

CULTURAL COMPARISONS IN TERMS OF LAW AND LORE

We need to recognize the significance of Culture and its influence on framing, designing and the final emergence of written laws and the Development of Tribal and indigenous Lore.

What is culture, whether it be Maori Culture or any other grouping of peoples culture.

I believe we mean a way of life.

Culture really denotes the entire psychological inheritance of a human group.

The traditions, its customs, its etiquette, its scheme of value, its language, its arts and crafts, its legal systems, its group sanctions its religion and even its superstitions.

Thus it denotes all that the mental furniture of a child who is born into that group.

Culture expresses not only a static inheritance from the past.

It also reveals the dynamic expression of that heritage in current forms of life.

Much of the culture into which a person is born passes into his behaviour below the level of consciousness as a result he does this rather than that for reasons which he may be unable to explain.

For the Maori the foundation from which his Culture emanates in all its forms physical would be Papa Tuanuku.

Mother Earth, the rivers, the forests, the mountains, the lakes, the sea shores.

The sea itself Te Moana nui a Kiwa.

All those resources and the foods they provide.

We can see that a culture can also be regarded as a highly developed form of protection of its resources.

Maori Culture prior to European influence had developed into an intimate relationship with their ecological environment.

Their physical and spiritual attachment to their environment was really deep and intense. Their language the master thread in this finely woven fabric that personified the Maori of that era.

Therefore the Maori of that time recognized himself as an integral part of his environment.

He knew that Mother Earth and all her resources could survive without him. Therefore, he only took what he needed to satisfy daily needs.

Hence his Gods and Kaitiaki (demigods) were developed into his beliefs as protective and co-operative agents over those resources. That they could not be seen by the Human eye guaranteed their success.



Ecology is a term we use to describe the interlocking relationships of all the living things in relation to each other in their environment.

We are all aware that this finely balanced relationship is delicate and fragile and interference to that balance causes drastic and irreparable damage.

Culture in comparison to Ecology are one and the same.

Ecology in reference to all living things other than man seems to be the generally common understanding of the work Ecology. Although at more recent times there is a growing awareness by man of his place in the scheme of things.

Rightly so the apparent self exclusion of man until the quite recent past as it allowed him to continue to be the greatest and most efficient predator in Earths entire history.

One can say that for Humans, Culture provides the means of survival for the majority.

That is where it relates to a race of people who had not developed a Written Language.

For those people who had developed written languages their survival as a group lies in their legal systems.

At local level, national level and international level.

Except in the Current Middle East situation where it seems that MIGHT IS RIGHT.

For the European settler his cultural attitudes to the land were very different.

It was a commodity to be acquired by purchase or otherwise. To develop and sell to buy and sell.

To buy and continue to acquire often in acreages far beyond his personal and family needs.

To acquire and fell all the natural habitat the great Kauri forests and other huge areas of native bush, to mill the timber and leave destruction and desolation to the environment.

To totally alter the face of the earth and change the land use.

With these two diverse attitudes to the land.

The Maori with his cultural understanding and concepts of Lore.

The European with his written Laws to legalise his actions stemming from those early days of the 19 century through to the present there has been a cultural clash of horrendous proportions.

This brings us to the purpose of this hearing.