

## ***Maori Television***

### ***Literature Review***

Extract taken from: Report To Te Māngai Pāho And Aotearoa Television Network, From The Research Unit For Māori Education, In Regard To The Monitoring And Evaluation Of The Māori Television Pilot Project

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#### **INTRODUCTION**

This literature review provides a discussion of areas related to the qualitative research undertaken by members of the research team. The majority of these areas have been selected primarily in line with a need to position Māori Television and the Māori Television Pilot Project within the wider context of historical, cultural and societal relations. Other areas were selected for discussion because of a need to highlight their importance and identify areas that require particular attention in order for Māori Television developments to cater to the needs of particular audiences, an example of this in particular is the area of Children's programming.

The literature review is divided in to two clear sections (i) discussions of issues related to the wider context of Māori development and Māori Television and (ii) highlighting particular interest areas. These sections do not sit isolated but are inter-related and therefore need to be read with this in mind. Discussion of Children's programming for Māori children can not be divorced from the issues related to the survival and retention of Te Reo Māori me ona Tikanga, and nor should they be.

#### **SOME HISTORICAL CONSIDERATIONS**

In order to fully comprehend the intensity of the call for the development of Māori Television there is a need for reflection upon historical relationships that have been developed, in particular between Māori and Pakeha peoples, and the ways in which these have impacted upon the development of key institutions in this country, including the institution of Broadcasting. This section outlines some of the historical events in relation to Te Reo Māori me ona Tikanga that have led to a position whereby Māori people are struggling for the retention of Te Reo Māori.

#### **BRITISH COLONISATION OF AOTEAROA**

The colonisation of Aotearoa meant the imposition upon Māori people as Tangata Whenua of a range of institutions that were founded in Britain and therefore had little relationship to this land. Numerous authors have written on the impact of colonisation and the subsequent fragmentation of many of the existing Whanau, Hapu and Iwi structures (Kawharu 1977 , Walker 1984, Salmond 1991, Simon, J. & Smith, L.T. 1990). There has also been discussion of the ways in which Māori people and communities sought to resist many of the changes that were seen as detrimental to them (Smith, G.H. 1988 , Pihama 1993, Walker 1994, Huata 1992). It is important that the institutions involved in the future development of Māori Television maintain an awareness of the historical events that have led to a need for Māori

people to call for a separate Māori Television network, as to deny the existence of these historical events would be detrimental to ongoing developments.

It is also important to recognise that Māori people have for many years articulated the need for Māori to have the opportunities and access to resources that will enable the revitalisation of Te Reo Māori me ona Tikanga. The call for the establishment of Māori Television may be viewed in context of these expressions.

## **TE REO MĀORI ME ONA TIKANGA AND EDUCATION**

Historically schooling for Māori was established as a means of social control and a vehicle through which Māori were to be ‘civilised’ into ways of being that were distinctively British (Simon 1992). Māori involvement in schooling was viewed by early settlers as a means through which Māori people would learn appropriate ways of operating in the colonial society that was developing (The New Zealander, December 12, 1846).

Missionary schools began with the establishment of a school in Rangihoua in 1816 under the umbrella of the Church Missionary Society (CMS). These schools were to provide for dual objectives of both ‘christianising’ and ‘civilising’ Māori people (Binney, J. 1968). Clearly, from the outset the institution of schooling was designed to be a vehicle for the assimilation of Māori people in line with settler defined agendas. This point, and the strategies put in place, have been documented by a range of educationalists and academics (Walker, R. 1986, Smith, L.T. 1986, 1991, Smith, G.H., 1986, 1990, Irwin, 1988). The shift of schooling from the control of the Missionaries to the colonial settler government first occurred in 1847, through the Education Ordinance. It was at this point that the systematic denial of Te Reo Māori became evident within legislation. Included within the 1847 Education Ordinance was a requirement for instruction, of Māori, in the English language.

The 1867 Native School Act further entrenched the legislative attack on Te Reo Māori through the imposition of the following principle:

*21. No schools shall receive any grant unless it is shown to be to the satisfaction of the Colonial secretary by the report of the inspector or otherwise as the Colonial secretary shall think fit that the English language and the ordinary subjects of primary English education are taught by a competent teacher and the instruction is carried on in English language as far as practicable. (Statutes of New Zealand, 1867:467-71)*

Section 21 shifted the focus of the 1847 Education Ordinance from one of instruction in English to English becoming the mode of instruction. A subtle but powerful shift. The intention of the shift is highlighted in the Parliamentary Debates and summarised here in a statement from Hugh Carleton (Inspector of Native Schools)

*They could never civilise them through the medium of a language [Māori] that was imperfect as a medium of thought. If they attempted it, failure was inevitable; and civilisation could only eventually be carried out by a means of a perfect language [English]. (N.Z. Parliamentary Debates, 1867)*

Through the institution of schooling English was promoted as the ‘superior’ medium of communication (Walker 1986). This was in line with the assimilation agenda so readily stated by Carleton. With English being located as a ‘superior’ language to that of Te Reo Māori, there also came hand-in-hand the notion that the British culture was also superior, and with it the values, social, cultural and moral belief systems and structures (Spoonley 1988). The ongoing denial of Te Reo Māori in schooling meant that by 1953 less than 26% of Māori

schoolchildren could speak Māori, this again fell dramatically in 1975 to less than 5% (Biggs, Dr B. cited in Wai 11). According to the Tribunal findings<sup>1</sup> the decline in speakers of Te Reo Māori is located not solely in schooling but is an outcome of the interaction between institutions and societal structures. It is noted:

*These figures show how effective has been the educational policy that has operated in a social climate where children hear nothing but English on all sides - at the Cinema, on radio and television, and in their ordinary social and school life. (Wai 11:17)*

Where historically Te Reo Māori me ona Tikanga was not considered appropriate in the public domain of schooling, and was increasingly restricted to the private domain of the home (Smith, L.T. 1989), the impact of colonial discourses also came to bear upon Māori people in the 'private' domains, with the power of anti-Te Reo Māori ideologies being so powerful that many Māori people stopped speaking their own language in their homes, or at least to their children.

The struggle by Māori interests to revitalise Te Reo Māori me ona Tikanga is now being documented. The Waitangi Tribunal report related to Te Reo Māori (Wai 11) highlighted the abysmal position of Te Reo Māori in schooling. At both the level of the 'public' and the 'private' domains the power of English is evident, as is the power of television as a carrier of English into Māori homes. Research related to Te Reo Māori and educational institutions is extremely relevant to the development of Māori Television, and its role in language survival and revival, as Sir Kingi Ihaka, a key proponent of the revival of Te Reo Māori, stated in a hui related to broadcasting:

*"...a language will be maintained by a community that uses it, and lost to a community that stops using it, for whatever reason...Speakers, no matter how dedicated to the cause of language maintenance, need institutions to support their language use" (Sir Kingi Ihaka cited in Ministry of Commerce 1991a:7)*

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<sup>1</sup> Waitangi Tribunal findings in relation to Te Reo Māori and Broadcasting are noted in depth in this Chapter.

## TE TIRITI O WAITANGI

The Treaty of Waitangi is located as a cornerstone in the relationships between Māori and Pakeha. The position taken by the research team is that Māori were assured the maintenance of Tino Rangatiratanga by the Treaty. The notion of Tino Rangatiratanga has been located by various groups in a range of ways. We do not intend to engage in a debate related to those definitions rather we intend to clearly identify our position in regard to the Treaty of Waitangi as it is a document that impacts on the development of Māori Television in many ways.

This report is premised on the notion that Māori, through the Treaty of Waitangi sought to affirm their position as Tangata Whenua in this country and therefore affirm all of those things that are intrinsic to being Māori. This is clearly expressed in the inclusion of the statement:

*“Ko te kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu ki nga tangata katoa o nu Tirani te tino rangatiratanga o o ratou wenua, o ratou kainga , me o ratou taonga katoa.”*

Whether this is termed Tino Rangatiratanga, Māori Sovereignty, Mana Māori Motuhake the message remains the same, injustices must be addressed and in order for that to happen the Crown as a Treaty partner must honour its obligations. This is stated succinctly by Professor Hirini Moko Mead:

*“We believe that we have rights to airwaves and our rights come not only from the Treaty of Waitangi, but also from being people of the land, the indigenous people. We have what are called aboriginal rights as well as Treaty rights.” (Mead, H.,1990:62)*

The position taken, by Professor Mead, then locates the rights of Māori people to Māori television services at the level of both the Treaty of Waitangi and Tāngata Whenua status. Where the Treaty position is actively debated there is rarely discussion by the Crown that talks to the fact that Māori have Tāngata Whenua rights. Also the Treaty discussion related to broadcasting has focused primarily at the level of establishment of Māori Television, programming etc, however there are wider considerations, for example, that relate to issues such as the positioning of transmitters on Māori land or on maunga that have great significance to Māori. These are aspects of the relationship to Māori broadcasting and the Treaty of Waitangi that have yet to be explored, but which require attention.

There is a growing body of literature and research regarding the Treaty of Waitangi which seeks to locate the document in both its historical and contemporary context, which affirms our position. Cases from the Waitangi Tribunal also affirm such a position, therefore we do not seek to provide depth generalised discussion. Instead we will locate the discussion of the Treaty of Waitangi alongside the long running debate regarding Māori Broadcasting. This is provided through a commissioned paper that is located in this Chapter. In order to context that discussion we move firstly to a general overview of the development of Māori Television.

## TRACING KEY EVENTS IN THE DEVELOPMENT OF MĀORI TELEVISION

### A BRIEF HISTORY OF TELEVISION IN AOTEAROA

The history of radio broadcasting reaches back to 1903 when an Act was passed to legislate 'wireless telegraphy'. Early radio broadcasts began in 1921-22 in Otago. Radio developed through the 1920s and in 1925 the Radio Broadcasting Company of New Zealand, followed by the establishment of the National Broadcasting Service in 1932 (Broatch, M., 1991:20).

The development of broadcasting in this country is identified by Yeabsley et.al. as beginning with the establishment in 1930 of a Broadcasting Board by the United Party and the setting up of the National Broadcasting Service as a government department by the Labour government of 1935. From that point on there was a gradual growth in the involvement of the State in the control and development of broadcasting. According to Dr Helen Wilson (1992) broadcasting in this country has been monopolised by the State since 1936 with the move from the then Labour government to nationalise 22 'B' class radio stations, and in doing so establish the New Zealand Broadcasting System (later to be known as the New Zealand Broadcasting Commission or NZBC).

In 1949 the government established an interdepartmental committee to look into the development of television and its relevance to this country. Hugh Rennie (1990) notes that this committee then reported back eight years later that "we should have it" (ibid.:26). Television began in 1960 under the control of the New Zealand Broadcasting System (Yeabsley et.al., 1994).

Television in Aotearoa began in 1960 and is described by Mark Broatch (1991:21) "*as a structure of four partly linked regional stations*". Nine years later, in 1969 these four regional services came together to establish a national network. Broatch notes that a second channel was initially proposed in 1964 and finally came to air in 1975.

The growth of television broadcasting in Aotearoa has been rapid, with the establishment of the second television channel, followed by the third channel in 1989, the development of Pay-television with the Sky Network from 1990 and a number of regional channels on UHF frequencies over the past five years, with Canterbury TV leading that movement in 1991 (ibid.:21-22).

A third television channel warrant was issued to TV3 by the Broadcasting Tribunal in 1987 after lengthy hearings, which included a bid from Māori interests through Aotearoa Broadcasting System<sup>2</sup>. In May 1990 Sky TV was established with major investment from TVNZ.

In investigating the developments within television broadcasting through the 1980's and 1990's, Mark Broatch notes that there was a shift in the location of control in broadcasting. The implications of which he describes as follows:

*"From almost complete state control of the airwaves two decades ago, New Zealand broadcasting has moved to a position of almost total deregulation. There is no legislative specifications for programming and no local content quotas. Frequencies have been sold off to the highest bidders in 20-year rights. Foreign companies may now own 100% of local broadcasters (a 1991*

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<sup>2</sup> The decision surrounding the Third Channel warrant is explored in more detail in the following section titled 'Establishing the Third Channel and Māori attempts for National Māori Television'.

*amendment). The public television company's (TVNZ) first concern is a profit directive, under the SOE Act; the second is overall success in its field, and its later priorities are public service and social responsibility." (Broatch, M., 1991:23)*

In a series of workshops on broadcasting, the former Minister of Broadcasting Jonathan Hunt (1990:8) states that the multiple roles stated in the SOE Act are possible:

*"Each organisation was given clear commercial objectives and required to operate as a successful commercial business (and they have), at the same time reflecting New Zealand's identity and culture and encouraging New Zealand performance"*

However, for many others involved in broadcasting, it was clear that the primary objective of TVNZ as a State Owned Enterprise has been to operate under economic principals and therefore its 'social responsibility' role is not given priority. This is a point made by Hugh Rennie (1990:29) who notes that the increased influence of market driven philosophies and "*the philosophy of profit-seeking*" has meant a denial of the role of TVNZ in fulfilling its public service responsibilities.<sup>3</sup>

Attempts to stem the tide of market-driven philosophies have had little impact, even when recommendations were made through mechanisms of the State. Mark Broatch states that there have been a number of reports commissioned by successive New Zealand governments on television and the future of broadcasting, however any recommendations related to a prioritising of social responsibility have been "*gradually lost to an increasingly competitive, advertising-led system of inter-channel rivalry, created by the 1989 Broadcasting Act*" (Broatch,M.,1991:27).

The debate related to these issues is ongoing and there are major concerns related to the market-driven philosophies that determine what is shown on TVNZ and whose interests are served. These concerns reach in to the heart of the debate surrounding Māori Television, with prime indicators being the attempts by Māori to halt the sale of Public Assets in broadcasting for both television and radio.

## **ESTABLISHING THE THIRD CHANNEL AND MĀORI ATTEMPTS FOR NATIONAL MĀORI TELEVISION**

A critical event in the development of Māori Television was undoubtedly the application round to the Broadcasting Tribunal for the Third Channel Warrant. The literature surrounding the warrant suggests that Māori voices regarding the events surrounding the Tribunal have continued to be denied. A discussion of the course of events highlight that the Māori applicants Aotearoa Broadcasting System were significantly disadvantaged in their application due to actions of the BCNZ, in particular the withdrawal of financial support for the channel operations.

It is clearly shown within the documentation from Aotearoa Broadcasting System and Broadcasting Tribunal records, that the BCNZ withdrawal of financial backing meant the demise of the Aotearoa Broadcasting System case. Both the actual withdrawal itself, and the timing of this action effectively undermined the overall case placed by Aotearoa Broadcasting System in their submissions to the Broadcasting Tribunal warrant hearings.

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<sup>3</sup> The question as to whether TVNZ is able or willing to fulfil its social responsibility obligations has been raised by a number of Māori people and is discussed further in the sections related to Māori broadcasting.

The extent to which the denial of Māori voices continues is highlighted in a 1990 seminar given by Hugh Rennie. In that seminar Rennie (1990) noted that once the two channels had been established there was a need to look toward a third channel “*that would empower Māori*” (ibid.:26). This, he states, was a need identified by BCNZ when it chose to support the Aotearoa Broadcasting System’s application for the third channel warrant. However he goes on to state that the eventual withdrawal of the BCNZ support was due to Aotearoa Broadcasting System not showing the government and tribal support it said it had. The statement related to tribal support was clearly erroneous, as the correspondence from BCNZ to Aotearoa Broadcasting System highlights. The following quote is taken directly from the notification sent to Aotearoa Broadcasting System from the BCNZ announcing its withdrawal from their commitment to back the Third Channel warrant application, the correspondence was signed by Hugh Rennie as Chairperson of BCNZ.

*“The support you have obtained - from the Māori Council, Kohanga Reo Trust, tribal authorities, and over 2,000 individual members of ABS must be acknowledged.” (BCNZ TO Aotearoa Broadcasting System, 2 September 1985)*

What was identified in Hugh Rennie’s seminar and the BCNZ documentation was that the government of the day failed to provide the necessary support. Therefore, both BCNZ as a government agency and the Crown generally, failed to actively support what could have effectively been the Crown’s opportunity to begin to meet its Treaty of Waitangi obligations. As the BCNZ correspondence notes:

*“Your efforts to obtain this (capital and operating requirements) were well within the power of government to make possible; but during our discussions with you it has become clear that that will not occur without a major change in government policies.” (BCNZ TO Aotearoa Broadcasting System, 2 September 1985)*

The lack of support from the government and BCNZ meant the eventual failure of Aotearoa Broadcasting System to secure the Third Channel warrant. At best this could be considered a lost opportunity for the development of Māori Television.

What is evident from the Aotearoa Broadcasting System application is that there was major Māori support for the establishment of a National Māori Television service. It is clear from both the quantitative and qualitative data, collected by the research team, that the support for that goal remains in 1996. There is no debate over whether there should be Māori Television, the question is one of how it will be structured and controlled.

Many of the key arguments for Māori Television were laid in the application from Aotearoa Broadcasting System. The application by Aotearoa Broadcasting System for the Third Channel warrant may be seen as the outcome of cumulative Māori attempts for Māori access to broadcasting facilities and television time. Key arguments are outlined in Aotearoa Broadcasting System documentation, for example:

*“ TELEVISION AND MAORIDOM*

*Television holds a powerful pervasive and persuasive influence in Maoridom. It communicates information quickly, in a way that is easily understood and right into our homes and lives.*

*At present television is being run by Pakeha people and primarily for Pakeha people with little or no emphasis on Māori language, culture and values.*

*Less than 0.52% of television time is in Māori and/or on Māori topics.*

*Regrettably, the dominant presence of Pakeha language and culture on Television has had an extremely damaging effect on Māori language and culture.*

*The Treaty of Waitangi guaranteed to Māori people the full protection of their language, culture and other treasures. Māori people have waited a long time for the Treaty to be honoured, and for a fair deal in broadcasting and in other areas.” (Aotearoa Broadcasting System Information Brochure, November 30, 1985)*

The argument for Te Reo Māori me ona Tikanga to be actively promoted through the medium of television and the need for the Crown to meet its Treaty of Waitangi obligations remains. This continues to be expressed through a call for Māori controlled and determined Māori Television service.

As a final note in the discussion of the Third Channel warrant applications by the Broadcasting Tribunal we refer also to the obligations that were placed on the new warrant holder, TV3. These obligations related to Māori programming were outlined clearly by the Tribunal, under Section 11.2 (9) of their Decision, as follows:

*“The warrant holder shall be required to carry out its policy of “mainstreaming” in its presentation and programme production, and in particular shall have regard to the importance of reflecting a Māori dimension in programming and presentation. The warrant holder shall establish an internal monitoring system and shall report to the Tribunal when required on action taken to comply with this condition.” (Broadcasting Tribunal: Applications for Television Warrants and Television Programme Warrants -Decision, August 1987)*

The highlighting of this obligation is necessary in that it provides a further example of how “mainstream” media has been placed under conditions related to the provision of Māori programming and has failed to meet those requirements. TV3 has not provided for Māori dimensions over its 7 year broadcast period, furthermore there is no indication that any form of monitoring system is in place. Given this position, the argument that Māori programming needs are not provided for by the existing television channels becomes more evident.

## **MĀORI INTERESTS AND EXISTING NATIONAL CHANNELS.**

The establishment of Te Reo Maori programming on TVNZ has been a struggle for a range of Maori people (Fox 1990, Mita 1996). Regular Sunday morning programming has provided a ‘slot’ for Maori programming on TV1, however this is regularly taken off air for other activities deemed more important to the general audience, the Americas Cup and the Atlanta Olympics are two recent examples. Where there is an argument that increased funding for Māori programmes may ensure that Māori interests are catered for, there appears to be little faith in this position. It is noted that \$4.6 million is presently allocated to TVNZ by Te Māngai Pāho<sup>4</sup> for funding Māori programmes however these remain in, what is described as, ‘ghettoised’ timeslots, where there is limited potential for audience numbers.

There is little evidence that Māori interests can or will be catered for on existing channels. Data was collected for a 13 week period, including weeks between April 29-August 2, 1996 related to selected programmes broadcast by TVNZ and TV3. Although the data collected

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<sup>4</sup> Figures gained from Manutai Schuster on 27/8/96 on behalf of Te Māngai Pāho

was only approximations, it highlighted generally the limited amount of time provided to Māori programming. What was found over 13 weeks<sup>5</sup> of programming on TV1, TV2 and TV3 indicated that there is little active promotion of Te Reo Māori me ona Tikanga. Over 13 weeks a total of 31hours of Māori programming appeared of TV1, there was no Māori programming on either TV2 or TV3. Alongside these figures we estimated approximately 80 hours of Infomercials appeared on TV1 and 35.5 hours of Infomercials on TV3. There was approximately 23 hours of Arts programming on TV1 and 13 hours of similar programming on TV3. There was approximately 9 hours of Cartoons screened on TV1, an estimated, 255 hours on TV2, and 188.5 hours on TV3.

Although this data may be considered a ‘snapshot’ there is little doubt that it is a reflection of the bigger picture.

What is evident from these figures is that Māori programming is not a priority on any of the three existing national channels. Māori Producers and Directors have for some time challenged the lack of commitment of the ‘mainstream’ channels to cater for Māori and/or Māori perspectives on issues. Māori programming is deemed by Māori interests to be located in marginal positions in the schedule of TV1 and is seen to be non-existent on TV2 and TV3.

The following table taken from an article by Roger Horrocks identifies selected programmes and the growth over a 6 year period from 1988 - 1994.

	1988	1989	1990	1991	1992	1993	1994
Drama/Comedy	39	59	55	86	223	264	283
Sports	509	691	1653	1283	1735	1075	1531
News, C.Affs.	550	709	997	924	1009	1023	1087
Entertainment	292	458	528	525	886	588	364
Children’s	325	440	534	739	1264	1019	861
Chn’s Drama	12	21	25	20	33	27	2
Māori	131	144	143	111	163	170	156
Documentaries	43	36	107	139	175	190	207
Information	213	253	208	213	226	431	477
<b>Tot:Prime Time</b>	686	943	1889	1281	1640	1769	1821
<b>Tot: NZ Content</b>	2114	2881	4250	4040	5714	4787	4968
<b>% of Schedule</b>	<b>23.9</b>	<b>31.8</b>	<b>24.2</b>	<b>31.7</b>	<b>30.2</b>	<b>23.2</b>	<b>23.2</b>

Source: R. Horrocks, 1995

The inclusion of this table is to highlight that comparative to a range of other programme types, Maori programming has seen little growth. This further highlights the need for the ability of ‘mainstream’ channels to meet the needs of Maori. This does not deny the need for the existing national channels to provide for Māori interests, as both TVNZ and TV3 have social obligations to provide for these. TVNZ under their State Owned Enterprises legislation are to provide for their ‘social responsibilities’, which would include Māori interests and TV3’s warrant conditions that notes the holder of the warrant must show its ability to provide for Maori and to identify its systems of monitoring (Broadcasting Tribunal, 1987:142).

However, what has been argued by many Māori people is that the existing ‘mainstream’ channels have not provided for Māori interests.

<sup>5</sup> This included 13 weeks between the dates of April 27 - August 2, 1996

## **TE REO MÄORI ME ONA TIKANGA, TE TIRITI O WAITANGI AND BROADCASTING**

On 13th December 1988, proceedings were commenced by the New Zealand Mäori Council and Others to try and prevent the Crown transferring the assets of the former Broadcasting Corporation to the new State enterprises Radio New Zealand Ltd and Television New Zealand Ltd. Throughout the appeals the thread of the appellant's arguments remained consistent: that the restructuring of New Zealand broadcasting, and its consequent privatisation, would have a detrimental effect on the survival of Te Reo Mäori.

This discussion is structured into two parts. First, the legal rationale underpinning the decisions shall be discussed, focusing mainly on the outcome of the Privy Council case<sup>6</sup>. This will be examined in respect of the appellant's fears that the restructuring would retard the survival of Te Reo Mäori.

The main object of this report, though, is to highlight the very real and tangibly moral obligation that the Crown must discharge in protecting Te Reo Mäori through broadcasting. The Court of Appeal and subsequent Privy Council cases amply demonstrate, in their obiter, a clear onus on the Crown to actively protect and promote Te Reo Mäori as a taonga.

### **PART ONE: DECISIONS OF THE COURTS**

McGechan J presided initially over the case. On 3rd May 1991, he gave the first of two judgements. The outcome of his first judgement was the transfer of the radio assets by the Crown to the State enterprise. He adjourned the claim regarding the television assets so that the Crown would have the opportunity to develop policy to protect Te Reo Mäori should the assets be developed.

Mäori responded to these by indicating their willingness to agree, subject to some modifications. These centred mainly around the issue of guaranteeing Mäori access to mainstreaming, which had not been identified within the Cabinet proposals. Needless to say, the Crown rejected modification of or addition to its proposals.

After considering these proposals of protection advanced by the Crown, McGechan J gave a declaration on 29th July 1991, permitting the transfer of the television assets. Addressing the issue of mainstreaming, he indicated that it was beyond the Court to require the Crown to provide an "*additional major allocation*" of finances to allow this to happen. He perceived that there would be social consequences, too, in urgently allotting Mäori language the time on mainstream programming.

In the Court of Appeal Cooke P, in his dissenting judgement, concluded that the case turned on the point that "*to resign control of both programme content and assets is to leave the Treaty partner's language unprotected by the television system.*"<sup>7</sup> McKay J, however, considered that the restructuring was achieved by legislation and that this was beyond the challenge of the proceedings.<sup>8</sup> He believed that the only difference would be that the Crown would be no longer able to exert such an influence over the television channels.

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<sup>6</sup>NZ Mäori Council v AG [1994] 1 NZLR 513

<sup>7</sup>NZ Mäori Council v AG [1992] 2 NZLR 576 at 585

<sup>8</sup>ibid at 602

Further on, he indicated that the particular assets were not essential for Māori broadcasts as they were substitutable, at least to the extent of funding.<sup>9</sup> This could be achieved by replacing these particular assets with other assets of the same nature. Here, the broadcasting was contrasted with land, which, it was concluded, could not be substituted.

The appellant's argument, as the Privy Council saw it, was based entirely on section 9 of the State Owned Enterprises Act 1987. Section 9 reads as follows:

***Treaty of Waitangi** - Nothing in this Act shall permit the Crown to act in a manner that is inconsistent with the principles of the Treaty of Waitangi.*

The Court of Appeal held that its function was to identify the principles of the Treaty of Waitangi so that section 9 could be interpreted to determine whether the transfer of assets would infringe that section. The Court concluded that the transfer could not be prevented just because the Crown had already restructured in such a way that it might diminish its capacity to comply with the Treaty.

Sian Elias, counsel for the appellants, argued in the Privy Council that to introduce the approach adopted by the Court of Appeal regarding 'substitutability' meant that the Court had 'read down' section 9 of the Act. In response, the Privy Council said that the court could not apply the section in a vacuum, taking into account as it does the current circumstances, including any other legislation. This meant that the Crown, according to the Privy Council, could "*fulfil its obligations by using replacement assets.*"

Further, the Court argued, the Crown could have considerable control over the State enterprise.<sup>10</sup> Part of the decision of the Privy Council rested on this point - that the Crown's influence over the assets would not change drastically.

## **PART TWO - TREATY OBLIGATIONS**

The significance of Te Reo Māori was first acknowledged by an official Pakeha forum in 1986, with the Finding of the Waitangi Tribunal relating to Te Reo Māori. While it is not within the coverage of this report to highlight every significant characteristic of Te Reo outlined by the Te Reo Report, it is necessary to point to some of the more salient issues to describe the Crown's role in protecting Te Reo Māori.

Firstly, the Waitangi Tribunal found that the Māori language is "*the embodiment of the particular spiritual and mental concepts of the Māori.*"<sup>11</sup> It was not to be touted merely as a

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<sup>9</sup>ibid

<sup>10</sup>Section 7 of the State Owned Enterprises Act 1987 states:

**Non-commercial activities** - Where the Crown wishes a State enterprise to provide goods or services to any persons, the Crown and the State enterprise shall enter into an agreement under which the State enterprise will provide the goods or services in return for the payment by the Crown of the whole or part of the price thereof.

The argument was advanced that this section provided some control over the State enterprise, and that the Crown could require the enterprise to fulfil its obligations pursuant to section 9.

<sup>11</sup>Te Reo Māori Report at p 25

Māori mascot for overseas dignitaries, as it is central to the culture. It is therefore a taonga, which has to be protected by the Crown:

*The Treaty of Waitangi obliges the Crown not only to recognise the Māori interests but actively to protect them....*<sup>12</sup>

It is therefore not enough for the Crown to just prevent the extinction of te reo Māori; it must also actively protect it. In the specific context of broadcasting, the Waitangi Tribunal applies this tentatively. In doing so the Tribunal concedes that "... the predominance of English in the media has had an adverse effect upon [Te Reo Māori]." <sup>13</sup>

The decision at this point could be described as being reserved because the Tribunal made it quite clear that it did not want to impinge upon functions of the Royal Commission and the Broadcasting Tribunal. But it is interesting to note that the Tribunal added that:

*We might very easily further conclude that we should make recommendations of a positive kind as to how this harm could be reduced or eliminated.... For example, it might be said, as the claimants urged us to recommend, that particular radio stations ought to be converted entirely to Māori language transmissions, or that one or other of the television channels ought to broadcast a minimum number of hours each day or each week devoted solely to Māori language and cultural interests.*<sup>14</sup>

The Te Reo Report, then, is quite straightforward in its summation of the importance of Te Reo Māori. But it is interesting to note that the Court of Appeal case also highlights the obligation of the Crown in protecting the Reo and therefore putting in place strategies to satisfy fulfilment of the Treaty.

It is a common starting point that Te Reo is a taonga. Cooke P recites the preamble to the Māori Language Act 1987:

*WHEREAS in the Treaty of Waitangi the Crown confirmed and guaranteed to the Māori people, among other things, all their taonga: And whereas the Māori language is one such taonga.*<sup>15</sup>

He further states that the Court must approach the case on the premise that the Māori language is a taonga. It followed that the transfer would be unlawful if it conflicted with section 9 of the State Owned Enterprises Act 1986, incorporating as it does the principles of the Treaty.

The importance of consistency with the Treaty principles is further highlighted in his statement regarding mainstreaming. At the stage of the proceedings the policies on the extension of Māori language programming on commercial television were still being formulated. He states that it would be inconsistent with the principles of the Treaty if the assets were disposed of before the policies were determined. Dominant educational and broadcasting policies have marginalised Te Reo Māori and have contributed to its decline over the years, and to prematurely dispose of the assets would further affect Te Reo Māori.

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<sup>12</sup>Manukau Harbour Finding, para 8.3, sub para 1

<sup>13</sup>Te Reo Māori Report at p 55

<sup>14</sup>ibid

<sup>15</sup>NZ Māori Council v AG [1992] 2 NZLR 576 at 578.

In fact it is Cooke P who appears to offer some of the most valuable descriptions of the moral obligation of the Crown in protecting Te Reo Māori. After having considered the case, he concludes that he:

*...cannot avoid the unwelcome conclusion that the present television policy, which is carried out partly by administrative decisions, is inconsistent with the principles of the Treaty of Waitangi.<sup>16</sup>*

He states that although the Māori language is an official language of Aotearoa, there are no Māori language programmes heard in prime time. Clearly, he sees this as inconsistent with the Treaty guarantee.

One sees equally clear direction in the Privy Council case. The Lords presiding over the case are adamant that foremost among the principles of the Treaty is the protection and preservation of Māori property, including the Māori language as part of taonga, emphasising the obvious obligation of the Crown. Part of this rests on the Crown to make good any previous default, which could actually increase the Crown's responsibility.

The Privy Council outlined the previous unsuccessful and half-hearted attempts to entrench Māori language in television broadcasting. Quoting from McGechan J in the High Court, the Privy Council stated that the contribution from television has been "*slight, both relatively and absolutely*" without there being "*any immediate prospect of more.*"<sup>17</sup> Furthermore, the almost total predominance of the use of English on television would be detrimental to a language already in a serious state of decline.

This would seem to support the obiter of the High Court, in which it was stated that "*..broadcasting is essential as a supporting influence.*"<sup>18</sup> Sir Kingi Ihaka's words are well worth quoting:

*... radio and television broadcasting [in] the Māori language is an essential component of institutional support for the maintenance and revitalisation of the language of this country's indigenous people.<sup>19</sup>*

He went on to say:

*I am certain that Māori broadcasting could play no mean part in this cultural rehabilitation, by offering a contemporary framework in which to see and hear Māori being used daily and by conferring prestige on Māori as a language of mass consumption.*

The Privy Council went on to say that television would definitely lend credibility to Te Reo Māori in respect of viewers, particularly young ones, with whom the future of Te Reo Māori rests.<sup>20</sup>

The above encompasses some of the many relevant points raised in the cases about the status of Te Reo Māori to Māori, and also highlights some of the very real obligations which the Crown must honour in its active protection and promotion of Te Reo. The Courts have cited

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<sup>16</sup> *ibid* at 584

<sup>17</sup> NZ Māori Council v AG [1994] 1 NZLR 513 at 518

<sup>18</sup> NZ Māori Council v AG [1992] 2 NZLR 576 at 588

<sup>19</sup> *ibid*

<sup>20</sup> NZ Māori Council v AG [1994] 1 NZLR 513 at 518

more times than noted above how important Te Reo is - but it is not necessary to quote every one of them.

What is quite clear is the need of the Crown to protect and promote the Māori language through television broadcasting. This issue has seen a time-consuming legal entanglement ensue where, finally, the Privy Council reiterated the findings of the Court of Appeal and found in favour of the respondents. Legal arguments aside, however, the moral obligation of the Crown in this respect rests in favour of the NZ Māori Council, who found it their responsibility to have Te Reo Māori protected and promoted through broadcasting.

## INDIGENOUS TELEVISION DEVELOPMENTS

The attempt to establish Māori Television in this country may be linked to a range of indigenous efforts around the globe. The recognition of the medium of television as having the potential to exist either as an oppressive tool or as a vehicle for the survival and maintenance of indigenous languages and cultures is documented through a wide range of international material. This dual role was explored in some depth by Albina Necak Luk (1987) in a paper related to Minority languages and television titled 'Mass Media and the Promotion of Minority Languages'.<sup>21</sup>

Necak Luk (ibid.) argues that the mass media can operate as either a tool of assimilation or a tool to enable the retention and development of minority languages. In a situation where the minority language group do not have access to the resources of mass media to support their language it is then the dominant language that "*penetrates into the minority's family life*" (ibid.:117). The influence of this is described powerfully by Necak Luk:

*"Owing to its attractive power technological propulsion its media function between the individual and the society, the mass media help promote the extinction of the minority identity and language by penetrating into the very core of its existence" (ibid.).*

Where this statement is premised on an assumption that the minority language has some stability in the Slovenian and Hungarian homes, this expectation can not necessarily be held in regard to Māori homes, therefore the impact of the mass media is intensified in the Māori language situation. Necak Luk (ibid.) states that it is necessary then to ensure that language policies are clear in regard to minority languages and the media, if the mass media is to support the development and strengthening of minority languages:

*"On the other hand a proper language policy in the mass media, conceived on appropriate cultural issues, may lead to the promotion of the minority language and culture and consequently safeguard the national identity of the minority group...the mass media may substantially support the endeavours of the school to develop bilingualism among the minority as well as among the majority population of the region" (ibid.:117-8)*

A further significant point made by Necak Luk is the potential for the mass media to both support and extend minority language initiatives that exist within schooling and in second language learning programmes. This aspects must be particularly attractive for the large numbers of people in the process of learning Te Reo Māori, and for the whanau groups of Te Kohanga Reo, Kura Kaupapa Māori and Whare Kura.

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<sup>21</sup> Necak Luk, Albina (1987) 'Mass Media and the Promotion of Minority Languages' in Minority Languages and Mass Communication, Slovene Association of Applied Languages, Yugoslavia.

This form of recognition by indigenous peoples of the power of television to enhance access to indigenous language and culture is further explored by Michael C. Keith (1995)<sup>22</sup> in the recent publication 'Signals In The Air: Native Broadcasting In America'. In this publication Keith provides an overview of some key events and struggles in the development of Native broadcasting in America, drawing on diverse Native peoples experiences and documentation.

The role of the media was seen as powerful in attempting to have Native American voices heard. The development of Native controlled broadcasting is described by Keith (ibid.) as being linked to some of the actions throughout the 1970s where the media became an integral part of the attempts to strengthen language and culture, and to share their own experiences. The national organisation AIM was established in the late 1960s as a movement that sought to create solidarity among Indian people and to inspire a movement for the survival on Native languages and culture in order resurrect identity and pride. Groups such as AIM encouraged the use of media as a vehicle for expressing Native American peoples grievances and for the promotion of language and culture. He notes also that a key to the involvement of Native communities at a local level was linked to their local experiences of the American media. Native Broadcasting was identified as a way to ensure that Native voices were heard.

The occupation of Alcatraz is described by Keith (ibid.) as a key event in the development of Native controlled Broadcasting, where Pacifica station KPFA-FM loaned those who occupied the small island a Mati transmitter *"to send their message to the station, which then broadcast it live to listeners in the Bay Area. Radio Free Alcatraz, as it was called, focused on the impoverished state of Indian affairs, demanding that attention be paid to Indian health, education and cultural issues"* (Keith, M. 1995:19). Those who occupied saw the power of using the medium in this way and others viewed it as a turning point in Native broadcasting. Ray Cook is quoted as stating:

*"This impressed Natives everywhere, and it definitely got people thinking about having their own broadcast facilities. Alcatraz was a turning point in Indian self-determination. It was the point of conception for Nationalist Native Broadcasting, you might say"* (Ray Cook personal correspondence cited in Keith, M. 1995: 19)

The construction of Native-owned broadcasting began in 1971. Native Broadcasting was viewed as a tool through which Native Languages could be retained, as well as function to provide positive images of Native peoples, and seek to combat the deluge of negative images promoted about Native American people.

*"the general media never covered Indian affairs except when it was about crime, tragedy, or a stereotypical event or activity. they never had any interest in providing news of interest to Indian listeners or addressing misconceptions. Seeing the world through other eyes all the time can be frustrating and anger-provoking, because the Indian world is portrayed through the interpretations of those who always have a bias about that world - whether good or bad"* (Rose W. Robinson personal correspondence cited in Keith, M. 1995:21)

*"Indigenous broadcast stations are an important factor in the preservation of Indian culture and language. this is the opinion of Native and non-Native peoples alike, many of whom believe this to be Indigenous broadcasting's*

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<sup>22</sup> Keith, Michael C. (1995) Signals In The Air: Native Broadcasting In America, Praeger Publishers, Westport

*single most important contribution and its raison d'être." (Keith, M. 1995:106)*

These stations are seen to play a key role in the preservation and development of Native languages and culture, and are viewed by some as contributing significantly to the break down of negative notions about Native peoples held by Anglo Americans.

*"Native stations and programs make a contribution to mainstream society by demystifying Indian culture and enhancing Anglo awareness of the value and worth of Indigenous people" (ibid.:110)*

Similar contentions have been made in regard to the development of television in the broadcasting of Catalan language in Spain. This is discussed in a paper developed in 1987 by Marti Garcia-Ripoll titled 'Television and Linguistic Normalization: The Catalan Model'<sup>23</sup>. Garcia-Ripoll notes that there are three principal administrative areas that are a part of the Catalan language movement, these being: Catalonia-Principality, Valencia and the Balearic Islands, within which it is identified, on the whole, "*that Catalan is one language with regional differences*"(ibid.:135).

The development of Catalanian media between 1977 - 1987 was dramatic, as was the development of schooling in Catalan. In the area of language retention and development Garcia-Ripoll identifies television as having a significant influence, in noting "*the greatest sociolinguistic revolution was achieved by television in Catalan*" (ibid.:135).

The Catalanian television experience up to 1984 is similar to the Māori language experience (in television broadcasting) presently. Up until that time programmes in Catalan were minimal and poorly rated because of their broadcast time, which was located after Spanish Television had 'signed off'. Catalan programmes were positioned outside of general Spanish broadcasting times, which Garcia-Ripoll describes as "*supplementary programming*".

Televisio de Catalun, known as TV-3, began in 1984 and in a short period of time showed that it was able to produce quality programming in Catalan and by 1987 was broadcasting 70 hours per week, rating higher than the second Spanish channel (ibid.). An attempt to transmit to Valencia was made difficult by those opposing the developments being made by Catalanian television, however rather than halting the extension of TV-3 into Valencia the opposite occurred and in Garcia-Ripoll's words "*this led to the idea of the need for an exclusively Valencian channel in the region*" (ibid.:136). In the Balearic Islands the government supported popular demand in backing the transmission of TV-3 into the territory.

A particularly important impact of Catalan Television developments has been the positive influence on Spanish Television channels and the increased proportion of time being given to Catalan programming. Garcia-Ripoll views this as a direct result of the developments made by TV-3. This is an aspect in relation to Māori Television that requires investigation, that is, the impact of Māori Television broadcasting on the "mainstream" channel developments. It is not surprising that with the success of Aotearoa Television Network shown in the various quantitative data that we now see TVNZ in collaboration with New Zealand On Air calling for proposals for a series of Māori Independent productions titled 'Rangatira'.<sup>24</sup>

The experiences of Aboriginal people in Australia further highlight the struggles for indigenous controlled television services. Where the technical requirements, due to an expansive land mass, are notably different from Māori requirements the underpinning

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<sup>23</sup> Garcia-Ripoll, Marti (1987) 'Television and Linguistic Normalization: The Catalan Model in Minority Languages and Mass Communication, Slovene Association of Applied Languages, Yugoslavia.

<sup>24</sup> Correspondence from NZOA, August 1996

arguments are virtually identical. In a report by Eric Michaels (1986) it is identified that the complexities of technical requirements and cultural needs in Aboriginal communities demands a range of approaches which need to be premised fundamental on the needs of Aboriginal communities as they themselves define those. The report focused on the impact of television in remote Aboriginal communities and explored the language and cultural needs as expressed by a number of communities. It also provided detailed discussion of models of development.

What is evident in the findings of the report is the need for Aboriginal communities to control the development of television in their areas as a means of safeguarding their own interests. This was seen as including a need to provide means to protect cultural institutions from the more insidious aspects of television within indigenous communities.

The development of Sianel 4 Cymru (S4C) as part of the BBC Channel 4 network has meant access to Welsh language programming (Franchon And Vargaftig, 1995). As with other attempts to broadcast indigenous and minority languages, radio provided the first movement in to Welsh language programmes (Davies 1994). The development of S4C was complex and is interlinked with the BBC, in particular BBC Wales. John Davies (*ibid.*:273) notes that in 1964 Wales received access to the potential for television broadcasting through the commencement of BBC Wales, a new service that was monitored closely by the Broadcasting Council for Wales (BCW). As with other indigenous peoples experiences of television, Davies notes that before 1964 all Welsh Language programming existed outside network hours. After the commencement of BBC Wales in 1964 all Welsh language programmes were moved in to network hours. Technical and transmission difficulties raised a range of protests about the service, these diminished in time with technological developments. The response to the broadcasting of Welsh Language programming was intense in some quarters and led to the following response from Oldfield-Davies (Controller BBC Wales):

*“I cannot understand how any reasonable person can possibly imagine that, out of a total of fifty viewing hours a week, seven hours of Welsh programmes constitute an ‘outrage’, an injustice or a form of dictatorship... English people in Wales have exhibited a degree of intolerance that is not usually associated with English people not living in their own country.” (ibid.:275)*

A comprehensive overview of the developments with Welsh television is provided by John Davies, which shows that the growth of the service was effected by the various changes and shifts within the BBC itself. In 1969 the Welsh Language Society called for separate Welsh television and radio networks and organised a conference on broadcasting in 1970. By the end of 1970 the call for separate Welsh television was gaining momentum and increased support. The Society proposed two services, one in Welsh and one in English, under the control of a Welsh Broadcasting Corporation. The proposal envisaged the utilisation of unallotted UHF channels for the Welsh Language service and drawing on the BBC and HTV services for the English service. After much debate surrounding the use of the fourth channel, and an application from another service being made, the BCW (*ibid.*:295) announced:

*“the use of the fourth channel in Wales for programmes of Welsh Language and English-Language programmes of Welsh interest...[and urged] that the fourth network construction should start as soon as possible”*

In August 1973 the BBC supported the call for a Welsh fourth channel, as Davies notes (*ibid.*:297);

*“In August, the BBC submitted a memorandum to the Post Office calling for a Welsh fourth channel, a document which the BCW considered to be admirable. By then, the governors were wholly committed to the proposal, Swann declaring publicly that ‘we are not in any doubt ... that some kind of*

*fourth channel arrangements is the best way of catering for the two audiences.”*

Ongoing developments in Welsh television were complex. However, what is evident in the literature is a consistent call for Welsh language television as a part of the wider need for Welsh language revival and that this is linked across a range of institutions. Davies identifies the struggles associated with the attempt to secure the fourth channel, including the announcement by Gwynfor Evans that he would “*fast to death*” if rejection of the Welsh fourth channel was not reversed (ibid.:342).

After much lobbying and the support both for Welsh language television and for the stand taken by Gwynfor Evans, the government reversed its decision related to Welsh television and an amendment was grafted to the bill on November 6, 1980.

Recent performances of S4C are provided by the company itself through its internet services. It is noted that:

1. *Between 80% and 85% of Welsh speakers watch S4C sometime each week.*
2. *Between 65% and 70% of all viewers (Welsh and non-Welsh speaking) watch S4C sometime each week.*
3. *S4C’s most popular programmes can attract up to 300,000 viewers.*

The quality of programming from S4C is visible in that a range of programmes have received acknowledgment and awards at a number of European Film and Television festivals.

The range of developments initiated by indigenous peoples in the area of television is diverse. Where the technical needs and structural arrangements of the various groups differ it is clear that the need for indigenous peoples operation and control of the medium of television is a global phenomena. The literature identifies that television is a medium that can support language revival and maintenance, for indigenous peoples and for ‘minority’ languages. These are critical arguments that are also located in the desire of Māori people for the development of National Māori television.

## **ISSUES OF REPRESENTATION OF MĀORI**

The representation of Māori in broadcasting has been a site of contestation for many years, with perhaps the most well documented being the period spanning from the 1970s to present day. A range of research establish that Māori images have, on the whole, been constructed and presented through a limited lens. Leonard Bell (1992:3) in his well known publication ‘Colonial Constructs: European Images of Māori 1840 -1914’ notes:

*“A European representation of Māori owes more to other European representations, visual and verbal, than it does to the actual Māori people, or Māori activities, customs, events from history or legend, to which an image or a title might refer... As constructs, rather than replications of the real, representations of Māori need to be interpreted. They were made for the scrutiny, the ‘reading’ of Europeans. Few of them simply speak for themselves, requiring no explanation. What might seem to be straightforward, ‘direct’ portraits of Māori, to be records of ethnological fact, or reproductions of scenes and events from their daily lives, in which the artist was ‘capturing’ a sense of likeness or resemblance to the actual, were and are invariably loaded with social and cultural significance.”*

Similar comments, related to historical representation of Māori, are made by other authors such as Glynnis Paraha (1993)<sup>25</sup>, and Michael King (1983)<sup>26</sup>.

Representation in this form may be related to what Toni Morrison (1992) in 'Playing in the dark:Whiteness and the Literary Imagination' terms "*impenetrable whiteness*" within the American literary tradition. Morrison argues that what has been constructed as the American literary tradition has been defined and controlled by *the "dominant cultural body"*, which serves to define what counts as literature.

Analysis such as that articulated by Toni Morrison is relevant to television in Aotearoa in that Māori are through 'mainstream' media still presented and re-presented through dominant group definitions. For a wider range of representations of Māori to be presented there is need for Māori to have access to programme making in a more intensive way than what has existed in the past.

The globalisation of image is an area of considerable concern. The ways in which Māori are represented to the world impact on how Māori people are seen on an international scale. The imposition of limited definitions is discussed by Edward Said (1978) in relation to the notion of "*orientalism*". Said argues that "*orientalism*" is socially constructed by the West, hence that which is considered Oriental by the West has been defined as such through a Western consciousness. Furthermore, Said notes, one aspect of an "*electronic postmodern world*" has been the accessibility of people to images of cultures internationally. Said locates film, video, television as providing access to knowledge of other peoples, whilst also providing messages, about who we are, internationally. A danger, however, lies in the "*reinforcement of the stereotypes*" of minority groups and in particular in how "*television, the films and all the media's resources have forced information into more and more standardised moulds*". The implications of this are explored in the following sections with more specificity.

## **NATIONAL NEWS AND REPRESENTATIONS OF MĀORI**

Debate over the representation of Māori has a long history. Professor Ranginui Walker (1990:40) in his article The role of the Press in Defining Pakeha Perceptions of the Māori, explodes the myth of journalistic 'neutrality' in analysing the portrayal of Māori. He provides a range of examples to illustrate his point, including reports related to: The 'Haka Party' incident, Maranga Mai, Waitangi Action, Gangs, The Māori 'Loans Affair' and the Waitangi Tribunal. In analysing the representation of these events Dr Walker found that the 'mainstream' media gave limited accounts which often led a misrepresentation of what went on.

Exploring the issue of Māori representation Patricia Grace has argued, that literature can contribute to the setting and affirmation of social, ethical values and identity and what is seen as important about groups of people through explaining the world and defining relationships. Literature can therefore provide positive, self affirming messages about ourselves and our world, similar statements may be made in relation to broadcasting. Such is the power of the literary and visual fields. However, she also located these same characteristics as having the potential to construct negative images, maintaining dominant group beliefs about Māori and denying Māori people the opportunity to see ourselves. These are reproduced through processes of denial and marginalisation of Māori voices within texts and/or the ongoing perpetuation of stereotyped images which deny the diversity of Māori experiences.<sup>27</sup>

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<sup>25</sup> refer Paraha, G., (1993) He Pounamu Kakano Rua: Construction of Māori Women - A Visual Discourse, Unpublished Master of Education, University of Auckland

<sup>26</sup> refer King, M., (1983) Māori: A Photographic and Social History, Heinemann Reed, Auckland

<sup>27</sup> Grace,P.1985, Books Are Dangerous, Paper Presented at 4th Early Childhood Convention, Wellington

This raises the issue of the role of the media in the maintenance and reproduction of images of Māori that reinforce the negative stereotypes and which deny Māori opportunities to construct programming that moves beyond dominant definitions of who we are. An example of this may be seen in the construction of 'news' and documentary in this country. There remains a dominant belief that 'good' journalism provides the range of arguments for the audience to engage with. Where we agree in a notion that there exists a range of positions and stories within society, this must be taken in context of the existing power relations and the impact of dominant discourses. In submissions to the 1988 Royal Commission on Social Policy, Gary Wilson is quoted in regard to the dilemma associated with journalism and the representation of Māori.

*Journalists often argue that their job is simply to hold a mirror up to society so the public can see what is really going on. It is a comforting analogy for the journalists because it relieves them of any moral dilemma. If they are criticised for covering a story, they have a convenient defence: they are just doing their job. They are not making judgments, they say, and they are not taking sides. They are merely delivering an objective, professional summary to keep the public informed.*

*All this suggests the news media, by simply recording, have no influence on the course of events, that they are detached observers. The reality is different. The news media are constantly shaping society by deciding what is important and what is not, and by telling people how things should be seen.<sup>28</sup>*

Gary Wilson highlights that, within Aotearoa, to provide a range of positions unproblematically constitutes a maintenance of the status quo, nothing is challenged or contested, the inequities of re-presentation remain and the presentations of Māori through dominant group constructions continues. This is not new but may be located in the historical constitution of Māori images through colonial gaze(s), what then becomes crucial for Māori is to have access to the knowledge that then allows us to distinguish critically between colonial representations and how Māori see themselves. As Merata Mita has stated;

*It is very important to make the distinction between the way we are seen and the way that we see ourselves. And the reason for this becomes very clear if you look at the films that have been made starting from 1911 in the United States, in Europe and in Aotearoa. If you look at those films made by tauiwi or by foreign eyes on us, you will see very important differences to the way they look at us and the way we see ourselves.<sup>29</sup>*

In her thesis titled 'Television News and Monoculturalism: A Case Study of Waitangi Day 1990' Sue Abel (1992) argues that "*television news is predominantly reported from a Pakeha point of view for a Pakeha audience.*" (*ibid.*:ii). This, she notes, can be both "*unintentional and unacknowledged*", however the construction of television news in this way by 'mainstream' channels means the marginalisation of Māori and a maintenance of a "*monocultural status quo*".

Where there is a degree to which some aspects are "*unintentional*" there is also an element within those who control the presentation of News in this country that is more about negative

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<sup>28</sup> Gary Wilson cited in Fox, Derek Tini 'The Mass Media: A Māori Perspective' in Report of Royal Commission on Social Policy: Te Komihana A Te Karauna Mo Ngā Ahuatanga-A-Iwi April Report, 1988 Government Printer, Wellington

<sup>29</sup> Merata Mita cited in Paraha Glynnis 'Merata Mita providing a Counter view: Reclaiming and Taking Control of our Image in Te Pua 2, The Journal of Puawaitanga, Smith, Linda Tuhiwai (ed), Te Whare Waananga o Tamaki Makaurau 1993

attitudes to Māori. Carol Archie and Whai Ngata are quoted directly in the thesis. We cite those examples to highlight the point we are making here:

*“They’re (TVNZ) not interested in good role model stories or fun stories or success stories of what has happened in Maoridom. They’re not interested in these, in anything, but even less in Maoridom. It’s not seen in that sense, is it - it’s not seen as an area where people have success. It’s failure orientated...”*

*Some people were always undermining everything I did - ridiculing my stories - anything I did on Māori people or on women - very vicious. And other people when they thought I wasn’t listening, or in a subtle way - I was aware that they also thought it was funny - so I was ridiculed a great deal.” (Archie cited in Abel,S.,1992:193)*

*“A lot of the [Māori] stories that aren’t covered too well are covered by Pakeha reporters who can’t feel their way around Māori situations - and I’m talking about the marae situation. And yet on a number of occasions I have seen Pakeha reporters where they are taking perhaps a more active interest in things Māori - they have been tended to be ostracised by their colleagues... It’s an attitude that they have to battle - and not only with their colleagues, but also with their Chief Reporters and maybe higher up.” (Ngata cited in Abel,S.,1992:193)*

The negative notions through which Māori are so often constructed is discussed also by Merata Mita, who herself worked in TVNZ:

*“I know how they work, and they work to disempower us, to negate everything there is that’s positive about us, they’re used to feeding negative images on screen and that’s what they’ll go after and that’s what I know about them because I’ve worked in there and seen how that system of control and power works in the media... there’s no such thing as balance.” (Mita, M. Interview:1996)*

The limited representation of Māori is identified clearly in Sue Abel’s research and by Merata Mita’s statement. The tendency to focus upon negative events can only be damaging for Māori and also for the wider population of this country. The increased development of Māori avenues for presenting News is entirely necessary if this form of representation is to change. As Sharon Hawke (1996) states:

*“Our people are not used to seeing our own product, so whatever form or format we can put our product on air the better, the sooner, the quicker and the more often, and all of us should promote that” (Hawke,S., Interview:1996)*

## **CHILDREN’S PROGRAMMING**

Children’s programming has been viewed as multi-leveled providing influence in a range of educational and entertainment areas. Limited research in the area of children’s television means that there is little data specific to this country and its provision of programming appropriate for children. The development of children’s programming in this country has been criticised by some researchers Zanker (1990). and early childhood professionals. However, the influence and power of the medium of television upon children is recognised. Zanker (1990) argues that local children’s programmes is crucial in that television plays a part in the development of identity and how children view themselves in the world. She notes:

*“The media maintain, extend and transmit culture for our children, and children need to grow up seeing themselves and their experiences of their society in terms they understand” (Zanker,R.,1990:73).*

The position of children’s programming is not unconnected to the overall debate related to the need for increased local programming. Roger Horrocks identifies that concerns over the lack of NZ content expressed by local filmmakers such as Barry Barclay, Gaylene Preston and Geoff Murphy (Horrocks, 1995:92). Drawing on a range of statistics he highlights the dearth of local material broadcast comparative to other countries, in 1990 it was shown that local material in Aotearoa was approximately 25%. Compared to Australia with 50%, Britain with 84%, and America with 98%, the figures are shocking. Where in 1996 we would expect some improvement it is clear that decision related to local programming are tied to economic considerations, as Roger Horrocks (ibid.:89) notes:

*“It is significant that TV1 broadcasts more local material than TV2 and attracts larger audiences, yet it is customary for TV2 to make a larger profit”*

and where TVNZ argues it has a policy to fund local production, he notes:

*“Given that this is the intention, TVNZ is limited in the amount of money it can spend, because of the ‘commercial discipline’ imposed on it by the government”*

Furthermore, he notes that this can not be laid solely at the feet of the funding agencies as where there is an interplay between the various institutions and interest groups it is the “government which has the power to change the rules overnight”. (ibid.:89). Agreement on this point comes from Avril Bell who states:

*“In a recent report on the current state of broadcasting commissioned by the Ministry of Commerce, this failure to cater to minorities was blamed on NZOA itself (NZIER, 1994), I would argue however that this can be sourced to the structure of the legislation of the legislation itself and the power the commercially oriented broadcasters have over NZOA funding decisions (see Bell, 1995:189)” (Bell,A.,1995:115)*

For both Roger Horrocks and Avril Bell it is clear that the government has a role in ensuring adequate processes are in place for local programming to occur. The impact of the need for local television was highlighted at the ‘World Summit on Television and Children’ , where it was noted that:

*“emphasised the importance of local children’s programmes in giving children a sense of self-worth and confidence in their own culture” (Horrocks, 1995)*

In a recent study titled ‘Television and New Zealand Preschoolers: A Longitudinal Study’, Dr Geoff Lealand (1995) states that there is a need for increased research related to children’s programming in this country. The longitudinal study undertaken by Dr Lealand and his team found that “no one programme can ever satisfy all that pre-school programming should be providing for New Zealand preschoolers” (Lealand, G., 1995:11). In stating this, Lealand argues for local programming but does not argue against the imposition of international children’s programming that we are seeing on New Zealand screens, rather he seeks a variety of choice and ‘balance’ in viewing for children.. Where this is an acceptable position it must be stressed that for children in this country it is not enough to merely provide a variety without actively considering cultural needs.

The ways in which children read television and how they locate themselves is an important aspect that requires consideration. F.Earle Barcus (1983) provides depth analysis of the role of television in presenting images to children and in particular in regard to: sex-roles,

Minorities and Families. Surveys undertaken by 'Action for Children's Television', of which Barcus is a member, highlighted the following in relation to minority representation:

*"There is no doubt that recognition legitimizes the status of a particular individual or group in society. A group that is covered in the media is one that has arrived...There is significant evidence that children do learn about other ethnic groups from television, that characterizations of minority figures are often presented in stereotypical ways, and that information about minority groups may be gained especially by those who have limited direct experience with minorities. All of this suggests that special care should be taken in depicting subgroups of the population that are not dominant in our society."* (Barcus, F.Earle:1983)

It becomes clear that the level and type of representation of 'minority'/indigenous children within children's programming has an impact on all children. Barcus (ibid.) is suggesting that the ways in which 'minority' children are depicted can impact on the ways in which 'majority' children construct beliefs about those 'minorities'. This has been argued by Joann Sebastian Morris (1982) in her article titled 'Television Portrayal and the Socialization of the American Indian Child'. Morris (ibid.) cites research by Gorn, Goldberg and Kanungo which found in their study that white Canadian children who viewed segments of 'Sesame Street' promoting minority children positively were more likely to have a positive response to minority children visiting their preschool than those who did not view those clips. As such Morris notes that there are benefits for all children in the development of positive portrayals of Native American peoples:

*"This particular study is also significant to American Indians since it demonstrates the benefits that could be derived from increased and improved television programming that would portray American Indians and their culture in a positive, or even neutral, manner."* (Morris, J.S., 1982:188)

Morris identifies the stereotyped, negative constructions of Native American peoples as originating from historical mis-representation. Where representations of Native American people are rare, what little that is shown is limited and often erroneous. The implications of that for Native American children is immense therefore the discussion provided by Morris we will quote at length.

*"If American Indian children spend many hours of their youthful lives watching television programs that tell them that their own tribe and entire race are to be despised and ignored, there is little doubt that the mental health of these children will be gravely affected. In most American Indian homes, parents attempt to instil a sense of pride in their young ones. And many American Indian communities across the country are revitalizing their ceremonies, languages, and customs. Yet all the work of the community and parents can be undermined from within the home from the television. The view of themselves and their race that American Indian children receive from their parents is generally one that incorporates many positive characteristics. Yet that viewpoint is not compatible with the way children see their tribesmen depicted by television networks. Many adult American Indians will admit to a sense of personal disorientation in childhood. They recall wondering why non Indians treated them as if it was not acceptable to be an American Indian. Future generations of American Indian children should not have to grow up with similar doubts."* (Morris, J.S., 1982:197-98)

The situation in this country for Māori children may be seen as parallel to that described by Joann Morris. For Māori children there is little opportunity to "*seeing themselves and their experiences of their society*". On existing 'mainstream' channels there are no programmes that cater specifically for Māori children. Of the 'mainstream' children's programmes only the KTV production 'You and Me' makes any consistent attempt to include clips related to

Māori and some Māori language. However, that attempt is insufficient as Te Reo Māori me ona Tikanga is positioned in an 'add-on' way for example the presenter may say "*Let's sit down - e noho*". Te Reo Māori is then located in a 'Taha Maori' framework, which seeks to give a 'cultural taste' to the programming. There are no children's programmes on TV1 and 2 or TV3 that cater for the language or cultural needs of Māori children. The struggle for investment into children's programming is increased for Māori people who wish to access children's programmes through the medium of Te Reo Māori and which affirms Tikanga Māori. As Derek Fox has noted:

*"If a child were born in this room in the next two minutes and we never spoke a word to that child but simply exposed it to the airwaves, that child would grow up speaking some form of language which would be an aberration combining Bronx, Liverpoolian and Australian. The last thing it would grow up speaking as a result of its exposure to the public airwaves would be New Zealand Māori."* (Fox, D.,1990:71)

The focus on language development commencing at birth both in the home and through Te Kohanga Reo to Māori children is an indication of the knowledge that there is a need for early development of Te Reo Māori if Māori people are to see the survival of Te Reo Māori. With the development of Te Reo Māori me ona Tikanga being central to the calls for Māori Television it may be assumed and expected that children's television will then play a key role in programming. What is then required is the development of a range of quality Te Reo Māori programmes for children that are constructed in line with their needs.

This need was acknowledged by Aotearoa Television Network in their programme schedule. The positioning of 'E Tipu e Rea' in the 5 - 6pm timeslot at 100% Te Reo Māori content is a recognition of the need for Māori language broadcasting that targets Māori children. This is an extremely positive move on the part of Aotearoa Television Network and must be applauded. The initiative of positioning 'E Tipu e Rea' in this time slot is an indication of the need to target Māori children. This targeting is crucial and needs to be continued through future developments.

In order to provide for Māori children the programming requires productions forms and content that are appropriate to the younger viewer. Given the lack of research into children's programming in this country and the non-existence of research related to Māori children's programming, the development of this form of programming has little guidance. Direction may be taken from those who are involved in Te Kohanga Reo and Kura Kaupapa Māori, and some of the formatting ideas that contribute to existing children's programming. It is also desirable that research is undertaken in regard to Māori programming potentials for Māori children.

## **GENDER REPRESENTATIONS**

Issues of representation of Māori has been investigated earlier. What requires further interrogation is the way in which notions of Race and Gender intersect to impact upon the representation of Māori women. There are complex ways that ideas and beliefs related to Race and Gender interact and lead to the imposition of particular thinking about Māori girls and women, and our roles in society generally and Māori society specifically.

Dr Linda Tuhiwai Te Rina Mead (1996) argues that colonisation has had a major impact on the representation of gender for Māori. Diane Mara and Leonie Pihama (1994) in the book 'The Politics of Learning and Teaching in Aotearoa' also argue that colonisation the ideologies and beliefs related to race and gender have combined and interacted in ways that impacted in key ways on Māori society. These impacts are multileveled and the

representation of colonial belief systems continue through contemporary mediums of writing, film and television today.

Colonisation has contributed significantly to the ways in which Māori women and men are represented. With the dominant ideology related to race being one that located Māori people in an inferior position, Māori were defined as being the 'Other'. Colonial ideologies related to traditionalist roles and which located women as chattels and inferior to men, positioned women as 'Other' to men. The complex impact of that on Māori women can be seen in the quote by Linda Tuhiwai Smith (1992:33) in "Women and Education in Aotearoa Vol. 2"

*“As women we have been defined in terms of our differences to men. As Māori we have been defined in terms of our differences to our colonisers. As both, we have been defined by our differences to Māori men, Pakeha men and Pakeha women. The socioeconomic class in which most Māori women are located makes the category of 'other' an even more complex problematic.”*

For Māori women there have evolved colonial ideologies which serve to construct beliefs about how we should be, which are based on beliefs of racial and sexual inferiority. These discourses justified hierarchical social orderings have marginalised Māori women in a range of institutional settings. Anne Salmond (1991) states that in the many of the early journals Māori women were perceived as both 'savages' and 'sexual objects' simultaneously. The representation of Māori women as sexual objects is discussed in depth by Glynnis Paraha (1992) in her M.Ed thesis "He Pounamu Kakano Rua -Construction of Māori women - A Visual Discourse".

Glynnis found that early representations of Māori women were decontextualised and based within the artists perceptions of the position of Māori women. These perceptions ranged from the belief in the 'noble savage' to romanticised notions. She notes that colonial artists used "goddess-like forms and shapes" in the creation of the noble savage and "doe-like expressions" on Māori women's faces reminiscent of "endangered animal species whose survival was ideologically justified by the paternalistic stance that was taken by their colonisers" (*ibid.*)

Misreadings and misconceptions about Māori women have served to place Māori women and girls in marginalised positions. A further contributing factor to the marginalisation of Māori women and girls was the way in which those who recorded and wrote about Māori society would write Māori women out. A crucial part of Māori media then is related to the need to contribute to 'correcting' some of the erroneous commentary that has been made about Māori girls and Māori women (Mead 1996)

In light of these issues the gender balance in regard to the presenters of the programmes developed by Aotearoa Television Network is to be congratulated. Having both female and male presenters allows for a redressing of some of the imbalance. Given that Tikanga Māori seeks to affirm and value the position of Māori women in a world within which Māori women are often denied access to resources and opportunities it is necessary to ensure that Māori women are actively involved in all aspects of the development of Māori Television. The structures of Aotearoa Television Network and the present involvement of two Māori women as Executive Producers in the Māori Television Pilot Project is encouraging and is an area that we would expect to be continued in to the overall development of Māori Television. As with other areas of society, we can not merely assume that Māori women will be included, this requires conscious and active development on the part of those institutions involved in Māori broadcasting. As Leonie Pihama (1995) has noted:

*“There needs to be a constant awareness of the processes being followed and the structures created so that built in to those structures are the systems that will ensure Māori women's participation... Anything that falls outside of an*

*inclusive agenda will merely reproduce existing inequalities and maintain the denial of Māori women's voices. Māori women have been involved in the education of our people for many years, Māori women have been active in all struggles for Tino Rangatiratanga across all Iwi and within all sectors of society. The extent of Māori women's involvement has led to an acknowledgment, by many, that our women lead the struggle irrespective of Crown or media representations. Where this will continue it has become increasingly clear that our people need to be conscious about this and work to ensure Māori women's participation at all levels, in particular in regard to decision making positions. In order to achieve the 50% Māori women's representation as agreed upon at the 1984 Māori Economic Summit we must put mechanisms in place. We can not take for granted that it will just happen, history has shown us otherwise."*

We would then view the role of Māori women in the ongoing development of Māori Television to be crucial and that this be ensured throughout any further processes undertaken.

## **MUSIC AND YOUTH**

### **Introduction**

The following discussion addresses key areas which have become significant to Māori youth audiences. Specifically highlighted are the use of Rap and Hip-Hop music videos, black sport images and clothing. The use of Rap and Hip-hop music videos is fraught with several critical issues. Key questions which need to be addressed explicitly are, Why are Rap and Hip-Hop music videos such a prevalent focus to a Māori youth audience? Are the use of sexual images predominant in Rap and Hip-Hop music videos appropriate for a Māori youth audience?

## RAP AND HIP-HOP MUSIC VIDEOS

The relationship of music and the level of attention and meaning invested in music by youth is evidently wide ranging. It is posited by Combs (1994) to be unmatched by almost any other organized social activity. Youth music is seen as the place of hope, faith and refuge, it is also though an potential bastion for manipulation. Combs notes that through the medium of television, music and language, the hype for the youth dollar is rigourously sort after.

Rap and Hip-Hop music videos is an obvious problematic in terms of catering for the 'needs' of indigenous Māori youth. The Qualitative Panel (Report Five:1996) encouraged discussion around this particular area deliberately to highlight and debate the implications the use of Rap and Hip-Hop music videos infers for Te Reo Māori me ona Tikanga. It has been an ongoing critique that Te Reo Māori me ona Tikanga may be usurped by global trends in which current commercialized Rap and Hip-Hop music videos are central. The Report (ibid) stated that in relation to the music videos:

*“These remain an issue that requires urgent discussion. Where we understand the economic and audience arguments that support the showing of these videos, however the bulk of the content in these videos remain in conflict with tikanga Māori and are therefore not in line with the overall kaupapa of the channel. Where rangatahi may wish to see these types of music videos, that does not lesson the fact that the content of many is both misogynist and often comes an underlying message of violence, particularly against women.”*

What has been apparent in specific Rap and Hip-Hop music lyrics are blatant examples of sexism, homophobia, and misogyny which reinforce the degradation of women. (hooks: 1992, Davis:1995, Dyson:1996) This is explained by Angela Davis (1995), as an antithetical value in relation to empowering young black youth, she notes that:

*"As enthusiastic as we might be about the capacity of hip-hop culture to encourage oppositional consciousness among today's young people, it sometimes advocates a nationalism with such strong misogynist overtones that it militates against the very revolutionary practice it appears to promote."*  
(Davis, Angela. 1995:324)

It is also noted therefore, that some authors argue that these trends do not necessarily benefit African American people themselves. African American music critics are constantly challenging the ways in which their people are portrayed and positioned by dominant neocolonial cultures. The exploitation of African American artists are one of the key concerns, also though, is the decontextualisation of African American experiences (Johnson:1996). That is the repression of the spiritual and cultural attitudes, by the commercial and commodifying aspects. These are crucial areas that Māori broadcasters need to identify and critically reflect on as a potential process of perpetuating a distortion of African American values and historical richness to accommodate purported economic or commercial interests.

Key leaders in the African American context have been Malcom X, Martin Luther King, Angela Davis and so on, while these people have been, and may continue to be leaders with tenacity of purpose for their people, the point is that the context of the content must remain clear to Māori youth audiences. Merata Mita (1995) noted, that the way in which Māori issues have recently been centred around Forestry, Broadcasting and Fishing, has meant that Māori youth have become attracted to the inspirational messages of African American leadership

(Mita :1995). This has become further problematized as arguably selected images are positioned in ways which assume this is a norm. This assumption is further fostered whereby young Māori presenters act, speak and dress as if their contextual reality were in an American province, thus reinforcing a distortion of two culturally distinct identities.(Mai Time, Taiohi:1996)

Constructed identities which may in turn overlook the many diverse Māori and African American subjectivities (Julien:1991). Bobo (1992) notes that,

*"the way a group of people is requested can play a determining role in how those people are treated socially and politically."*

These representations of identity are problematically presented by 'mainstream' media. The theme of identity is a prevalent issue as young people select their icons or heroes, however the mediation aspect which comes by way of the broadcaster, is based largely on potential commercial viability and material availability. Weedon & Jordan (1995:258) discuss the identity association as having stemmed from a discourse surrounding the 'characteristics' which stereotype black people as being better inclined towards the sporting aspects of life;

*"Everyone knows that Black people are only physical. They are super-athletes (and super-studs): sprinters, leapers, boxers, football players, basketball players...THE BLACK = THE SUPER-ATHLETE."*

The relationship then becomes one based on the superiority of physical prowess, rather than 'mental' or academic ability, echoing educational and social policies for African Americans and Māori people, steered into areas which perpetuate low expectations which foster low 'self esteem', and often result in lower class stratification (Pihama:1994, Smith,L&G:1993). These have been justified by eurocentric notions around race (Morley:1900, Jenkins:1991, Simon:1991). Repeated use of such imaging then will seek to reinforce these potentialities. Dyson ( 1996 ) notes that,

*"The vocation of indulging the life of the mind is just as important as the ingenious accomplishments of basketball heroes..."*

Counter imaging then need to be used, as a process of indigenizing the screen (Mita:1995). The recognition by Māori broadcasters of African American writers critiques strengthen the critical consciousness of Māori youth to challenge anti-woman sentiments and racist conjectures.

## **ADVERTISING**

Central to the ways in which a Māori audience may be targeted to gain a viewer loyalty, and relinquish potential commercial dollars is a crucial area for discussion, particularly around the notions of commercial manipulation and advertising.The commercial communicative aspect is a central motivation of television, as commercial broadcasting is pre-eminantly a profit driven organization, making profit by selling audiences to advertisers. (Root:1987, Curran:1996) Advertising plays a key role in determining potential television revenue.

The purpose of advertising is to be persuasive, and the way this is in part achieved is through the rhetorical .The ways in which major advertising conglomerates target audiences will vary. (Root:1987) What is pervasive though is the use of core elements to appeal to the emotive of the target audience through these rhetorical constructions. Curran reiterates the point that advertisers seldom conceive the media exclusively as a dispersal system for advertisements,

they also comprehensively "make judgements" about the effectiveness of different media as agencies of persuasion and adds that specific,

*"attention needs to be given to ways in which advertising as a concealed subsidy system has shaped the mass media; and to ways in which the media have adapted to the marketing needs of advertisers in order to compete for these subsidies."(Curran : 1996)*

It is in this "intensely competitive" commercial environment that media practices are shaped. (Fairdough: 1995) This is an important consideration, given that this has the potential repeal of Te Reo Māori me ona Tikanga to appease major investing advertisers. The politically bias nature of advertising is highlighted in New Zealand as illustrated by Scott in relation to the advertising attitudes which have given blanket refusals of representation on the grounds of race, as well as the stereotyping of Māori which Scott (ibid) confirms is inherent in leading advertising companies. (Ryder 1990, Marinkovitch 1990 as cited in Scott:1990)

Scott identifies the positive potential of advertisements, in terms of the reinforcing of cultural identity,

*"The positive potential of advertisements cannot be overestimated. Several years ago, I saw a Māori/Niuean child respond to a community let's all-be-good-Kiwis type ad. At the first sound of the jingle, the boy rushed to the set, pointing to the screen. Presently, in one small corner, there appeared a shot of a Polynesian father and his son going fishing. It was over in a flash. 'That's me. That's me and my dad! My dad! He was light on his feet eith the niovelty: I exist. The father disguised a smile" (Scott 1990:89)*

It is also from this aspect that Bell notes the need to recognise that broadcasting contributes to the, "*development of national identity and culture*" and therefore is not just commerical or operated under market driven principles. (Bell 1995:115)

On the whole, current advertising for Aotearoa Television Network reproduces current 'mainstream' advertisements which is an area which needs further development. The colonising of meanings by fundamental 'mainstream' audience advertisements can be inappropriate for an indigenous television audience. Advertising agencies need to be targeted to reformat their representations to those which place Māori people central to their decision making processes and outcomes. Scott (1990) notes that the argument that there isn't enough Māori talent is a myth and that casting for films such as Ngati, Mauri and for television work like Crime Watch and more recently Piano, Once Were Warriors and many others, show there is no lack of acting talent.

The placement of 'mainstream' advertisements undermines the creativity of an Māori based and driven television network to fully cater for its audience. There is a basic assumption that the images displayed and manufactured for mass television audiences is also appropriate for a Māori television medium. This divests the advertiser of responsibility to rethink the models previously accustomed to. The premise that 'mainstream' advertising readily transfers into Māori television is symptomatic of wider representation issues of Māori people, and also the potential or incapacity 'judgement' associated with the spending, Māori audiences and consumers may take part in.

## **CULTURAL AND INTELLECTUAL PROPERTY RIGHTS**

The issue of Māori control of Māori definitions and representation of images is not isolated to the moving image industries but is a part of a wider issue of cultural and intellectual property rights.

Aroha Te Pareake Mead<sup>30</sup> argues that cultural and intellectual property rights is an area of considerable concern and requires “*urgent attention*”. Aroha notes that indigenous peoples knowledge has been appropriated through a range of mechanisms that have often lead to the construction of beliefs that are then promoted to the world as ‘truth’, as such there is a need for indigenous peoples to have access to our own knowledge.

*A great deal of misinformation about indigenous peoples and their history pre and post colonisation has been promoted world-wide by non-indigenous authors and researchers. As a result, the world has lived a lie. For many governments this has suited their objectives to assimilate or annihilate indigenous peoples within their State. It is only through the global assertion of sovereignty tino rangatiratanga rights by indigenous peoples that the rest of the world is able to better understand how naive and ignorant we have all been about the history of others, particularly other indigenous peoples.*

The representation of indigenous peoples globally is an area of considerable concern. The ways in which they are represented to the world can serve to either perpetuate or transform dominant colonial presentation of Māori. As Aroha Mead (ibid.) highlights misinformed constructions of indigenous peoples stories, histories, narratives serve to deny indigenous peoples voices and in doing so advance the interests of the dominant group.

A second area of concern highlighted by Aroha Te Pareake Mead is that of the misappropriation of indigenous knowledge, which is linked to the issue of the commodification of indigenous knowledge. Graham Hingangaroa Smith (1995) identifies commodification of Māori knowledge in the following statement:

*“Commodification is a by-product of the new economic context of the free market dominated by new right ideology... In this situation everything has a price, and in such circumstances the potential for the ownership and control of Māori knowledge and cultural properties to be lost into the hands of external interest groups is significantly increased.”<sup>31</sup>*

What is argued by both Aroha Te Pareake Mead and Graham Hingangaroa Smith is that the commodification of Māori knowledge and the loss of ‘ownership’ of that knowledge occurs through imposed processes that deny Māori cultural and intellectual property rights. Given the increasing use of Māori imagery in film and television in this country the commodification of indigenous peoples knowledge is clearly a area that requires depth discussion in the moving image industries. A range of Māori film makers have brought this issue to the fore. In our interview with Merata Mita she stated:

*“If you take a roll of film, I’ll use film as an example, and you go to the shop and you purchase it, you purchase a roll of film and you know what you’ve paid for. You paid for the roll of film. Now, the moment you take that film and you record images on it, you’ve altered the state of what you paid for, of what you purchased...you filled the original material with images of other people or other places, or you know different spaces...you alter the state of your film by having images on it... you are capturing images, either of places, spaces or people and that they deserve as much negotiation as the person you bought the film from. In negotiating what it is , this exchange of image that you’re going to be able to use.” (Mita, M. Interview:1996)*

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<sup>30</sup> Mead, Aroha Te Pareake (not dated) ‘Misappropriation of Indigenous Knowledge: The Next Wave of Colonisation’ in Ngā Tikanga, Ngā Taonga: Cultural and Intellectual Property - The Rights of Indigenous Peoples, Mead, A.T. RUME Monograph Number 23, 1995, University of Auckland.

<sup>31</sup> Smith, Graham Hingangaroa, 1995, New Formations of Colonisation, in Pihama, L. (ed) The Fiscal Envelope: Economics, Politics & Colonisation, Volume One, Moko Productions/RUME, Māori Education, Education Department, University of Auckland

Critical cultural analysis of the representations of Māori is then a part of wider political and cultural issues. Merata Mita refers to this challenge as a part of a process of “*Demystifying the process, Decolonising the screen and Indigenising the Image*”<sup>32</sup>, it is a process that many Māori film-makers are committed to in order to make change in the ways in which Māori are imaged and presented in television and film, both nationally and internationally.

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<sup>32</sup> Paraha, G. 1993 op.cit.



