The ICOMOS New Zealand Charter and Management of Intangible Values

The New Zealand Charter for the Conservation of Places of Cultural Heritage Value was adopted by ICOMOS New Zealand in March 1993. A Maori version of the charter was developed and written in 1995. Printed copies of the charter are in both languages.

The charter is used widely in New Zealand by heritage practitioners, the New Zealand Historic Places Trust Pouhere Taonga, and also by city and district councils, iwi, planners, architects and other professionals. In developing the charter ICOMOS New Zealand was mindful both of the needs of heritage conservation in New Zealand and of the multicultural community we live in.

Through the Treaty of Waitangi signed in 1840, Maori gained the status of British citizens and were guaranteed certain continued powers and rights over resources. The exact nature and extent of those powers and rights have been debated widely in New Zealand but it is now certainly recognised that Maori have a key role in the governance of cultural heritage matters. Under the Historic Places Act 1993 and the Resource Management Act 1991 this extends to physical resources and archaeological sites on freehold or Crown Land.

The charter itself deliberately refers to cultural heritage rather than historic heritage. The term “historic places” is generally understood to mean tangible places or sites that can be viewed. “Cultural” heritage includes not only historic places but also intangible elements such as spiritual beliefs and associations with places. The definition of cultural heritage value in the New Zealand charter refers to spiritual values, amongst others.

The charter is multicultural in its philosophy, aims, and methods. This context is set in the first sentence of the charter which refers to New Zealand’s indigenous and more recent people. The second section of the charter is titled Indigenous cultural heritage. It describes the sub-tribe (hapu) based nature of Maori society, and places the responsibility for decision making and protocols in a context of local governance that is defined by Maori for their purposes.

By referring to both the relationship to the land and “those who have gone before” the charter notes the fundamental importance of whakapapa or genealogy to Maori. In this it acknowledges that there is an appropriate place for the reconstruction or revival of traditional culture, using old methods/lifeways, etc. This has allowed for the use of modern technology and insights, when properly consulted, in the restoration of structural, decorative and genealogical elements of Maori buildings. Interestingly this section also refers to the Moriori people, who have similar Polynesian origins to Maori and who are the indigenous people of the Chatham Islands.
At the time of its drafting input was made by two Maori members of ICOMOS. The Tumuaki Kaupapa Atawhai or Maori Heritage General Manager of the Department of Conservation contributed significantly to the second clause.

Some iwi or Maori tribal groups know about the charter and are using it, especially when working in a statutory or planning capacity with local government. The large iwi of the South Island, Ngai Tahu, referred to the charter in their landmark deed of settlement which settled outstanding Treaty grievances between them and the NZ Government. They also use it in other documents when referring to standards of conservation practice that they expect national government agencies to adhere to in the management of historic heritage.

The charter is multicultural – as well as managing European heritage it is clearly aimed at recognising and encompassing the cultural needs and practice of the Maori people. It is not necessarily limited to Maori. It can encompass traditional materials and practice of any of New Zealand’s settler communities, be they island Polynesian, British, Dalmatian or Chinese.

The New Zealand charter deals well with tangible indigenous values. The charter refers to both physical places of significance to Maori and also to the use of indigenous crafts or material, such as carving or flax tukutuku panels. These can be attributed art historical values and be the subject of anthropological or other critical comparative analyses, even if their primary value and origins lies in the intangible realm.

The charter also deals with intangible values, but in a limited and specific context. It identifies the need to consider and respect intangible values, through its underpinning philosophy, its language and its bicultural context. However these intangible values are linked back to physical places. The charter, after all, is for the conservation of places of cultural heritage value.

The definition of “place” refers to traditional or sacred sites, which may have no tangible evidence, but are still associated with a specific and tangible area of land. The charter acknowledges that some knowledge of places may not be a matter of public record, but is entrusted to guardians.

The charter manages some aspects of intangible values, but can only do this within the context of the link to physical places. It notes that in some cases non-intervention is an appropriate technique of conservation, as undisturbed constancy of spiritual association of some places may be more important than the physical aspects.

However there is no means for the management of intangible values that may have only a peripheral or no link to physical land, such as values encompassed in a name or a myth, even though the definitions and identification framework provides for the recognition of these values. There is no doubt that these are significant concepts and values, but concern for the management of these is not the role of the charter.
What this highlights is the need for a separate charter or similar instrument to recognize these aspects and values of cultural significance, which may include traditions of artform, dance, whakapapa, myth and legend, and other cultural practices. Again, such an instrument would be multicultural in scope to embrace all of New Zealand’s settler communities.

**Concluding remarks**

ICOMOS New Zealand takes pride in its charter.

It has been included in statutory settlements of Treaty of Waitangi issues; it is in use in conservation planning by most national bodies such as the Historic Places Trust and the Department of Conservation.

It has yet to be fully utilised by local government, and case law suggests that its role in decision making under the Resource Management Act is still controversial in the eyes of the law. We are working to make it effective even there.