

# STATE OF OUR NATION WAITANGI DAY 2009

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*Kia ora everyone.*

There are people in each generation who look at their legacy and reflect – have we done everything we could in our time in history to make our world a better place for everyone? What is left undone? What is there still to do for future generations?

So, halfway through my life as a New Zealand-born child of Dutch immigrants, I am taking this opportunity to ponder on how we are doing as Pakeha, the Treaty partner named in the preamble to the Treaty on behalf of ‘those who would come later’ – on behalf of all immigrants. What do I think of how Pakeha have done?

To answer this question for myself, I did a PhD. I’m a community psychologist, so I looked at how the history of Pakeha/Maori relations might be seen as a ‘conversation’ between two communities of people. I asked - How have Pakeha conducted ourselves in that conversation? What do our responses look like, in relation to our widely held Pakeha values of decency and fairness?

What I found can be illustrated by some examples from New Zealand history:

*A ‘conversation’ between Treaty partners*

Initially, in the early 1800s, Pakeha engaged respectfully with Maori (albeit with the settlers determined to disrupt the sovereignty of a numerically dominant indigenous population). The relationship was not yet colonial, but rather one between two parties considering each other as political equals, as sovereign nations. The British acceptance of the Declaration of Independence and of the flag of the Confederated Tribes demonstrates this. And the Treaty that followed was, again from the preamble, intended for Maori and Pakeha to live here together, in a peaceful way.

However, as we now know, the Treaty signing was taken by the British as a cession of sovereignty - even though, as we now also know, the text that Captain Hobson signed that day was a Maori text, *te Tiriti o Waitangi*, in which no sovereignty was ceded. It can be useful when considering how settlers and Maori proceeded after 1840, to imagine the English and Maori texts of the Treaty of Waitangi as expressing, respectively, a colonial view and an indigenous view of the intended relationship between the parties.

## **So, what has been the communication from Maori in this conversation between Treaty partners?**

Within a few short years of being the first to sign the Treaty, Hone Heke had cut down the flagpole he had gifted to the Governor, considering that the Maori flag should fly side by side with the Union Jack – that is what *te Tiriti*, the text he had signed, implied to him. Since that first symbolic communication, Maori challenge, protest and argument about the dishonouring of the Treaty of Waitangi has been continuous .

The injustices of colonisation, the settler's control of land, economy and institutions have been topics of heated discussion on marae since then and continues today. These sentiments have been communicated to Pakeha through armed resistance, unarmed resistance, court cases, petitions and submissions, land occupations and media statements. There is no doubt that Maori have communicated their views of the injustices of colonisation over the past 165 years.

## **And how have we replied? This is the question today. How have we conducted ourselves in the 'conversation' with Maori?**

In 1860, when land sales dried up, our engagement with Maori shifted to one of hostility. With the British army retired from the field from 1865, and population levels becoming even, Pakeha could, and did, use the methods of majoritarian democracy and legislation to assert their view of a 'civilised' society. There are, as we now know from the historical research of the Waitangi Tribunal, many examples of colonial brutality. But you could also see the Pakeha position during the century from 1860 to the 1970s as one of brutal **indifference** towards our Treaty partners. To illustrate this colonial indifference, let me remind you of some samples of the communication between Maori and Pakeha in that century.

In the early 1850s, in a move considered by some scholars to be the primary breach of *te Tiriti*, the British unilaterally established a "responsible settler government" through the New Zealand Constitution Act, 1852 (McLintock, 1958). Maori were not explicitly excluded but there was no provision for Maori political and territorial authority, which left most Maori disqualified from participation. The settlers took for granted their right to land for their profit and agricultural systems, and their right to assimilate the native population into the settler's way of life, language and institutions. The settlers consistently perceived the negative effects of such aggressive colonisation as confirmation of the 'natural' superiority of Pakeha.

In 1858, Wiremu Kingi, as senior political leader in his area, told Governor Gore Brown he opposed the sale of Waitara by his nephew. In reply, Gore Brown 'waived' or declared unimportant Kingi's right of chieftanship over his nephew. As we know, his nephew sold the land, resulting in the Taranaki land wars, and the ensuing atrocities.

In 1881 King Tawhiao of the Kingitanga and four other leaders travelled to England to petition Queen Victoria about Maori self-government, as indeed provided for in the 1852 Constitution Act, since they were excluded from voting and parliament. The delegation was snubbed and referred back to the New Zealand government. And what did our government say, 5 years later when they eventually replied? They dismissed as "unreasonable and absurd" Tawhiao's petition for a Maori Council to administer Maori rights under the Treaty of Waitangi. In 1882, a Ngapuhi deputation to England appealed to the Queen for a Royal Commission to investigate and rectify laws that contravened the Treaty, and permission to establish a Maori Parliament. Again, the deputation was snubbed, and belittled locally.

It goes on, with Maori 'speaking' through the Kingitanga, the Kohimarama covenant about the Treaty and at Parihaka, and Pakeha 'not listening'.

In 1894, at the time when the Maori population census was at its lowest, Hone Heke, grand-nephew of his namesake, presented his Native Rights Bill in Parliament to give a Maori Parliament power to govern Maori. Pakeha MPs streamed out of the Debating Chamber to prevent its discussion.

Coming into this century, in 1920, Wiremu Ratana began his mission of pursuing political objectives for Maori through a religious vehicle, and announced as he travelled to England: "I will shake hands with King George and lay before him the Treaty of Waitangi and I will ask him: is this the Treaty you made, what do you think of it? He will not be able to deny it" (Simpson, 1979, p. 227). When the British Crown ignored him, Ratana returned to organise a mass petition, with 30,000 signatures, to have the Treaty embodied in statute, gaining over. When the first Ratana MP, Eruera Tirikatene, presented the petition to the House in 1932, he began his maiden speech with: "My policy is to stand for the rights and privileges of the whole Maori race as embodied in the Treaty of Waitangi..." (Simpson, 1979, p. 229). But, having seen the petition tabled for all to see, and having accepted the considerable constituency Ratana brought with him, the Labour government of the time delayed for 13 years before considering it. The response, when it came, was the government instruction to hang a copy of the Treaty in every school. In fact, it was during these years, as Ratana's submission lay unread by our Parliament, that Pakeha speechmakers at the 1940 centenary of the Treaty, spoke of the "best race relations in the world".

**I concluded in my research that that century's conversation was one of callous indifference by Pakeha towards Maori.**

So, did anything change for my generation, who were teenagers and 20 year olds in the 1970s?

In the 1970s, a new generation of Maori began to use protest methods readily broadcast by modern media, such as marches and occupations. The 'new' activism, expressing what had been said on the marae (and to the settler Parliaments and British monarch) for generations, was reported by the media to a Pakeha public. For instance, the stories of Bastion Point

and of Raglan Golf Course and many other local occupations. It was through these protests and occupations that the longstanding Maori critique of colonisation first became audible to the Pakeha world. For the first time in colonial history it received an organised response from some Pakeha citizens.

So how did we respond, now that some of us were hearing Maori speaking? A scattering of antiracism groups formed in the 1960s and 70s, some churches took stands against racism and in support of Maori. Some Pakeha joined the Maori Land March in 1975, and supported the land occupations in the later 1970s. With protests by Maori now growing at Waitangi itself, and the Hikoi ki Waitangi starting up in 1983, there was by 1984, for the first time, an actual call and response about the Treaty of Waitangi between Maori and Pakeha – for the first time, a **conversation** between Maori and Pakeha about the Treaty.

A major hui was called at Ngāruawāhia in September, 1984, by Te Runanga Whakawhanaunga i nga Hahi o Aotearoa (Maori Council of Churches) to discuss the “legal, moral, political and historical ramifications of the signing of the Treaty” (Waitangi Action Committee, 1985, p. 1). The hui was the first of a series of gatherings originally proposed as a more conservative alternative to the Great Hikoi Ki Waitangi in 1984 (Te Kawariki, 2000). In that hui, the notion of teaching Pakeha the history of the treaty from a Maori perspective was recorded, and to create bicultural New Zealanders. (Waitangi Action Committee, 1985, p. 6-7)

Later that same year, in 1984, Pakeha activists called a major gathering of the antiracism groups now numerous enough to be described as a ‘movement’, near Tauranga. Their publicity stated that: “on the Hikoi Ki Waitangi (and elsewhere) the need has been recognised for Pakeha antiracist groups and individuals to meet and discuss white racism in Aotearoa”. The agenda included: “Pakeha responsibility under the Treaty of Waitangi; Pakeha responses to Kotahitanga; Waitangi 1985 and responses to the Hui at Turangawaewae” (Antiracism & Treaty worker national gatherings, 1984- 2000). Soon after, in 1986, Pakeha groups launched a Treaty education campaign for Pakeha, funded very modestly for 5 years by the Justice Department – *Project Waitangi: Pakeha Debate the Treaty*. Treaty education, as a form of citizen and workplace education, went on into the 1990s and continues today as a user-pays arrangement, whereby organisations pay educators, both Pakeha and Maori.

So, looking back on our conduct in the conversation between Treaty partners, Maori have been speaking to us for almost 170 years about the Treaty we signed with them. On our part, we have used only the past 30 years to even formulate a reply, to engage in an informed conversation (and in fact, we’ve spent only the last 15 years of that time considering the Maori text that was actually signed on Feb 6<sup>th</sup> on our behalf).

**Has this recent engagement by some Pakeha in direct response to Maori communication made any difference to our general posture of callous indifference?**

Overall, we can see some positive outcomes:

- The Treaty IS on everyone's lips, and although negative phrases like 'treaty fatigue' and 'grievance industry' come into circulation, these come and go, while the Treaty as a focus of discussion continues
- HAS made a public conversation possible about the Treaty between some Maori and some Pakeha, depending on the sector – the greatest uptake of Treaty education was in the social services, health and community sectors and led them to focus on Te Tiriti, the Maori text. Government services have been more ambivalent, with their concern for the English text. The commercial sector has had the most limited penetration by education about the Treaty.
- HAS made a relationship of trust possible between some Maori and some Pakeha groups who work towards a common goal – it might be a community's development, providing health care, or co-stewarding a natural resource.
- Many community and social service organisations have made significant changes to their institutional policies around staffing and clients
- Some NGOs have made structural and constitutional changes to their organisations.

BUT the pushing through of the Seabed and Foreshore Act in 2004, 20 years after the conversation about the Treaty began, has again showed the callous indifference on our part to the most reasonable and diplomatic calls by Maori for 'a longer conversation' and proper negotiations, supported by the Waitangi Tribunal (Waitangi Tribunal, WAI 1071, 2004). The fragility of the conversation is shown by the ease with which the government was able to persuade many Pakeha citizens that it was acceptable to confiscate a Maori right to the seabeds and foreshores of the country.

You may ask, well then, what does learning more about the Treaty actually achieve? Can it change that callous colonial indifference?

**So, I'd like to finish with another outcome of my research, about the actual processes of Pakeha change.**

I visited 50 experienced Treaty educators in their groups from Whangarei to Otepoti/Dunedin, and recorded their theories of how Pakeha change. Of a number of theories, I'll highlight one that is particularly useful as we consider our conduct in the conversation between Treaty partners.

*Pakeha change in stages - ignorance, awareness, learning and action*

Our theory was that Pakeha as a dominant group are in fact most comfortable with the state of colonial affairs, which is a state of indifference to native affairs. We theorised that this comfortable state is held in place by ignorance about the events of history, and ignorance about the guarantees in both texts of the Treaty. Many Pakeha remain firmly in this state all their lives, and with the confusion, misinformation and fear about the Treaty broadcast by many media and implicated in

government policy, it is quite possible to do so (e.g. 'Maori signed away their sovereignty', so 'Maori only have themselves to blame', and 'Maori need to catch up to us more civilised Pakeha'...). We considered this state of *ignorance* and indifference the starting stage for Pakeha change processes.

So what prompts us beyond this stage?

When we first hear or learn something that is at odds with our indifferent colonial worldview (which could be stories of Maori experiences, learning about the Treaty promises, or colonisation), we go through stages of response. We experience a shock to our belief system ('I didn't know that Maori made continual trips to the British Crown about honouring the Treaty, or made continual appeals to the nation's and British courts ...I thought they just kicked back and played their guitars and ate watermelons'). We called this second stage of change *awareness and awakenings* from colonial indifference.

This second stage of awakenings can be shocking as well as inspiring, and energising. It includes coming to realisations about some dearly held, and often unconscious beliefs: (for instance that 'our [Pakeha] ways are not the norm for everyone?!', we are 'not the centre of the Universe?!', even within this country. One person realised with a shock after hearing more about Aotearoa's history before the Treaty, that actually 'Maori weren't living here for a thousand years just waiting for Pakeha to arrive!' So our shock, as well as our inspiration, is about understanding that there has been a different worldview existing alongside our own all this time, and that our actions appear not at all decent or fair or justifiable in that view.

At any one time, there are Pakeha entering the awareness and awakenings stage, when they first see history and life in New Zealand as not quite the glorious story of triumph of Pakeha civilisation.

The third stage we called *learning* or adapting, in which people learn more about the true history of the Maori-Pakeha relationship, about Pakeha colonial actions and their impact on Maori. This is an extremely uncomfortable stage. Every person feels some reaction when longstanding beliefs are challenged. Individuals or groups who thought of themselves as decent, fair human beings have many responses, such as anger ('why wasn't I told about this?'), denial ('it wasn't me!'), guilt and chest-beating, or blame (the government, the media, schools). These emotional reactions can lead in two directions – either getting stuck in cycles of negative emotions like denial and blame ('it wasn't me, and anyway, what can one person do about it? so it's up the government, not me') or moving on into a more positive cycle of creative response and action.

Some Pakeha get frozen in their cycles of shock, denial and anger and so on, for long periods, and thereby sustaining the status quo. Staying stuck in those negative cycles, and resisting the invitation to learn more, basically continues the callous indifference. As we know, this indifference leads to further colonial abuses, like the Seabed and Foreshore Act. Remember, the response from Maori to that proposed legislation was 'We

need a longer conversation'. Continuing with callous indifference spells the end of conversation with a respected partner.

Alternatively, there are Pakeha who respond by feeling empathy with Maori people past and present, and feeling inspired to take some action towards a different, more respectful relationship between us in future. So, some Pakeha use feelings of anger or guilt and responsibility to search out more learning and take active steps towards a more mutually agreeable relationship between Maori and Pakeha. When Pakeha chose this alternative, a responsive conversation between the Treaty partners is set to begin.

That brings us to the fourth stage of *passion and action*. By passion the educators meant caring what happened to the other party, and caring about a mutually agreeable future. The actions were typically speaking with other Pakeha, or organising more learning for a whole group. It involved taking steps towards a more mutually agreeable relationship with Maori. The educators described these steps forward as happening in any number of practical settings - in a school, a workplace, or an organisation or a community. No matter where Pakeha meet, in their families, a school Board, a genealogical society, or a gardening group there was something active that could be done take a step closer to a Treaty relationship between Maori and Pakeha. Becoming active in stepping towards the Treaty became a conversation with a respected partner.

Where to from here, so that we can engage in the ongoing conversation between political equals implied in the Maori text of *te Tiriti o Waitangi*?

John Key's approach to working with the Maori Party as a 'relationship' could be a good start - it could also prove to be rhetoric (although I've always loved Mira Szazy's view on this 'the only thing wrong with tokenism is that there isn't enough of it').

Looking at the four stages of change - IGNORANCE, AWAKENINGS, LEARNING & ACTION, there is certainly evidence that many, many Pakeha are frustrated with remaining in a state of ignorance, are confused by the many debates, and want to be given an opportunity to understand the controversy around the Treaty, and Maori claims. In the series of community dialogues run by the Human Rights Commission all around the country in recent years, the most consistent request at the end of these community discussions was for education about the Treaty.

So a properly-funded effort of education about the Treaty is being urgently asked for - not just a 'historical information-only' approach as adopted by the recent government. (New Zealand historians are giving us excellent scholarly explorations of the colonial and Maori intentions in signing the Treaty) - but a chance to appreciate the implications of the relationship we signed up to. While the last government can certainly be applauded for making widely available good summaries of historical information, my research has shown that a dominant cultural group like Pakeha have strong emotional responses to their first experiences of hearing the other party's point of view. It is often shocking and

uncomfortable, as well as stirring and inspiring. As with most good civic education about a current issue, citizens want to discuss the implications of what they are learning.

**So to conclude, I leave you with two calls to action for Pakeha:**

1. I call for well-funded **non-aligned (independent) civic Treaty education** available to all citizens of this country (there are small innovative programmes already trialing independent civic education and discussion, such as the *Tangata Tiriti* interactive educational programme, and there is an independent *Treaty Resource Centre* in Manukau). Funding could be offered from the commercial, not-for-profit, or government sector.

2. I call on New Zealand media, including the journalism and media training programmes to **inform their journalists, sub-editors and editors much more thoroughly about the Treaty and Maori responses to colonisation.**, so that the public are not maintained in a state of misinformation. Again, there are innovative programmes already tackling the issue of media training, such as *Kupu Taea*.

*Kia ora.*