democratic model of the *hui* (meeting) in the *marae* where everyone has a voice. Barclay promoted the Indigenous notion of the "*hui* as filmmaking"; in his words, "the camera can act with dignity at a *hui*", promoting "a certain restraint, a feeling of being comfortable with sitting back a little and listening".<sup>8</sup> He notes: "the filmmaker is faced with the challenge of how to respect this age-old process of discussion and decision-making while using the technology within a climate which so often demands precision and answers".<sup>9</sup> Lange's real-time video-making, like Barclay's, let people speak without editorialising, end-slanted scenes in order to allow conver-

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<sup>8</sup> Barclay, Barry. (1990). *Our Own Image: A Story of a Māori Filmmaker*. Auckland: Shoal Bay Press, 18.

<sup>9</sup> Barclay, *Our Own Image*, 9.

sations to begin organically, and valued the “talking head” over voice-overs.

The high visibility of Māori activism in the 1970s demanded Māori self-determination, linguistic and cultural revitalisation, and created a paradigmatic shift in how the nation was conceived.<sup>10</sup> Brendan Hokowhitu argues that the term *tangata whenua* (people of the land) became increasingly significant as a tool for the identity politics of the 1990s. Not only did it emphasise the interconnectedness of the Māori to the land (*whenua* also means placenta), but it also highlighted the increasing importance of “indigeneity” to Māori rights, a term that became vital to “nationalis[ing] Indigenous political agency”.<sup>11</sup>



[Fig. 4]. Barry Barclay, *Tangata Whenua*, 1975.

<sup>10</sup> Hokowhitu, Brendan and Devadas, Vijay. (2013). Introduction. *The Fourth Eye: Māori Media in Aotearoa New Zealand*. Minneapolis: University of Minnesota Press, xxiii.

<sup>11</sup> Hokowhitu and Devadas, Introduction, xx.



[Fig. 5]. Merata Mita, *Bastion Point: Day 507*, 1980.

The documentaries made by Pākehā and Māori filmmakers, often in collaboration, including Barry Barclay's television series *Tangata Whenua* (1974), Leon Narbey and Geoff Stevens' *The Māori Land March* (1975), Chris Strewé's *Waitangi: The Story of A Treaty and Its Inheritors* (1977), and Merata Mita, Leon Narbey and Gerd Pohlmann's *Bastion Point Day 507* (1980), captured this political climate.

Today, the cultural debates and artistic practices have moved away from the representation of the liberation struggles and identity politics of the earlier period. Many contemporary Māori artists situate themselves in a binding relation to their communities of origin. Their artistic practices are anchored in their intimate connections to place and *taonga*, underpin *kaupapa* Māori—working through and from the position of Māori customary practices, principles and ideologies—, and adopt *tikanga* Māori (Māori ethical protocols).

The ancestral and metaphysical connection and the pre-eminence of place in Māori epistemic knowledge is based on *whakapapa*. *Whakapapa* means the genealogical lines that provide the relationships between all things. It is the backbone of Māori epistemology and extends to the ancestral period in the manner of more familiar genealogies.<sup>12</sup> Tuhourangi and Ngāti Whanaunga theorist Carl Mika, in his essay “The Thing’s Revelation”, explains that the term *whakapapa*—*whaka* means ‘to become’ and *papa* ‘earth mother’—is “immediately and inextricably enmeshed with the notion of ‘earth mother’ (Papa)”.<sup>13</sup>

### Nova Paul

In her film *Ko te ripo* (2018), Nova Paul draws from her tribal place. Her filmmaking is negotiated with, and finds guidance from, her hapū (sub-tribe) and whānau (family). A single, frontal middle shot frames her cousin, oral historian Dinah Paul, reading extracts of the document she gave as evidence for the Treaty of Waitangi claims. She is seated on a rock at the foot of Whatitiri *maunga* (mountain) overlooking thousands of acres of the *hapū* land confiscated by the Crown. She describes the loss of her hapū land under the jurisdiction of colonial law and the impact on her community. Dinah Paul’s *kōrero* (conversation) of historical land court knowledge is woven into the *whakapapa* connections.

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<sup>12</sup> Williams, Jim. (2010). Towards a Model for Indigenous Research. In Hokowhitu, Brendan; Kermoal, Natalie; Andersen, Chris et al. (Eds.). *Indigenous Identity and Resistance: Researching the Diversity of Knowledge* (107-123). Dunedin: Otago University Press, 117.

<sup>13</sup> Mika, Carl. (2015). The Thing’s Revelation: Some Thoughts on Māori Philosophical Research. In L. Pihama, K. Southey, and S.-J. Tiakiwai (Eds.). *Kaupapa Rangahau: A Reader, A Collection of Readings from the Kaupapa Māori Research Workshop Series* (55-62). Hamilton, New Zealand: The University of Waikato, 58.



[Fig. 6]. Nova Paul, *Ko te ripo*, 2018.

Presented alongside *Ko te ripo* is the film *Ko ahau te wai, ko te wai ko ahau* (I Am the Water, the Water Is Me) (2018). Following Dinah Paul's guidance to walk down the waterways of the Waipao *puna* (stream) in her ancestral land, Nova Paul filmed the Waipao stream while walking its meandering trajectory. In this intimate sensory immersion, capturing in the film the sounds of birdsong and burbling flowing water through rocks and branches, the stream manifests itself as a holistic entity. Dinah Paul notes that in walking the *puna* (stream), the *puna* microcosms and our part within it comes to light. Mika reminds us that for Māori, things are not passive; "they are instead animate and creative, having a much greater impact on the self than would be credited in dominant rational discourse".<sup>14</sup>

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<sup>14</sup> Mika, *The Thing's Revelation*, 57.



[Fig. 7]. Nova Paul, *Ko ahau te wai, ko te wai ko ahau*, 2018.

The film's embodied experience renders an instantiation of the river—it is 'evidence' of another kind. As Stephen Turner writes, "Land and water elements make present a holistic and non-legalisable being, which insists, irrespective of dispute, on its own passageway, and, in the time of its movement, on the right-of-way, as [Barry] Barclay would say, of kaitiaki [guardianship for the sky, the sea and the land]".<sup>15</sup> Nova Paul's films assert her *hapū* connection to the land and the sovereignty over the Waipao water. This is affirmed twofold: by discursive means through the *kōrero*; and by the film embodying, as a metaphysical extension of the body to the river—"filming through my feet"—, the *whakapapa* lineage between Nova Paul and her ancestral *puna*. The latter, animating and activating its *taonga* processes of relationality and aliveness.

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<sup>15</sup> Turner, Stephen. (2018). *Walking the Shore - From the Shore*, Te Uru Waitakere Contemporary Gallery, 1 Sept-4 Nov 2018. Curated by Ioana Gordon-Smith. *Circuit*. *Walking the Shore - From the Shore*, Te Uru Waitakere Contemporary Gallery, 1 Sept - 4 Nov 2018. Curated by Ioana Gordon-Smith [last accessed 20 October 2019].

Ngāti Raukawa writer Cassandra Barnett explains the notion of *taonga* for Māori, which means ‘valuables or treasure things’. *Taonga* can be considered “animate and alive because they instantiate ancestral *hau* (life breath), *mauri* (life force) and *mana* (spiritual power) in the present”.<sup>16</sup> Barnett stresses that “taonga, like people, as people, are the living presence of ancestral lines of descent and relation”.<sup>17</sup> Māori cosmology emphasises the interconnectedness of all things. Mika argues that “the thing in its most basic sense is like the self: it is immediately connected to everything else”; further, “the self can be thought of as amongst those things whilst being constituted by them”.<sup>18</sup> Therefore, in Māori worldview, there is an understanding that all things proceed from a common primal source. See, ‘I am the river, the river is me’.

### **Natalie Robertson**

Much of Natalie Robertson’s recent photographic and moving image practice is firmly based on her Ngāti Porou tribal homeland, Te Tai Rāwhiti, in the North Island’s East Cape. A trustee of the land, her lens has focused on her ancestral Waiapu River watershed and coastal foreshore, capturing visual evidence of the impact that deforestation and agriculture has had on the river since 1890. She describes her photographic activity as responding to the colonial eco-crises: “Visualizing the slow catastrophe (Rob Nixon 2013) seems such a slight gesture

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<sup>16</sup> Barnett, Cassandra. (2017). Te Tuna-Whiri: The Knot of Eels. In Braddock, Christopher (Ed.), *Animism in Art and Performance* (23-44). London and New York: Palgrave McMillan, 24.

<sup>17</sup> Barnett, Te Tuna-Whiri, 29.

<sup>18</sup> Mika, *The Thing’s Revelation*, 61 and 64.



[Fig. 8]. Natalie Robertson, *Rangitukia Hikoi 0-14*, 2016-17.

towards healing the mauri of the river, a place that has had its entire ecosystem massively disrupted”.<sup>19</sup> In 2014, the Ngāti Porou tribe signed the Waiapu River Accord and are working towards a one-hundred-year revitalisation project of the river.

Adopting different documentary techniques, Robertson has recorded the living state of the river. In *Takutai Moana – Rangitukia Hikoi 0-14* (2016-17) she pegged out 21 markers at five-meter intervals along 100 meters of the Rangitukia beach, photographing daily over a week the changing environment. The increasing driftwood caused by the deforestation of native bush and sand in coastal accretion, as sediment flows out of the river mouth, has been widening the river and shifting its direction. For Robertson, this immersive document of *takutai moana* (the marine and

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<sup>19</sup> Robertson, Natalie. (2017). Activating Photographic Mana Rangatiratanga through Kōrero. In Braddock, Chris (Ed.). *Animism in Art and Performance* (45-65). London: Palgrave Macmillan, 60.



[Fig. 9]. Natalie Robertson, *Waiapu River Confluence to Sea 22 Kilometers*, 2017.

coastal area) is forensic evidence of the physical state of the landscape. It is also heritage, “a visual repository to be handed on to tribal descendants, so we have a record of the river for the future”.<sup>20</sup>

Robertson draws on her tribal lore from historical archives and oral customs. In her 2017 exhibition *He wai mou! He wai mau!*, roughly translated as “Water for you, Papatuanuku, water for us, humankind!”—there is a video shot by a drone, *Waiapu River Confluence to Sea 22 Kilometers*, 2017 (25:40 minutes). Robertson follows a journey through the river, inspired by a *mōteatea* (lament), which forms the sound track, sung by Rhonda Tibble. This *mōteatea* tells the story of Pahoe, the younger brother of Te Arakirangi and son of Tanehuruaō, a chief of the Whanau-a-Hinetāpora tribe, who went to the Waiapu river after flooding, despite warnings, and drowned. His body was cast ashore at the river mouth entangled in driftwood. For Robertson, this *mōteatea* activates the *taonga*; it is an invitation to act as “a search party following Pahoe, looking for him, and noting the environmental changes that occur

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<sup>20</sup> Robertson, *Activating Photographic Mana*, 60.

as we do so”.<sup>21</sup> Through the *mōteatea*, like *kōrero*, the tribal narrative of the past traverses the work, breathing ancestral *hau* into the present.

To conclude, Linda Tuhiwai Smith (Ngāti Awa and Ngāti Porou) reminds us that knowledge contributes to a person’s power and status; knowledge should thus not be demanded, nor expected when requested. The desire to know, even if well-intended, can imply entitlement. Knowledge should be gained only by being given.<sup>22</sup>

For an outsider like me, limited understanding is epistemologically inevitable. Levinas warrants that ‘knowing’ the other means making the other the object of my comprehension, my narrative, thus reabsorbing the alterity of the other into my own identity.<sup>23</sup> In order not to obliterate the other, Alison Jones proposes one must not learn *about* the other, but learn *from* the other, *from* difference, *from* the indigene-colonizer hyphen, from a relationship based on the tension of difference, not on its erasure.<sup>24</sup> The nature of kinships and relational ties between people, animate and inanimate worlds, and the values of care and trust, are indeed vital lessons to be learnt *from* the Māori.

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<sup>21</sup> Natalie Robertson website, <https://natalierobertson.weebly.com/news.html> [last accessed 20 October 2019].

<sup>22</sup> Tuhiwai Smith, Linda. (1999). *Decolonizing Methodologies: Research and Indigenous Peoples*. London: Zed Books.

<sup>23</sup> Levinas, Emmanuel. (1961). *Totality and Infinity: An Essay on Exteriority*. Pittsburgh, PA: Duquesne University Press.

<sup>24</sup> Jones, Alison with Jenkins, Kuni. (2008). Rethinking Collaboration: Working the Indigene-Colonizer Hyphen. In Denzin, Norman; Lincoln, Yvonna and Tuhiwai Smith, Linda (Eds.). *Handbook of Critical and Indigenous Methodologies* (471-486). Los Angeles, London: SAGE.

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