



Socialist Party of Aotearoa

A Submission on the Foreshore and Seabed Act 2004 to the Ministerial Foreshore and Seabed Review Panel.

This submission is on behalf of the Socialist Party of Aotearoa, PO Box 167, Lyttelton, CHRISTCHURCH 8841.

We REJECT the Foreshore and Seabed Act 2004 in its entirety. We believe that the Act should be repealed, not amended.

We reject the Act for the following reasons.

This Act was a further confiscation of Māori land. The Act continues a long history of theft of Māori land. In fact the Act is particularly unjust in that it has no rationale other than preventing Māori from asserting their traditional and legal rights over their own land.

Foreshore land in private (mostly Pākeha) ownership was not treated in the same way as this last vestige of Māori land.

At the time the Treaty of Waitangi was signed, the British settlers hardly used the seabed and foreshore land so Māori kept it and relied on its resources and today continue to rely on kai moana.

As marine farming boomed over the last 30 years the corporations began to use foreshore and seabed land. By the time Māori were poised to prove their ownership in the courts the land was worth billions of dollars. Follow these billions and a very short trail leads to the foreshore and seabed confiscation plan.

It is a highly unjust law and it is harmful to the social relationship between the peoples of this country. Injustice breeds injustice and the social alienation we can see among some of the dispossessed in Aotearoa. For this reason many principled New Zealanders opposed the Act and supported the hikoi.

This shameful law follows the traditional pattern of the rich using lies and greed to mobilise Pākeha against Māori so their land could be stolen. The Act was introduced in a climate of hysteria, within a racist environment introduced by the opposition at the time under the “leadership” of Don Brash. The Labour government of the day caved into base motives and pushed it through despite widespread opposition across ethnic and political communities.

The Act confiscated Māori property on an ethnic basis and denied Māori equal access to the courts through the withdrawal of the right to legal remedy under the Treaty of Waitangi and under common law. It violates the Treaty of Waitangi, the international convention against racial discrimination and international laws protecting the rights of indigenous people.

The legislation neither does what it is “intended” to do, nor guarantees to protect that property from alienation. Once taken by the government, foreshore and seabed rights can be passed on to wealthy corporations simply by claiming “national interest”. Governments, both Labour and National have in the past privatised many of NZ natural treasures (the Blue Bay camping ground is a recent example).

Signed by Brendan Tuohy on behalf of the Socialist Party of Aotearoa.