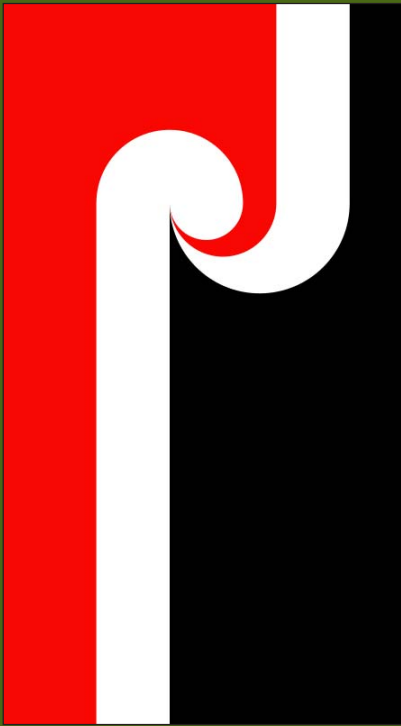




Council *for* International Development  
*Kaunihera mo te Whakapakari Ao Whanui*



# Treaty Journeys

International Development Agencies  
Respond to the Treaty of Waitangi



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# Treaty Journeys

**International Development Agencies  
Respond to the Treaty of Waitangi**

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**Council for International Development**  
*Te Kaunihera mō te Whakapakari Ao Whānui o Aotearoa*  
**November 2007**

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The Treaty Resource Centre was established in 2004 as a project of the Auckland Workers' Educational Association. Its primary objectives are:

- to promote understanding of Te Tiriti throughout Aotearoa (e.g., Treaty education delivery and resource development, networking, supporting professional development for Treaty educators);
- to encourage and assist organisations to develop and implement Treaty-based policy (resource development, guidelines on audits, evaluation of effective processes);
- to facilitate research which contributes to understanding of Te Tiriti and its application (identify priorities, undertake research, supporting others to do so);
- to establish and maintain a repository for materials relevant to the centre's other objectives (website; database/library of published and unpublished materials);
- to share with and learn from relevant efforts overseas.

The staff members involved in this particular project were Christine Herzog, Jennifer Margaret and Deborah Radford. For further information about us and our work please visit our website: [www.trc.org](http://www.trc.org).

Dedicated to all the individuals and groups which have by their actions started to identify a path where none has been before.

**“The question for me is how is it possible for us, in the process of making the road, to be clear and to clarify our *own* making of the road.”**

– Paulo Friere

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## Acknowledgements

This book would not have been possible without the generosity of those interviewed in sharing their experiences of and reflections on applying the Treaty in their work.

We would like to emphasise that the views are the participants' own, at the time of the interview, and do not necessarily represent their current views or those of their agencies.

In some cases material has not been included because of its sensitive nature. In other cases, the information is referenced as 'anonymous' and/or some details have been changed to protect organisations and individuals.

## Foreword

Treaty relationships have long been a fraught issue for non-governmental organisations (NGOs) in Aotearoa New Zealand. Many have had a genuine desire to “do the right thing” but have found it difficult to understand what they should do.

There have been a number of trigger points that raised awareness of the need for greater understanding of the rights of tangata whenua as agreed by the Treaty and the consequent obligations of tangata tiriti, the later settlers, to respect these rights.

The issues arose partly from the NZ Rugby Union’s continuing to send “representative” teams to South Africa without Māori in compliance with the apartheid regime in that country, culminating in the Springbok Tour of Aotearoa New Zealand in 1981 that divided the country. Tangata whenua had also been claiming their rights for the latter half of the twentieth century, often to negative reactions from many Pākehā.

Since the late 1970s, Treaty education has been a constant feature of the response by those who did support the cause of Treaty rights and obligations and wanted to help others to gain the same understanding. Government Departments, NGOs and community groups attended the courses and felt they had benefited from the consequent awareness-raising. Few, however, went on to translate their new consciousness into implications for their organisation.

The international NGO sector had a similar experience. Treaty workshops organised by the Council for International Development (CID) were carried out in the late 1990s, and some CID member organisations also undertook independent training. Over recent years, however, the question has been asked, “How could we become a Treaty-based organisation?”

This document describes the experiences of a number of CID member organisations as they have followed the path to becoming a Treaty-based NGO. It is set in a wider context in order to assist others who set out on the same journey.

CID wishes to acknowledge the work of Christine Herzog and Deborah Radford from the Treaty Resource Centre who carried out the project; Tony Spelman (Ngāti Hikairo, Tainui), Manu Caddie (Ngā Puhī) and Damian Skinner who provided a peer review; and Sam Buchanan from CID, editor.



**Rae Julian**

Executive Director

New Zealand Council for International Development

*Kaunihera mo te Whakapakari Ao Whanui*

November 2007

## I Introduction

### The Treaty as a journey, not a destination

IN 2004, the Council for International Development (CID) invited the Treaty Resource Centre (TRC) to assist in developing a resource that would support its member organisations in applying the Treaty of Waitangi to their work. It was decided that this might best be done by talking to people in some of the organisations about their experiences and putting these together in a document that would highlight the main themes.

The material gathered would then be placed within a theoretical framework. The interviews were carried out by TRC staff with eight CID members, plus CID itself, in 2004-5; material from these interviews and the theory that accompanies it are now drawn together in this book.

Initially, the purpose was to develop a resource primarily for international aid agencies. It soon became obvious, however, that while some aspects of the stories are specific to international aid work, most of the material would be useful to any type of organisation committed to applying the Treaty. In fact, one of the most satisfying aspects of this project has been that the international aid sector is clearly one of the leading sectors in the country in relation to Treaty application. All of those interviewed were much clearer about the relationship of the Treaty to their work than comparable people in other sectors. It seems that this type of work is particularly conducive to consideration of the Treaty in practice (see *The Treaty and International Aid Agencies*, page 10).

We have used the metaphor of a journey to represent ideas about how organisations are moving along various paths toward achieving relationships based on the Treaty's intentions. The

emphasis is on travelling together rather than reaching a pre-set destination. What a desirable destination might be is still to be determined for most organisations and it may be like the pot of gold at the end of the rainbow – it provides direction but is never actually reached. The course of the journey is to be mapped through dialogue and negotiation between the parties in the relationship.

Furthermore, the paths are constantly evolving, developing, and shifting as external and internal factors change for each organisation. It is different at different times, in different regions, for different participants. We do not want to suggest that there is only one way, or even a preferred way; to the frustration of some, there is no prescribed route. In fact, it is far too early even to decide whether there is a particular order to any of the steps which makes it easier. In some ways, the Treaty journey is unique so that, in the words of Horton and Freire (1990), we are making the road by walking it.

We will only see the path by looking back, not by looking forward. We hope that readers will be able to relate to, and learn from, the experiences of others as they create their own journeys through this relatively uncharted territory.

#### Some qualifications

Even people in the same organisation at the same time have different senses of what is happening and why; therefore, descriptions of the journeys can only be partial, fragmented and incomplete. The authors sincerely hope that in the not too distant future, we will be able to return to some of these organisations to develop their stories further by including a wider range of people

whose experiences extended over longer periods of time. Also, the contributors were clear that they did not see themselves as experts:

*“It would be really useful to know other agencies’ experiences of the process of implementation. It is critical to keep the momentum going and it is a complex thing and we haven’t got that expertise and that skill in-house...”*

– Participant from SCNZ.

We are assuming that readers have already made a commitment to applying the Treaty so, we have only given a brief overview of why organisations do so. It is beyond the brief for this book to explore alternatives to the Treaty, such as basing a relationship with hapū on international law.

Unless specified otherwise, ‘Treaty’ refers to the Māori Text (see Appendix 3 for exact wording and translation) and ‘tangata tiriti’ refers to people who have come to Aotearoa/New Zealand under the authority of the Treaty (*aka* ‘tauiwi’), including but not limited to Pākehā, Pasifika peoples, those from Asia, Africa and South America. We have used ‘Māori’ to refer to people of iwi descent generally and ‘tangata whenua’ where the reference is specifically to Māori in relation to their authority that derives from traditional occupation of the land. Finally, we have intentionally used apply/application instead of implement/implementation. As was discussed in the interviews, only the government can implement, that is, put the Treaty into effect. Community groups can apply it, that is, use it where relevant.

Because this work was commissioned by the Council for International Development, we are writing from

and for the tangata tiriti side of the Treaty relationship.

CID is not a government agency, nor are its members, but their establishment generally has been under the authority of the New Zealand Government, which was established by the British Crown; thus, their rights and responsibilities are linked to those of the Crown. We make no reference to Treaty application theory or practice for organisations

under hapū authority, which would be a separate, although related, piece of work. The situation is particularly complex for Māori organisations that identify with tangata whenua, but are accountable to the government in terms of law, funding, etc.

One way of looking at the Treaty is in terms of the responsibilities that are associated with the rights specified in it (see Diagram 1 below). Again because of the context

for this book, we have focussed on the aspects of the Treaty which underlie the responsibilities of tangata tiriti: rangatiratanga (Article 2), equity (Article 3) and cultural protection (Article 4).

All of the components are linked, but the bigger issues such as how kāwanatanga could or should relate to rangatiratanga did not arise in the interviews and therefore are beyond the scope of this book.

Article	Rights (as in Treaty)		Associated Responsibilities	
	For hapū/ Tangata Whenua	For Crown/ Tangata Tiriti	For hapū/ Tangata Whenua	For Crown/ Tangata Tiriti
1		to exercise governorship (kāwanatanga)	to respect governorship	
2	to retain control of all they value (rangatiratanga); to freely choose whether to sell land	to manage land sales	to respect land sale management	to refrain from taking control; to ensure land sales are voluntary
3	to have same rights & protections as English			to ensure Māori have the same rights & protection
4	to have customs protected			to ensure customs are protected

**Diagram 1: Treaty rights and responsibilities**

**Structure of the book**

The material made available through the nine interviews was so rich that it was decided that the original plan of just editing them and letting each stand alone did not do them justice.

We have included summaries of the parts of each organisation’s story that were included in the interviews, but we also identified themes and experiences that were common to several and linked them to broader ideas about Treaty application in Chapters 2-7. In most of those sections, the general comments are on the left-hand side and the related excerpts from interviews are on the right-hand side.

Appendix 2 provides a description of how the information was collected; if you would like further information, please contact the authors. A brief background of the Treaty is included in Appendix 3; further information is available in the CID Treaty of Waitangi Resource Manual which is included in the *Council for International Development Resource Kit*.

Terms that may be unfamiliar to readers and/or that may be used differently than usual are briefly described in the Glossary at the end of this book.

## 2 Why engage with the Treaty?

In some important ways, the Treaty is problematic:<sup>1</sup>

### **Historically:**

- a fundamental misunderstanding from the very beginning as to who would have sovereignty;
- different agreements at different sites;
- many hapū never signed;
- over 160 years of violation by the Crown.

### **Today:**

- reversal of the social and political context in which the agreement was made, from Māori dominance to Pākehā dominance;
- many interpretations of what the Treaty means now;
- the general public's knowledge about the Treaty is minimal<sup>2</sup> and there are few models of how it might be applied.

### **Yet, for all of its problems, many see the Treaty as being a useful historical baseline event that provides:**

- a foundation for nationhood in Aotearoa/New Zealand;
- a way to look at big issues such as injustice, indigenous peoples' rights, cultural diversity, human rights generally;
- an alternative to 'might is right' as the basis for the legitimacy of government;
- rights for tangata tiriti to be here, as long as hapū rights are respected;
- a rallying point for equity for Māori in particular and social justice generally.

### **From the perspective of international aid work, there are other aspects as well:**

- 'practising what we preach';
- the place of Aotearoa/New Zealand in the international arena.

1. See Appendix 1 for some background information about the Treaty.

2. See, for example, research by the Treaty Information Unit, State Services Commission (2004).

**The Treaty relationship provides a basis for nationhood...**

“The role of Catholics and NGOs and development agencies is to ensure that the Treaty remains part of the social fabric of society. We cannot imagine life without the Treaty much in the same way as the Declaration of Independence is part of the social fabric of United States society. It’s about acknowledging that this place has its history, a proud history, and acknowledging that and working within the confines, the constraints, the freedoms of that.”

– Manuka Henare, former director, Caritas.

**...a way to look at big issues...**

“The Treaty has ended up becoming the focus for many Catholics for what our obligation for justice means. Without the Treaty we would still have obligations to protect the rights of indigenous peoples. It is not because of the Treaty that we have to do this, but the Treaty is an important way of understanding that relationship.”

– Participant from Caritas.

“The Ethnic People’s Councils started writing references to the Treaty into their own constitutions because it was morally right to do so. It was also important for their own identity and recognition that they have become localised organisations. That social movement had a huge influence on Treaty related outcomes and helped ensure that the Treaty was part of the social fabric of New Zealand society.”

– Manuka Henare, former director, Caritas.

“Partnership and participation and relationships are really important principles in development – the human rights of indigenous peoples are really important.”

– Participant from Leprosy Mission.

**...and is an important aspect of practicing what we preach.**

“It was that injustice was injustice and racism was racism and you address it where you meet it. If you meet it here, then you address it here too. You have no credibility to work overseas without taking account of your role and place in this society as well, because who are you when you go out there?”

– Participant from CWS.

“How can we have a domestic programme and be a rights-based organisation and have no acknowledgement, let alone understanding, of what the Treaty of Waitangi means for the work that we do here?”

– Participant from SCNZ.

“A child’s rights don’t just exist in other countries, they exist internationally. To be able to work in a context of children’s rights we have to take some responsibility for those rights here at home.”

– Participant from SCNZ.

## 2.1 The Treaty and international aid agencies

International events have influenced the Treaty from the beginning, as in European colonisation policies, out-migration from Europe, shifting ideas about race, and the human rights and peace movements. More recently the Treaty has begun to have an impact in the international arena. Some responses to challenges based on the Treaty have been recognised as being useful in a wider context, for example, the concept of ‘cultural safety’, which was developed in the health sector. Other issues have raised concerns abroad; these have included the foreshore and seabed legislation and the NZ government’s opposition to the Declaration of the Rights of Indigenous Peoples.

The Treaty is an explicit part of the context for New Zealand international aid agencies. It is included in several important documents:

- CID statement in code of ethics;

*“The Treaty of Waitangi is fundamental to development in Aotearoa/New Zealand, and to our perspective of development issues internationally.”*

- Development principles held in common by NZAID and NZ NGOs;

*“The Treaty is core to the development processes within our own country and to our perspectives of development issues internationally. It provides a basis from which understanding and applications of principles of partnership can be drawn and against which they can be assessed.”* (NZAID and CID, 2003, page 7)

- Common Undertaking.

*“NZAID and NGOs affirm that they will carry their respective commitments to the Treaty of Waitangi through into their organisational policy and practice in ways that are appropriate to their circumstances.”* (NZAID and CID, 2003, page 12)

Every one of the interviewees commented on the obvious parallels between applying the Treaty at home and their work overseas, with some noting that the learning can be shared both ways.

**We're all interconnected...**

“Some of the staff were quite unsafe to be working out there without a strong foundation of the Treaty and what it meant. Aid and development isn't about poor people over there, it's about the world and the interconnectedness of it and we're grounded in Aotearoa. So we have a responsibility to honour and implement the founding document of this country.”

– Participant from DRC.

**so, learning can be shared...**

“The International Planned Parenthood Federation, the umbrella body that accredits Family Planning Associations, was bemused by the places for Māori on the National Council stipulated in FPANZ's constitution. New Zealand is unique in having Tangata Whenua representation.”

– Participant from FPANZ.

“If we are going through a process of cultural learning we can identify what is happening in our projects. We have access through programme experience internationally with the potential to learn from indigenous examples in other countries. What are the learnings that we need at the moment to move ahead and how are we going to bring those together to enhance our own expertise and share with our partners?”

– Participant from SCNZ.

“When you're working in development overseas there is a very strong sensitivity to culture: to respect, to nurture, to develop people's culture alongside developing the community. I was thinking, how is the Treaty relevant to me in my work living here in New Zealand, and what I was doing overseas? I had quite a strong personal interest and felt that I needed to update myself and reflect on what it meant to me now living here and what it meant for the work that we were doing.

– Participant from SCNZ.

“We're working in partnership with communities overseas who mostly have been through colonisation too. They live with the results of that process and are now looking at many of the same issues that Māori are looking at, such as access to resources and self-determination. The process of colonisation might be very different in each country, but the outcomes such as poverty, lack of access to education and poor health can be predicted.”

– Participant from VSA.

On the executive over a number of years we have articulated indigenous peoples' rights and issues so that even the world organisation is starting to show some sort of cultural awareness of indigeneity and First Nation's issues, whether it's Māori or Pacific or the Sami people of Sweden.

– Participant from YWCA.

## 2.2 What brings us to this journey?

People become involved in Treaty work for a wide variety of reasons such as:

- fitting with personal values and beliefs about justice and/or relationships;
- being part of a personal journey, which may involve an increased awareness of history and/or injustice, especially racism;
- a challenge raised by a respected person or group;
- a requirement by a person or organisation with authority.

Organisations have similar reasons:

- it is a corollary of the mission and/or culture of the organisation;
- a person or small group becoming inspired by attending a workshop, attended as part of work or for personal interest;
- pressure from a Māori group inside or outside the organisation;
- there is peer and/or professional influence;
- it is policy from an external organisation (parent body, approval agency, funder);
- an event, inside or outside the organisation, prompting consideration of Treaty issues.

**We have been motivated by challenges by Māori and others in Aotearoa...**

Māori people at hui and gatherings and at one tangi have said, 'Well don't go and volunteer overseas come and volunteer in local iwi'. The idea of working overseas was a kind of a luxury. That's a challenge for us about our work being focused overseas.

– Participant from VSA.

We don't use the word partnership without acknowledging that it is suspect. We know that the use of resources overseas is a highly problematic when most Māori we asked would say, 'Use them for the development of Māori here'. There is an issue of real tension in there. We continue to do what we do, while we struggle to see what it all means.

– Participant from CWS.

In November 1982 during the showing of a film on South Africa a number of Māori participants in that workshop said, 'That's not just South Africa – that's Aotearoa New Zealand'.

– Participant from CWS.

The Catholic Bishops, and many clergy and parishioners, were very much involved in the anti-Springbok Tour movement. Across all of the groups that were involved in the 1981 protests, there was the challenge, 'How can you be concerned about racism in South Africa and not look at it in New Zealand as well?'

– Participant from Caritas.

**...and queries from partners overseas...**

CWS was relating primarily to overseas partners and a strong expectation emerged: 'How can you be partners with us' they said, 'if you're not partners with tangata whenua and those who are marginalised in any way in your own situation?'

– Participant from CWS.

As someone who is interacting on a frequent basis with people in other countries and with indigenous peoples' groups, I'm quite often asked about the indigenous people of New Zealand, how we relate to them, what we do, how we connect, and the relationship.

– Participant from Leprosy Mission.

Of course indigenous people have incredible networks and New Zealanders who travel overseas to the countries we work in find that people often have a much greater grasp of the significance of the Treaty than some New Zealanders do.

– Participant from VSA.

Sometimes partner organisations will ask volunteers their opinions of the Treaty as a way of checking out how safe they are with them. If somebody overseas asks about the state of race relations in New Zealand and a well meaning volunteer says, 'Oh really good, you know we've got the best race relations in the world', then the partner or someone from that community may decide that volunteer is actually quite naïve and it may mean that the volunteer's point of entry is a little less easy into a new community.

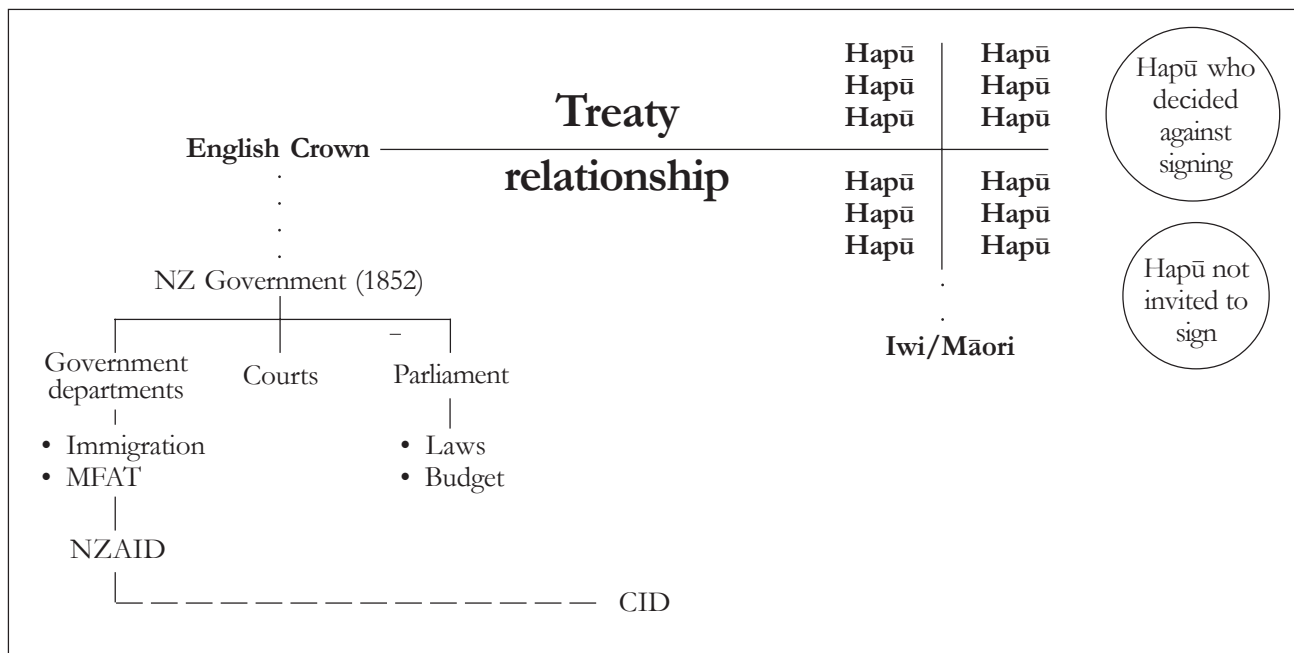
– Participant from VSA.

**...as well as other kinds of learning experiences.**

For those of us who got involved in social structural analysis, the key moment was when you were assessing one another's world views. Always the blocks were the same ones present in other journeys: gender inclusive journeys; interfaith journeys; a range of justice issues internationally as well as locally. That whole stream of social structural analysis and grappling with one's world view became incredibly important in terms of the Treaty journey. We stopped talking about the bicultural journey and started instead to talk about responsibilities within the Treaty journey.

– Participant from CWS.

### 3 Treaty relationships



**Diagram 2: Treaty relationships today**

No matter what type of relationship is being considered, business or personal, local or international, there is always a purpose that connects the parties.

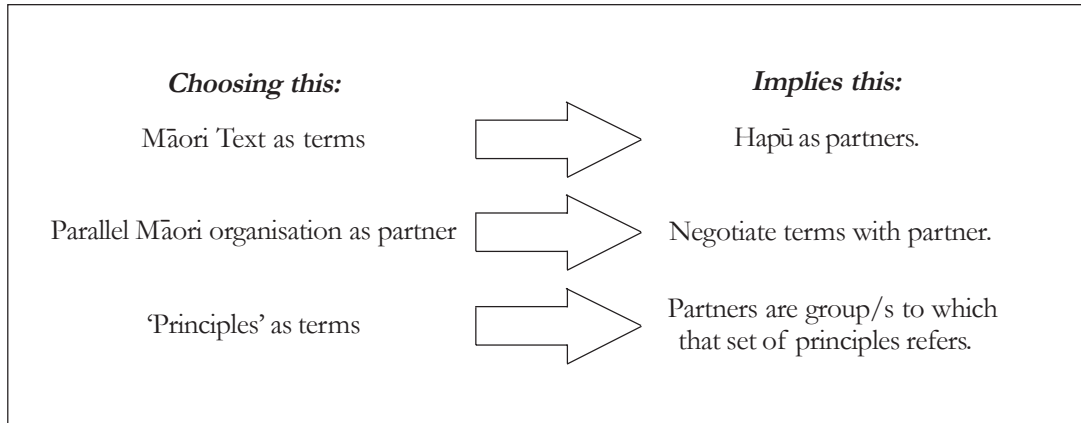
The original parties to the Treaty of Waitangi were the British Crown and those hapū that agreed to it. The Treaty was intended to safeguard tangata whenua interests and provide a basis for the relationship between those who wanted to migrate here and tangata whenua who were already living here, because the arrival of Pākehā was starting to put tangata whenua communities under some strain and was seen as likely to cause more.

While the intentions may have been good, the broadness of the statements meant that people with very different expectations agreed to it. For example, was the government going to be national (British view) or local (hapū view)? Would it have authority only over Europeans or over everyone?

Because the original Treaty relationship has been undermined by over 160 years of colonisation, it is often difficult today to determine the parties in a specific context and what the terms of their relationship are now.

A significant complication has arisen because there are now some tangata tiriti groups that relate, culturally at least, more closely to Māori than to Pākehā, and therefore find it difficult to think of themselves on the other side of the relationship. Also, many community groups that are not tangata whenua do not wish to be aligned with the government.

### 3.1 Connection between terms and partners



**Diagram 3: Connection between treaty terms and partners<sup>1</sup>.**

There is a 'which comes first' connection between deciding who is involved in a Treaty relationship and deciding what terms define the relationship because each aspect has implications for the other: whomever one has relationships with will influence views about what the Treaty means today, and any interpretation of the Treaty will influence with whom it might be appropriate to be in relationship.

Some people involved with Treaty application believe that to act within with the spirit of the Treaty itself, a tangata tiriti group should be in relationship/s with tangata whenua first and then negotiate what is meant by 'Treaty' together. While this seems logical, which groups are identified as tangata whenua will have a major effect on the outcome of the discussion and whether tangata whenua wish to work with a particular group may depend on whether that group accepts a particular interpretation of the Treaty.

Often is it merely happenstance that determines whether a group begins by considering the meaning of the Treaty or by entering into relationships. Most groups do not intentionally choose either approach; relationships develop out of complicated sets of circumstances, sometimes shaped by conscious decisions about what interpretation of the Treaty will be used and sometimes not. However the process occurs, it is important to recognise that every interpretation of the Treaty has implications for who is in the relationship, and every party to the relationship has preferred terms. Hopefully, these terms will be the same if parties have made a long-term commitment to the relationship.

1. Although 'partnership' is not a term actually used in the Treaty, it is the concept of relationship most frequently invoked. It is somewhat misleading because people often equate the term with a 50:50 balance, which certainly was not envisioned when it was written. Nevertheless, we have used the term 'partner' in the absence of a better term to refer to those involved on either side of the Treaty relationship.

## 3.2 Parties to the relationship – looking at ourselves

Looking at the parties to a Treaty relationship has two parts:

- a) Knowing ourselves, because that is how we can have an idea of what we bring to the relationship and because if we do not know ourselves it can create confusion;
- b) Thinking about possible ‘partners’ for the organisation, because any choice has implications.

An obvious, but frequently neglected, first step in Treaty application is to increase the awareness of our organisation and the people in it. Some questions that are directly related to a Treaty relationship include:

1. Why are we doing this? Why is the Treaty relevant to us? Is it externally driven? Internally driven? Both? A justice issue? About identity? (see also ‘Why Engage with the Treaty’, page 8)
2. What do we mean by the Treaty? (See also ‘Terms of the Relationship’, page 22). Is a relationship more than working on issues together?)
3. What do we have to offer? What do we want out of our relationship/s?
4. Who in our organisation is (is not) committed to this work? (See also the section on ‘Key Stakeholders’, page 36)
5. What staff, time and other resources do we have available to commit to this work?
6. What knowledge do we need about the Treaty? About related issues?
7. With whom would we have the relationship? And why might they want to have a relationship with us?
8. Do we have the skills to work effectively, appropriately and safely with Māori? How would a Treaty relationship affect our other relationships?

### Some deeper questions

Other, deeper questions often arise during the process of looking at the questions in the previous section:

- a. What is the culture of our organisation? Are the fundamental values different from those in Māori culture? Are there some similarities? Who determines the values for the organisation?
- b. What has been the history of our organisation’s relationship with the tangata whenua of our area and with Māori in general?
- c. How well do we know ourselves personally, including our own cultures? Do we understand the differences and similarities with Māori culture?
- d. What types of power do we hold and exercise? What is the legitimacy for that power?
- e. What resources do we control? What is the legitimacy for that control? In whose interests do we work?
- f. What learning have we done about the impact of colonisation?
- g. How do we work with each other? What contributes to beneficial/problematic relationships within our own organisation? What processes do we have for working together on big issues?
- h. What do we need to do to have the self-awareness/confidence to be able to move beyond ‘politically correct’ responses?

### **It's important to know ourselves...**

“We spent quite a bit of time getting to know each other as people, and our families and our lives. Normally in that sort of meeting you might have ten minutes getting to know each other and then you get down to business. And that actually has seen us through the process as a really well functioning group.”

– Participant from DRC.

“What became apparent for me was the absolute appropriateness of SCNZ, here in New Zealand, but also overseas, proactively engaging with the Treaty. It was also very useful as a team building exercise because we discovered a lot about each other.”

– Participant from SCNZ..

### **...particularly needing to know: why we think the Treaty is relevant.**

“Giving people a true picture of this place when you are relating to partners overseas, not pretending that we are the whole, or the norm, or the only face of this country, making sure that other people know where we stand in relation to Māori. That is part of describing ourselves, introducing ourselves.”

– Participant from CWS.

“There was an acknowledgement that as a treaty it is between two parties, that it doesn't involve NGOs. But as an NGO working in those communities we can't ignore the fact that it does have an impact on our service delivery. We are a New Zealand organisation; therefore we have a responsibility to better understand what the Treaty means to us.”

– Participant from SCNZ.

“It is useful to draw parallels before people leave New Zealand so that volunteers don't go into their work thinking, 'Here in New Zealand we don't have any development issues so we're going to come and put you right'. VSA has been encouraging volunteers to think about these things before they go overseas. And that's really hard because they just think, 'Oh, you're just doing this because you're being politically correct'. The majority of volunteers do not see it as being relevant until they've been in the country of assignment a while, then they tend to see that there is a connection.”

– Participant from VSA

“Things are happening and it is just a matter of making it meaningful and working out what people's responsibilities are. Some people are really clear and say the relationship is between tangata whenua and the Crown, and you're not a Crown organisation so you don't need to do anything. Other people would say you get a large percentage of your funding from the government so you do have a responsibility.”

– Participant from VSA.

### **How we should relate to other groups...**

“Many migrants are far closer to the experience of the Treaty than many Pākehā, particularly people who come from countries with a history of colonisation. People from countries like Malaysia are often quite ready to sit down and talk directly to Māori people about the Treaty and they don't always need us in the picture as a kind of third party.”

– Participant from Caritas.

### **And whether we have shared commitment.**

“In a perfect world we would have really strong relationships with mana whenua. We would have a sense of shared endeavour with Māori. We would have everybody on the staff at the same level of understanding and commitment. We don't have that.”

– Participant from CWS.

“It's no good just saying the organisation has a commitment to the Treaty of Waitangi when a number of people may not have any idea what it is.”

– Participant from VSA.

# COMMENTARY

**we have the right people involved...**

“We know some of the things we want to do but when we actually go to do them we don’t know how. We’ve got to review all our quality assurance guidelines to make them relevant to Māori. What does this actually mean? What process are we going to use to do that? And we really haven’t got relationships in place yet. We want to do it and we want to do it properly. We want to have the right staff on board and the right connections but we are just not there yet.”

– Participant from DRC.

“What’s been really great for me is being able to work with an organisation that’s absolutely serious about doing something with the Treaty, and being able to be influential in that journey. What’s been key and positive for me is the core group, its composition and its ability to talk openly and frankly about some pretty contentious issues.”

– Participant from DRC

– External Māori Consultant.

**...and whether we have enough knowledge.**

“You have to do the work. You can’t just expect, as some agencies do, to have it on a platter. It actually involves your own stuff as an individual, as well as the organisation. You have to take responsibility for the history and learn it.”

– Participant from CWS.

“We might say, ‘Oh we want to increase relationships with Māori,’ but why might Māori want a relationship with us?”

– Participant from VSA.

“Staff agree that one of the first things they need to do is to get on board with at least the basic Māori words and correct pronunciation, and some of the tikanga. Bring everybody on board and to the same level and then decide what next.”

– Participant from DRC.

“Everyone in this organising group already had a fair bit of knowledge and information. Issues came back and were openly discussed before taken externally because cross culturally what happens on this side is not necessarily always kosher on the other side.”

– Participant from DRC.

“A cultural competence survey was undertaken in 2004 and staff were given paid time to complete the survey. A pilot tikanga Māori workshop was developed from that and delivered and because the feedback was positive so it was rolled out to the rest of the staff. And that was all about building the capability of FPA staff (throughout whole country) so that they can engage better.”

– Participant from FPANZ.

**We need to know the cultures of our own organisations...**

“We absolutely and utterly acknowledge, and this I think is a real strength, that the YWCA is a traditional white women’s organisation although it constantly challenges the notion of social hegemony and that there may be Māori women in the organisation who feel comfortable with the organisation as it stands as long as it practises its Treaty commitments. A lot of our partnerships are actually with other Māori women’s organisations outside the organisation. So we do not say that to be Treaty compliant we have to have Māori women as members of the YWCA. We, the current Māori members, are very, very comfortable with this and those Māori women who are not comfortable with it, they move on. There’s another place for them.”

– Participant from YWCA.

**COMMENTARY**

“It seemed to us, being a predominately Pākehā organisation, that somehow or other we needed to take the lead in showing others how they might share their resources and let go of control so that others might develop their own directions. The struggle of indigenous people here is also the struggle of our partners overseas for their own livelihoods and community.”

– Participant from CWS.

“It’s just about recognising the cultural make-up of your organisation and making sure that there’s no blame attached, that people are future focused, that people have a chance to share their own stories and acknowledge their own cultures. It is acknowledging that everybody has a culture and everybody has an identity.”

– Participant from VSA.

**...and to recognise the power that we exercise...**

“I think the whole question of partnership, the inequalities of it, really hit you when you go overseas. I remember sitting in a meeting where someone thumped the table and said the bottom line is that your agency can withdraw your funding. That is the truth. How can you be a partner if you have the power to withdraw the funding? That to me was where I was deeply challenged about the use of the word ‘partnership’ in this country.”

– Participant from CWS.

“When the Zimbabwean women came here and they said quite bluntly, ‘We don’t see you as partners, we see you as donors’, it really shocked me. It would be nicer to say we are partners, but in fact they saw us as donors. So we’re donors and that’s okay, but let’s not pretend or claim more.”

– Participant from CWS.

**...so that we can act with confidence.**

“As an organisation you have to be careful that you are doing it for reasons that have relevance, and you’re not just doing it because you want to be seen to have done the PC thing.”

– Participant from SCNZ.

“There are things that we’ve done really well, like shaping our own rituals and our own identity rather than adopting somebody else’s in a way that feels uncomfortable. We’ve been able to take some processes and adapt them in a way that is right for the organisation. It’s OK if you’re Pākehā for your waiata to be Morning Has Broken if that’s what is meaningful for you. You don’t have to massacre Tutira Mai Ngā Iwi.”

– Participant from VSA.

### **3.3 Parties to the relationship – looking for a partner**

Before considering who might be appropriate Treaty partners, an organisation needs to be clear where it stands in relation to the main partners – Crown and hapū; specifically, which of these has what authority in relation to our work?

For tangata tiriti organisations, the primary relationship is with hapū in the area/s where they are located. For national organisations, this is particularly difficult, but the usual practice is to focus on the hapū in the areas where the organisation has offices.

The next step is to consider what other groups might have a particular interest in what we are doing (i.e. who are the other key stakeholder groups?). These may include, but are not limited to, users of our services, urban Māori, Māori staff and other Māori members of our own group, funders, local government, and parent bodies. For some organisations, this is obvious, but for some it is complicated.

While in most relationships, for example marriage or business, identifying a partner might be a carefully thought out process, for organisations entering into Treaty relationships it is often accidental – someone knows someone and it goes from there. For others, ‘analysis paralysis’ can occur as there can be so many reasons why one or another group should be approached first. Bearing in mind that various Māori groups may have issues amongst themselves, aligning with one group may have implications for relationships with others.

REMINDER: Treaty relationships are with Māori groups, outside the organisation (see ‘Diagram 2: Treaty relationships today’, page 14).

### **It's hard to get started...**

“As an organisation we really struggle with the links into the Māori community. We can't just make them up and we can't expect people to help us with this in the sense of, “This is what we want and what can we give you?” That is the biggest struggle that we've had and it could very easily have been a token thing that we were doing.”

– Participant from Leprosy Mission.

“I had a Māori staff member who was our office manager and we thought we'd try to build a relationship with Te Ati Awa, where she was from. There was somebody she knew, and she brought him in. We talked to him, and he was willing to help. But she left, and I didn't follow it up because I felt uncomfortable about it. Because we hadn't worked out exactly what the relationship meant, it didn't feel right – it felt tokenistic.”

– Participant from CID.

### **...but some approaches are emerging.**

“We realised it was really important to develop better relationships with local Māori, and we started to talk about that with mana whenua rather than only with the national bodies. We haven't solved the balance, but for a long time we didn't differentiate between local and national, and we learnt, like everyone else did, that you had to take notice of both.”

– Participant from CWS.

“FPANZ as a national body doesn't have a kaumātua and kuia, but the clinics and centres have relationships locally, although this is an area that requires more thought. We deal with it on a one-by-one basis – we didn't want to have relationships where once every three years we ring them up to ask them to come do something.”

– Participant from FPANZ.

“It is important to build personal links, not with ‘my tame Māori’ sort of stuff, but real links at the appropriate levels for open and frank dialogue, disagreement, questioning, trust. Not just somebody who will say, ‘yes, yes, yes’ to everything I do, but real people with whom you can engage.”

– Participant from CWS.

## 3.4 Terms of the relationship

If a group is already in a Treaty relationship, the terms of that relationship need to be negotiated amongst the partners. If, however, there isn't a Treaty relationship yet, it is important for a group to consider what it means by 'Treaty': the Māori text? The English Version? Partnership? Principles? If principles, which set? And why?

Once the organisation has identified what the terms of the Treaty are for them, that interpretation gives an indication of who the partner/s might be. For example, the Māori text refers to 'hapū'; however, which hapū can be a very complicated question in urban areas and for national organisations. Often the decision is to begin with those with mana whenua status where an organisation's offices are located.

**There is a view that the Treaty doesn't relate directly to NGOs...**

“NGOs were not a signatory to the Treaty, and private sector companies were not signatories to the Treaty. The Treaty was a relationship established between Māori leaders and Māori people with the British Crown, not with Māori and Pākehā. The Māori-Pākehā relationship is a consequence of the primary relationship. So in terms of the NGO response it simply is that NGOs act in order to be good citizens and that includes the Catholic church. The priests were witnesses to it and Māori leaders of the day put great faith in the Church and their role. That is their responsibility.”

– Manuka Henare, former Director, Caritas.

**...but some are clear that the Māori text is the basis of the relationship...**

“We had to decide early which version of the Treaty we were actually honouring. Part of the training that we did with all the staff and the Board involved making a decision about that and everyone had to agree. That was when we committed to the Māori version, Te Tiriti o Waitangi.

– Participant from DRC.

“One of our purposes and commitments is to the Māori version of the Treaty, not just to our Christian heritage. The enactment of it depends on the personnel and the volunteers and their ebbs and flows of knowledge, experience, even understanding of the herstory that's gone before.

– Participant from YWCA.

**...and others refer to Treaty principles.**

“The Leprosy Mission is guided and informed by the principles of the Treaty of Waitangi, in particular the underlying concepts of partnership and participation which enhance and refine the nature of its relationships with entities outside New Zealand.

– Participant from Leprosy Mission.

“The kaumātua is very clear on the importance of the Treaty principles of partnership, manaakitanga, self-determination and good faith and integrity, and the feedback from him was that VSA has imbued these principles into the way we work. But it's taken a long time to get there. Like a lot of organisations we've struggled to find our own way.

– Participant from VSA.

“We might say ‘VSA supports the principles of the Treaty’ and you could have said that twenty years ago quite happily, or even ten years ago. Now the discussion is, whose principles are you talking about and which ones? Are you talking about the Māori Language Commission principles, are you talking about the government principles?

– Participant from VSA.



## **Treaty language can be problematic**

Over the years, several terms and concepts have become associated with the Treaty which are not always useful. The relationship is often described as:

- ‘partnership’ though the Treaty does not actually use that concept;
- ‘bicultural’ even though a treaty is between political entities, not between cultures.

The content has been reinterpreted by various governmental bodies (parliament, government departments, the courts, the Waitangi Tribunal) as ‘principles’ which are variously defined, and none has been ratified by hapū /Māori.

All of this contributes to the difficulty organisations have in determining what the Treaty means for themselves.

### **Words mean different things to different people...**

In 2005 we focused on cultural diversity, a term recommended by the Race Relations Commissioner's Office. Their consultations with Māori groups revealed that many preferred the term diversity, rather than multicultural and bicultural. Our understanding of that was that for some people, "multicultural" implies that everyone is equal, and so Māori don't have a special place. Whereas the term diversity says everyone is different and emphasises what matters about our difference. We'd still see, of course, Māori as having a unique part of that broader picture

– Participant from Caritas.

We may have thrown around the word bicultural and people would say, 'But you work in Asia, Africa or the Pacific'. Perhaps, as an organisation, we haven't had a common understanding of what we mean by some of these words.

– Participant from VSA.

People in the organisation need to be culturally safe, and again that's a bit of a phrase like biculturalism, which has no meaning yet a thousand meanings and everyone regards it differently.

– Participant from VSA.

### **...and some words may put people off.**

It was deliberate decision that the name of this organisation would be "...Aotearoa New Zealand". It was very important we don't call ourselves "...New Zealand". There are a number of donors who send in their cheques with 'Aotearoa' crossed out on the slip – though they still care enough about the work to send a cheque.

– Anon.

Our Korokoro project was very much about partnership and no-one used the word Treaty at all. If you'd gone to Petone and said we want you to have a Treaty partnership with this group of people many of them would have run a mile, but we were saying, 'What is your issue? What do you need to look at?' They identified the cemetery as the issue and many people felt strongly about it, as the local Māori people did. Now parish and iwi are joining together to protect the land against any further encroaches by the Council, or Transit New Zealand. They are working together to protect something that is precious to both groups.

– Participant from Caritas.

The way we use language is really important. If VSA said, 'We're developing our relationship with local iwi, people would think, 'Oh that's a good thing'. But if we start saying, 'Under our Te Tiriti o Waitangi obligations...' people think, 'Oh we don't want to hear that stuff'. If we talk about building relationships and forming partnerships and working with x, y, and z and we identify them, people are more interested and supportive than if we talk about biculturalism or the Treaty of Waitangi.

– Participant from VSA.

### **So, it's important to find the right words for your own context.**

The question of partnership is a very difficult one in our relationships overseas and in relationships here. There are real challenges in the word. We tossed about 'friendship' and 'relationship' but in the finish we decided that we would let ourselves be challenged by the word – so we don't assume that we have partnership with anybody. But the word itself throws up major issues of equality, mutuality, responsibility, respect – all of those things.

– Participant from CWS.

## 4 Application

From a tangata tiriti perspective the very question of who can and should implement the Treaty is under debate. Some say that because only the Crown is a sovereign body, only the Crown can actually implement it; the role of others is to try to apply it in their own contexts while pressuring the government to implement it.

In any case, it is very difficult to identify what constitutes Treaty implementation, for several reasons:

- because the Treaty is about relationships, it is about process as well as outcomes; it is about how and why things are done as well as about what is done – but the former are less obvious and more difficult to measure than the latter;
- much of what is done in the name of the Treaty is actually a response to the injustices of colonisation and therefore more accurately characterised as equity;
- it depends on interpretations of the Treaty acceptable to both sides of the relationship today;
- very few organisations of any type have been interested in and able to move beyond the constraints related to entering into relationships with hapū/ Māori in ways which address power as well as culture, so there has been relatively little thinking about this and even less opportunity to learn from the practice of it.

Because of these difficulties, a common practice is that everything related to Māori is linked to the Treaty. This often means that essential aspects of the Treaty are ignored, for example, relationship, power, first peoples’ (indigenous) rights.

Many examples of strategies and projects that CID organisations have undertaken as part of their Treaty responsiveness are included in the summaries of their stories (see Agency histories, page 62). In the interviews, we didn’t explicitly distinguish between ‘Treaty implementation’, ‘Treaty application’, and ‘equity for Māori’ so the language in the excerpts and summaries uses the three concepts interchangeably.

The following diagram identifies some different levels of strategies in relation to the power (Articles 1 and 2) and culture (Articles 2, 3 and 4) components of the Treaty. It should be noted that the two components are inextricably linked: a group needs power to ensure that its culture is protected and exercise of power is a fundamental aspect of culture.

	<b>POWER (sharing) CULTURE</b>		
The organisation distributes information to Māori	Information sharing	Cultural awareness	Members of the organisation are aware of Māori cultural differences
The organisation undertakes to consult with relevant Māori groups (but may not act)	Consultation	Cultural sensitivity	Members of the organisation change (some) behaviour to respect the differences
The organisation enters into a decision-making relationship	Negotiation		
The organisation delegates authority in (some) areas	Delegation	Cultural safety	The organisation undertakes to ensure that its processes are as “safe” for Māori as for Pākehā
The organisation makes itself accountable to Māori	Accountability	Cultural competence	Those who work with Māori are assessed as culturally competent

**Diagram 4: Power and culture strategies**

**Applying the Treaty is more than thinking and talking about it.**

“We’ve done the education, we’ve got the general understanding, now let’s pin it down to ourselves. What’s our responsibility? What should we be doing within our organisation? How do we become a Treaty-based organisation?”

– Participant from CID.

“If we say we are a Treaty based organisation what would be the evidence of that? Some of it is what we say and how we put that into practice, but if you walked in here there’s nothing to indicate that. Consistently when we survey the people on our database about the work in New Zealand, and ask questions about support for Māori in New Zealand, it is very low in what they value.”

– Participant from CWS.

“Someone had said to us, ‘Well, you don’t need to speak Māori but if you are going to, at least try and put the same effort into it that you would with a French word or a Latin word. We saw that as being quite a practical application.

– Participant from VSA.

## 4.1 Equity in relation to Treaty

When the Treaty was negotiated in 1840, equity was not an issue for tangata whenua in relation to Pākehā – hapū were in control of their domains and outsiders were admitted on their terms; Nevertheless as a sign of respect Captain Hobson promised, in Article 3:

*Hei wakaritenga mai hoki tēnei mō te wakaetanga ki te Kāwanatanga o te Kuini-Ka tiakina e te Kuini o Ingarangi ngā tangata Māori katoa o Nu Tirani ka tukua ki a rātou ngā tikanga katoa rite tahi ki ana mea ki ngā tangata o Ingarangi.*

*(“The Queen will protect all the Māori people of New Zealand and give them all the same rights as those of the people of England”)*

The colonisation process introduced major equity problems for Māori as the government tried to assimilate them and unfairly acquired their assets, particularly land.

Today, equity for Māori is a human rights issue, but it is also essential for moving forward on the Treaty. In order to have a meaningful, mutually beneficial, long-term relationship, injustice must be addressed and the parties must be on a level playing field. The first step is to identify indicators of equity in relation to employment – job descriptions, recruiting, selection, promotion, and so on. Also there is the need to check that there is equity in delivery of services; for example in relation to ‘client’ satisfaction, do Māori rate the organisation’s service delivery as highly as tangata tiriti do? The next step is to collect information in relation to the indicators, then to analyse that information for disparities between Māori and tangata tiriti. Disparities do not necessarily mean inequities (a low proportion of Māori working as cleaners may be a good thing), but they need to be investigated and strategies identified for improvements where needed.

We would suggest the following primary distinction between general equity and Treaty-specific approaches: a policy or a strategy or an activity is general equity if:

- it is also relevant to other marginalised groups;
- it does not recognise hapū authority.

In order for a policy, strategy or action, to be part of Treaty application:

- a) the purpose should be to move toward a Treaty relationship; or
- b) be done in the context of a negotiated relationship with a Treaty partner.

**Equity needs to be considered for clients...**

“On average, still around nine percent of FPA’s clients are Māori so questions need to be asked about how well FPANZ is serving Māori. FPANZ needs to be working to ensure its service delivery is appropriate to Māori, and support Māori providers and reach Māori clients. Models like suitcase clinics where the service is taken to schools and marae need to be extended. There is a need for more Māori nurses and doctors and more joint training with iwi organisations.”

– Participant from FPANZ.

“Mainstream services have a place: we have a responsibility to make sure that Māori can come and see us and have a good experience with us, and we’re delivering a choice for Māori in terms of a mainstream service. We’re not kaupapa Māori and we haven’t developed a kaupapa Māori service, but we want Māori coming to us to feel comfortable, and we’re considering the best way to care for them in offering our services.”

– Participant from FPANZ.

**...and for staff.**

“There is a Māori staff caucus which has a day-long meeting once a year, funded by the FPANZ, with other networking throughout the year. It’s a great opportunity for Māori staff to get together... we’ve got concentrations of Māori staff, but others are isolated, so this is their one chance to be with others.

– Participant from FPANZ.

“I’ve seen occasions where a Māori staff member is held up as an initiative, as you know, ‘What does the organisation do? Oh, we have a Māori staff member’.”

– Participant from VSA.

**It involves sharing resources.**

“Most of our funding for a long time for Māori was for exchange and travel. It was a much higher priority for Māori to have their story told outside this country at international fora and to meet with other indigenous peoples than travel junketing was for us. It’s a different legitimate use of overseas aid funding. We funded people to go regularly to Geneva for the development of the Declaration on the Rights of Indigenous Peoples. We funded indigenous arts, medicine, doctors and different groups who wanted to meet with their peers around the world – to internationalise their views and their issues.”

– Participant from CWS.

“At the time of the Edgecombe earthquake the World Council of Churches gave us US\$5000 and it was shared between the Pākehā parts of the churches doing trauma work, and the Māori churches refurbishing marae that had been offering hospitality. Just knowing the money can’t just be for Pākehā; Māori and tauwiwi responded to those who experienced the earthquake.”

– Participant from CWS.

## 4.2 Increasing Māori role in decision-making

The central aspect of the Treaty is the guarantee, in Article 2, that hapū would retain their authority:

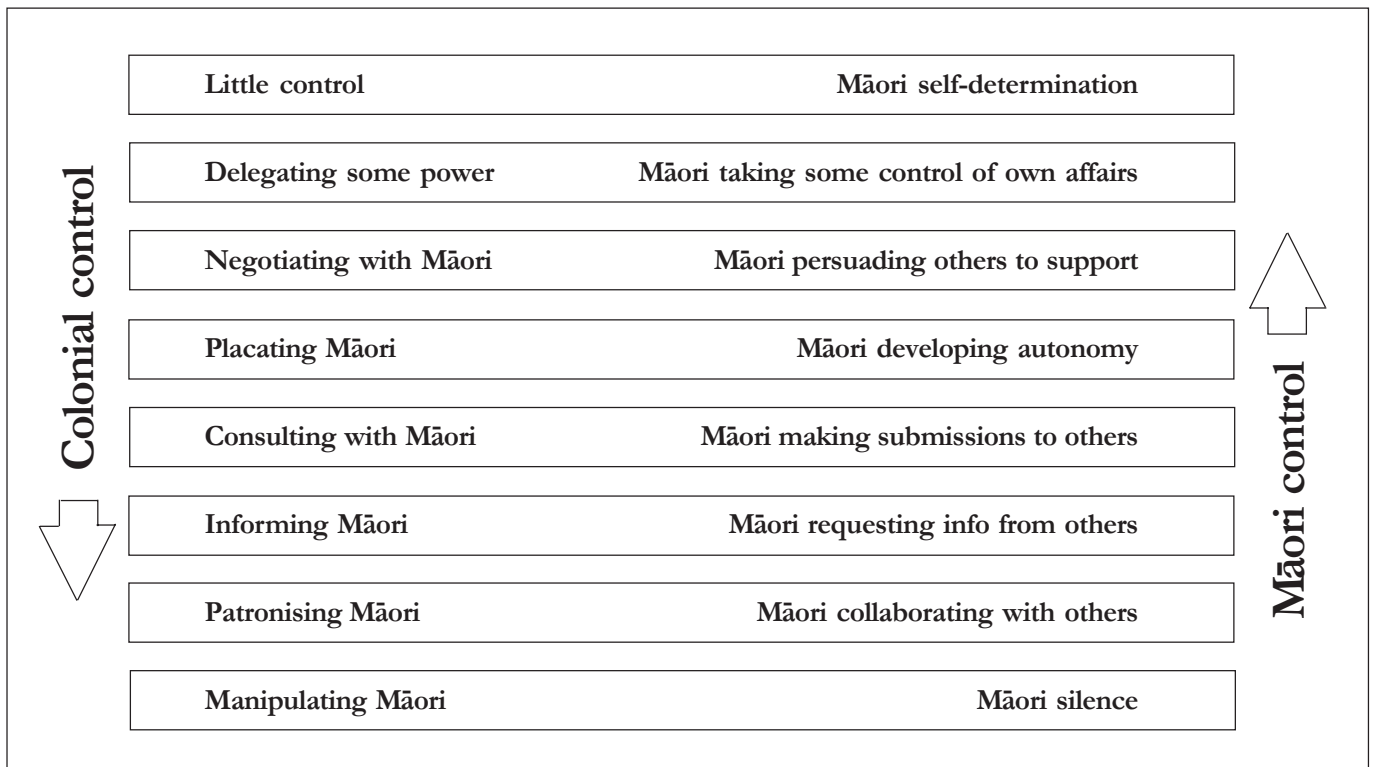
“Ko te Kuini o Ingarangi ka wakarite ka wakaae ki ngā Rangitira ki ngā hapū-ki ngā tangata katoa o Nu Tirani te tino rangtiratanga o o rātou wenua o rātou kainga me o rātou taonga katoa. Otiia ko ngā Rangatira o te Wakaminenga me ngā Rangatira katoa atu ka tuku ki te Kuini te hokonga o ērā wāhi wenua e pai ai te tangata nōna te Wenua-ki te ritenga o te utu e wakaritea ai e rātou ko te kai hoko e meatia nei e te Kuini hei kai hoko mōna.”

“The Queen of England agrees and consents to the full chieftainship (rangatiratanga) of the chiefs, hapū and all the people of New Zealand over their lands, their villages and all that they treasure...”

Because a treaty is a political arrangement it is inherently about power. Power issues are often neglected in favour of responses that focus on Māori culture (the latter are discussed in Section 4.3 Cultural Responsiveness, page 32).

A classic Treaty response has been to ‘consult’ with Māori. This is preferable to not consulting, but many groups have moved beyond this to recognising the right of hapū/Māori to be making decisions, through structural and/or other arrangements. Redistribution of power may take the form of a commitment to negotiated decisions, delegated authority, and/or recognised rights of self-determination. The terms of the Māori Text go even further in that tangata tiriti organisations would be accountable to hapū.

Organisations which have begun the Treaty journey will find themselves somewhere in the middle of the following diagram in relation to increasing Māori control over issues of concern to Māori.<sup>1</sup>



**Diagram 5: Levels of power-sharing**

<sup>1</sup> Which combines the work of Paulo Freire and of a planner, Sherry R. Arnstein, “Eight Rungs on a Ladder of Citizen Participation”. Journal of the American Institute of Planners. 35(4), July 1968.

**Several organisations have structures which formally involve Māori in decision-making...**

“At governance level there are places for two Māori representatives on our board. They are appointed by the board. Currently four of the eleven council members are Māori and the two youth representatives are Māori at this time. We want to be sure to include a Māori youth perspective.”

– Participant from FPANZ.

“We try to have representation from all the regions we work in, the Pacific, Africa, Asia – so having a tangata whenua representative is seen as really important. Again the whole issue of cultural safety comes into it because one person can’t speak for everybody.”

– Participant from VSA.

“We’ve struggled to get the second Māori place on the national council filled because Māori people are so overly-committed – there’s so much draw on their time, and being in a mainstream organisation, and being on a board.”

– Participants from FPANZ.

“We have guidelines, a discussion paper that we’re using as policy on funding in Aotearoa, with Māori at the top to enable them to work on issues that are a priority for them. We had Māori representation on our committees until Māori said, ‘There’s no need for this, we don’t need to appoint to a structure because you carry your own responsibility for the Treaty and we don’t have to be present for that. Share information and we’ll let you know if you’re on the wrong lines, or if there’s something we want to say to you’. So that was a maturing of our perception and a recognition that we have no right to draw on so much energy from Māori for our needs. We have a permanent place on our board for representation from Te Rūnanga Whakawhanaungatanga – it’s never been taken up, but it’s there. At certain points we officially come together, but most of the time we get on and do our work and keep people informed.”

– Participant from CWS.

**...but some are more informal.**

“We’re doing this whole sort of cultural reflection and in many senses that’s our journey now because it depends on who is in governance at the time, and it is dependent on that, there is this imbued institutional cultural awareness that you don’t do anything without consulting Māori, or without considering Māori and the impact or consequences for Māori, especially young women, both within and external to the organisation.”

– Participant from YWCA.

**It’s particularly difficult in relation to resources.**

“It’s hardest where real power sharing, resource sharing, has to occur. Within the Methodist churches, we’ve had 20 to 25 years now of being committed to a Treaty pathway, but it has made many just smarter in their footwork, because when it comes to the real issues of resources and power sharing, it has been incredibly difficult.”

– Participant from CWS.

“We had a big debate in the working group because the committee had great difficulty with the fact that we were expecting partners to report to us. We were uneasy because we were asking people to report to us on resources that had been obtained by the utilisation of their land and resources. We give it to them and then we want them to account back to us who took it from them in the first place. It became too complicated, so we settled for a receipt to say that it had at least got there. And sometimes there was major accountability. Sometimes we got masses of paper and sometimes we didn’t get anything very much except verbal exchanges.”

– Participant from CWS.

“One of the issues was that if the asset base of tauwiwi, and Pākehā in particular, was built on an unjust achievement of land and resources, then who had the primary right to decide what happened to the economic surplus that those economic models produced? Who had the right to determine what resources we gave where?”

– Participant from CWS.

## 4.3 Cultural responsiveness

The Treaty stated in several different ways that tangata whenua cultures would be respected and protected; specifically, Captain Hobson promised:

“E mea ana ate Kāwana ko ngā whakapono katoa o Ingarangi, o ngā Weteriana, o Roma, me te ritenga Māori hoki e tiakina ngātahitia e ia.”

“The several faiths/beliefs of England of the Wesleyans, of Rome, and also Māori custom, shall alike be protected by him.”

Many people are surprised to find out that the Treaty says nothing about tangata tiriti becoming competent in tangata whenua cultures, or even becoming bicultural; in fact, tangata whenua were quite tolerant of Europeans retaining some aspects of their own cultures, but did not expect outsiders to bring a culture of domination with them.

When the Treaty was signed in 1840, tangata whenua cultures were flourishing from their engagement with Western people and their cultures. In the decades following 1840 this became less and less the case particularly because one of the specific policies of colonisation was to try to assimilate Māori into Pākehā culture. As a result, many Treaty initiatives have been in relation to promoting awareness of, and sensitivity to, Māori cultures. One of the persistent challenges in this is how can we respect and support Māori cultures without appropriating them, given current power inequities. For example, distortions arise when trying to teach about Māori cultures in a tangata tiriti contexts. Another challenge is to develop ways of acknowledging things that are culturally important for Māori in ways that are also culturally appropriate for tangata tiriti.

Cultural differences can be viewed as creative tensions that provide opportunities for genuine collaboration; constructive negotiation of the spaces between the groups has the potential for outcomes that are positive for all involved. A good example has been the response to challenges to nursing practice by Māori resulting in development of the concept of kawa whakaruruhau or cultural safety.

**Organisations engage with different aspects of culture...**

“FPA receives a lot of international visitors – there are pōwhiri, depending on the status of the guests, and opportunities for them to meet with tangata whenua.”

– Participant from FPANZ.

“We would never start a meeting without some sort of mihi or finish without some sort of waiata, closing or poroporoakī. For regional training it’s a full pōwhiri, a really formal poroporoakī. In all aspects, the place of kai, the dress code, the shoe code, everything has been done Māori.”

– Participant from YWCA.

“Simple things like actually having the right fonts on our computers and on our website and to be able to write Māori words properly with the macrons. It sounds really small, but it was important to get the basics right in the beginning.”

– Participant from DRC.

**...and for different reasons...**

“We begin each staff meeting with karakia and waiata as a reminder of where we live and what we’re about. It is a deliberate way of engaging all the staff in recognition that there is a spirituality and reality in this land that we can acknowledge.”

– Participant from CWS.

“We have Māori volunteers and Sri Lankans and Africans, new New Zealanders. The feedback from them is that the selection processes that we use are accommodating for them. In a way, if we can get our processes right for Māori people then that opens the door to be inclusive of other cultures as well.”

– Participant from VSA.

**...but all find it challenging.**

“At the end of the day, it’s about respect for other peoples’ religious beliefs. From a Māori point of view, whether it’s God, or whether it’s Io Matua-Te-Kore or Buddha, it’s the same source. It’s just us who put those different definitions on it. You learn to ride those things because they come up all the time, not just around karakia.”

– Participant from DRC – External Māori consultant.

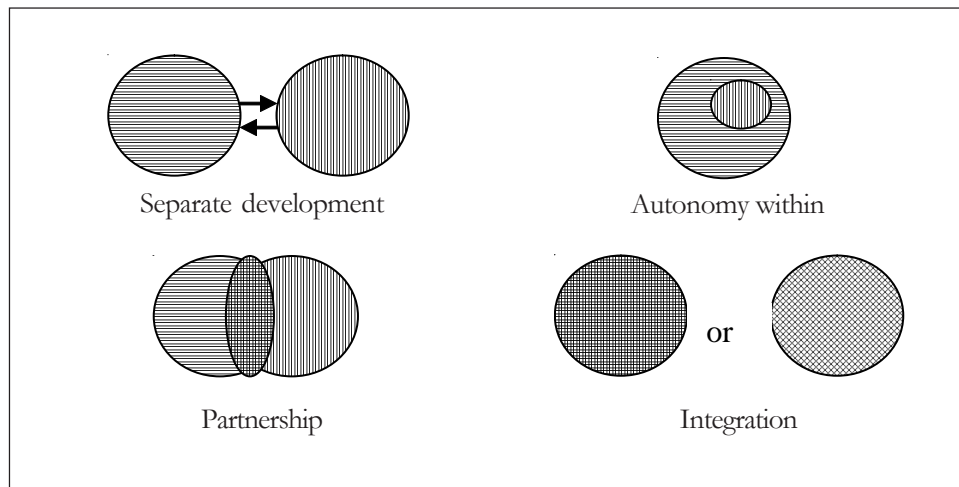
“We found out, in the process of working out what the name was going to be, that it needs to be gifted to us. I was so pleased that we discovered that because we could inadvertently have done something that was really not appropriate. Even with the best will in the world people can still put their foot in it.”

– Participant from Leprosy Mission.

“Staff are used to peer-reviewed competency based assessments and to the language as the health sector is used to more competency-based assessment. So we’ve started – though it will still be complex to do cultural competency in a safe, considered, careful way.”

– Participant from FPANZ.

## 4.4 Working together – some models



**Diagram 6: Types of relationships**

There are several types of models that have been discussed in relation to the Treaty. Many people characterise the original proposal as a ‘partnership’ although Pākehā autonomy within a context of hapū having ultimate authority more nearly describes how the Treaty was explained at the time. Some people would characterise early childhood education as applying this model in reverse: kōhanga reo operate differently from kindergartens but are still ultimately under government authority. Other people advocate integration to varying degrees, integration being a model in which the parties negotiate how the whole will operate; this may include aspects of each culture (e.g., we are all bilingual or we use Māori words with English grammar) or may draw on completely different cultures (e.g., we all speak Esperanto).<sup>1</sup> The declared preference of most people today is partnership, although there is little clarity as to how it might operate.

There is debate about the steps to be taken in moving toward Treaty models. Some would argue that separate development must occur before any other option because it is only when each is independent that they can freely negotiate. Others would identify relatively autonomous Māori units within a larger organisation as a good place to start. New models may evolve as new paths are travelled. Not surprisingly, the organisations included in this book are at, and aspiring toward, different models.

<sup>1</sup> Care needs to be taken when considering this model as it can easily become assimilation when one party presumes that its culture is superior and therefore should be dominant over all.

**The relationships are conceptualised in different ways...**

“The consultation processes are not as robust as they have been, but we don’t always have to be approved by Māori to do what they trust us to do. The message was, ‘We’ve got our own work to do, you get on with yours. We trust you to do your work. You know what you have to do as Pākehā living here under the Treaty, do it! And make life easier for the rest of us’. We’ve taken that position.”

– Participant from CWS.

**...including, ‘advocacy’...**

“We have to be prepared to do advocacy from our own understanding of the Treaty and the rights of tangata whenua, without having to run and say, ‘Is this all right?. Take your stand, but then stand and do it – write the submission, write the letter, offer support to Māori if that’s appropriate, or take on the Government if that’s the more appropriate action to take.”

– Participant from CWS.

**...‘reciprocity’...**

“To be successful in this work we’d have reciprocal relationships with organisations like the Wānanga o Aotearoa. We’d work with a consciousness of the community we live in, and build real reciprocal relationships with other organisations. We would work together.”

– Participant from DRC.

**...‘partnership’...**

“As Māori women we’ve tried to not take it over, to squander resources, but to demonstrate partnership and to empower in partnership the rest of the YWCA. At times it doesn’t work, but it has become policy when selecting delegations to go overseas that we have at least two young women and at least two Māori women. In the case of Maori women, the Māori women within the organisation ensure they demonstrate partnership by funding at least one of the Māori delegates. Further if a kuia goes with the delegation this group also funds the kuia.”

– Participant from YWCA.

**...and ‘working side by side’**

“The relationship with — has been complex, but at the moment it’s looking very positive. We worked side-by-side on health promotion at Te Matatini, the 2007 National Kapa Haka Festival. Part of a working group organising a Maori conference, our Māori staff will be invited to attend. So those are the sorts of things we do and would talk to each other about.”

– Participant from FPANZ.

## 5 Key stakeholders

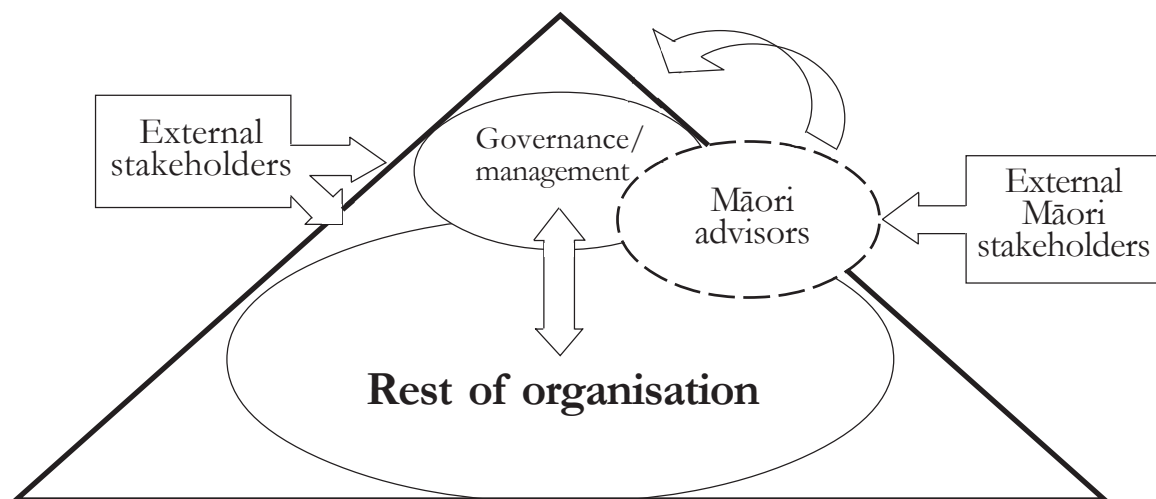
As with most things, Treaty application is dependent on people to make it work, and can be hindered by them as well.

Reflection on situations where Treaty application has been attempted in organisations suggests that there are four necessary, although not necessarily sufficient, conditions:

- a commitment to addressing the power imbalance between tangata tiriti and tangata whenua (see Increasing Māori role in decision-making, page 30);
- committed leadership at governance and/or management level/s;
- a robust relationship between the leadership and Māori (within and/or outside the organisation) who are in a position to influence them;
- a mechanism for keeping the rest of the organisation moving so that a gap does not develop between leadership and others.

A common mechanism for keeping all on board is an education programme for members of the organisation (see Education section on page 48).

Depending on the context, there may be external stakeholders who are particularly influential as well.



**Diagram 7: Key stakeholders**

**It is useful to get external guidance if you don't have it internally.**

“It does need to be a slow process that brings everybody along together. Often having external advice and guidance, having someone that is really sensitive to that process and being part of that process is one of those key factors. We also need to be honest and say we're a very white middle class organisation. It is an incredibly hard shift for us as an organisation and the only way ahead really is to have a level of external guidance that is unthreatening.”

– Participant from SCNZ.

“Often having external advice and guidance is one of those key factors – so the way ahead is to have someone externally advise us around beginning to implement.”

– Participant from SCNZ.

“If I was to reiterate anything: get guidance on the journey and make sure it is the kind that's going to work in that organisation to enable people to work efficiently and without fear.”

– Participant from DRC.

## 5.1 Key players within the organisation

Individuals or groups of people throughout the organisation can undertake many of the tasks associated with Treaty application, but a senior position or group needs to champion implementation. Sooner or later there are issues of policy that must be approved at governance level and management buy-in will be required for implementation. The order in which these groups become involved will vary. Ultimately there needs to be support at both these levels because Treaty application is unlikely without it.

There are too many examples of Treaty initiatives being dependent on the presence of specific individuals, and then dwindling or disappearing altogether when they leave (see Sustainability, page 46).

**It is essential to have a specific group providing continuous leadership...**

“Part of the reason that the Treaty continues to be strong is because of a few key staff and working group people who make it important. The relationships are made primarily by them. We’d like to think of it as a structural relationship but the personal part is what makes it work.”

– Participant from CWS.

“There was buy-in from the top and a core group was appointed to front and be at the forefront of this particular project. The position of any CEO is quite lonely because you’re between the board and the staff and you’re not a member of either. But I feel well supported by the core group. If I have to go and meet with somebody from the tenths trust or one of the wānanga I know that somebody would probably come with me. It wouldn’t have to be just me. So for me, it’s really, really important to have that core group and that support and base.”

– Participant from DRC.

**...and to have people in senior positions involved...**

“The commitment of various staff has kept things moving perhaps at a time when there might not have been a lot happening with policy. One of the things I have learnt is the need to get support at board, management and policy levels as much as at an operational level.”

– Participant from VSA.

“It is quite important for it to be accepted within the governance area, so we can look at it in policy and in management and in implementation. The second Treaty workshop I went to helped me in understanding that, and also helped me to recognise that if you don’t have buy-in from the board it’s not going to be easy.”

– Participant from Leprosy Mission.

“Strong governance and senior management commitment and engagement are a strength for FPANZ in this journey.”

– Participant from FPANZ.

**...but there will always be challenges.**

“Any level of change is as much about the people as it is about the current climate. You are always going to have challenges.”

– Participant from SCNZ.

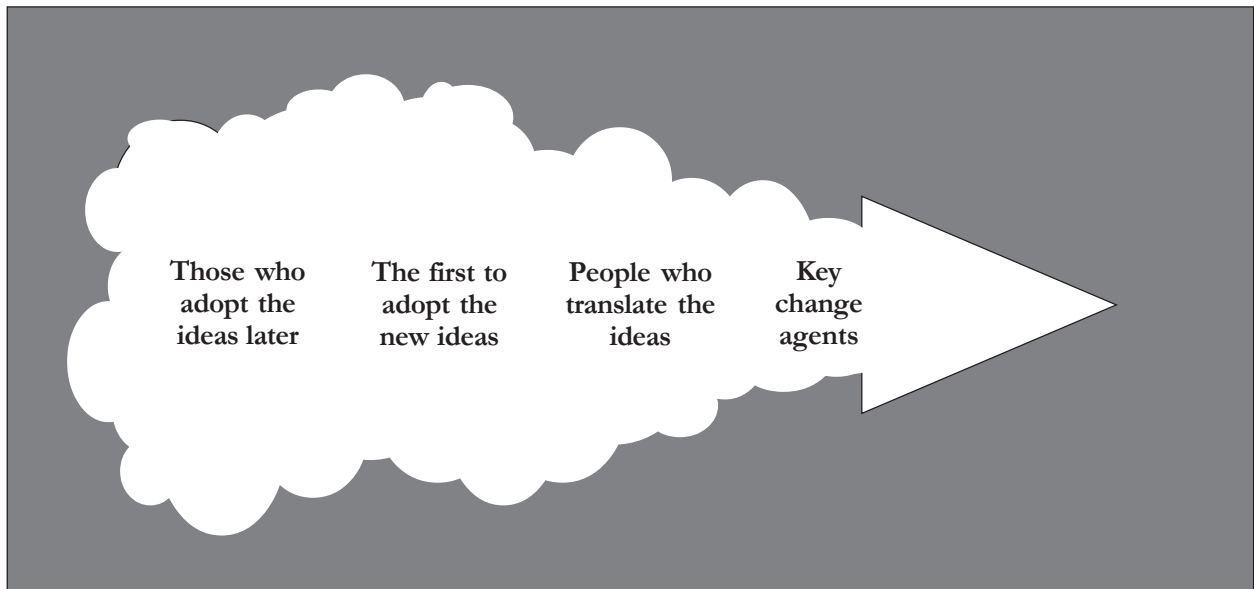


## Managing buy-in

An organisation can tolerate wide differences of opinion as long as there are not people pulling in the opposite direction. Key change agents (people who introduce new ideas) may be inside and/or outside the organisation. Small groups or individuals may act as key change agents and translators.

Education is often the strategy of choice for minimising the gap between those providing leadership on Treaty application and the rest of the organisation. Other methods include inviting people to become involved in specific projects and making sure that all parties are kept informed of what is happening, for example, through newsletters. Increasing numbers of organisations are including questions about the Treaty when employing new staff, to try to ensure that there is a commitment to contributing to their Treaty responsiveness. Some organisations have gone as far as to include Treaty competencies in performance reviews.

It is often difficult to convince voluntary members that the Treaty is important when they often do not perceive the connection between it and the espoused purpose of the organisation. Keeping members of the governance group engaged can be particularly difficult, given the relatively small amount of time they may have available for the organisation and the turnover on many boards.



**Diagram 8: Range of views in an organisation**

**It's inevitable that people are standing in different places...**

“Some of the board members don't see the connection or why it's relevant to us as an international development organisation. And that reflects the diversity of the world, of New Zealand, of people who are actually in governance in our organisations. It's hard to know how to progress it, how to make it a matter of importance in an environment which up until to March 2004 [the date of Don Brash's Orewa speech] was fairly open. We had to stand back and take a softly, softly approach.”

– Participant from Leprosy Mission.

“We're an organisation that is being pulled, because we've got a kaumātua saying, 'You're doing this really well', and we've got a membership that's saying, 'You don't have to do anything, why are you doing it?'”

– Participant from VSA.

**...and it's important to recognise that...**

“Part of our education has been learning to understand that there is a place for people who are pushing the boundaries and there is a place for people who are trying to bring others up to where we are. Our role is much more trying to bring people up to where we are at the moment, rather than on being on the cutting edge of the debate.”

– Participant from Caritas.

“We're trying now to pick up some of the people that fell on the side in the early days. One of the mistakes that we all made then was that we felt, partly because of some strong personalities, but also because of the stridency of the times, that we had to be prophetic about this, to proclaim the truth without any concern for the effects this had on people.”

– Anon.

“It's all inter-woven, because governance is members. Our board is our members, so it's keeping members involved, more through giving opportunities than through enforced involvement. You can't [force people] anyway.”

– Participant from CID.

**...but it's important to encourage involvement...**

“We've made Pākehā women feel good. We drove the resolution for the world council and then we took it that back to them and said, 'What do you think?' We said, 'We can't take this alone, we need to make sure that you are standing along side us'. They could make suggestions, give input, go to the world council, stand up and sing waiata as well.”

– Participant from YWCA.

**...and to recognise that it takes time.**

“The executive director had done a Treaty workshop and was quite pleased that it was starting to penetrate through the organisation, albeit it slowly. But perhaps the slowness is giving it a much firmer basis because we are having to think about the steps before we move.”

– Participant from Leprosy Mission.

“What worked was having a long dialogue about the name, getting it right, thinking about it, actually making it belong and including as many people in that discussion as we could.”

– Participant from Leprosy Mission.

## 5.2 Influential Māori

Obviously, tangata whenua Treaty partners are very influential, but it is essential that Māori who are able to influence an organisation, or at least its key players, are involved throughout the process that leads up to establishment of Treaty relationships. Their knowledge and skills are often essential, and even more importantly, they motivate tangata tiriti to keep going through the inevitable difficult periods.

Sometimes Māori express frustration that tangata tiriti leadership in organisations is disinclined to be proactive about Treaty initiatives, but often that leadership is very conscious of not wanting to replicate past patterns of presuming to know what is best. Thus, it is particularly important that there be robust relationships between the organisation's leadership and Māori – for discussion about direction and overall approach as well as for working through particularly difficult issues.

The relationship needs to be strong enough to survive disappointments and changes of personnel on both sides. Shared experiences and good cross-cultural communication skills are essential.

Having influential Māori within the organisation can be both an advantage and disadvantage. The positives include familiarity with the culture and structure of the organisation, and regular presence and engagement. Negatives may include tensions arising from conflict between the roles of advisor and employee.



### **Supporting Māori who support the organisation**

Most people involved with Treaty application are painfully aware of the heavy burden placed on Māori, especially as staff because often their support is taken for granted. While they are usually more than willing to be involved, the work is usually in addition to their job description. There may be unrealistic expectations about the level of knowledge and skills they have, and usually there are only a few to share the load.

Whether Māori advisers and support people are inside or outside the organisation, they always carry a tremendous load, trying to reconcile the expectations of many interested parties. How to support them, with resources and otherwise, is a significant issue.

**Māori can support the work of the organisations in a variety of ways:by discussing issues...**

“It was very important for us to have Denis – it’s very good to feel easy with someone who can lead you in this area, and not feel too cautious. You can say things and they can be discussed in an ordinary way. He’s not been particularly demanding of us or dogmatic about anything, but he’s assisted us. And as we’ve gone down a few directions we’ve realised are not quite the right and we’ve changed to another direction.”

– Participant from DRC.

**...linking to other networks...**

“Outside of these forums I have my own networks, people that I hold in high esteem for advice and just some guidance. We can get together every now and then just to talk about what we were doing and where we were going. There’s a lot of goodwill and impetus in the organisation and people know I’m here and can be contacted. Every now and then I’ll drop an email or make a phone call. But I don’t think it’s up to me to push the organisation – it’s got to come internally. And if I refer someone to the organisation and they don’t work out it’s my reputation on the line. I want to know if I’m bringing people into an organisation that it is going to get what it’s after.”

– Participant from DRC – External Māori consultant.

**...and challenging thinking...**

“Organisations need to find mentors as well as kaumātua. I was so lucky that we worked with a Māori woman who just taught me so much. She told me that she was once told on an interview panel, ‘Oh, you can ask the Treaty questions’, you know, get the brown face to ask the Treaty questions, and her response was, ‘Well you’re a partner in the Treaty too – you’ve got as much right to ask the question’. It’s important to find people who can make you think about those things, who understand the organisation and are a good fit. I learnt from her in a mentoring, friendship role.”

– Participant from VSA.

**...but it helps if the relationship is on-going.**

“Compared with some other Catholic agencies we do more policy and advocacy work, which means we don’t necessarily see Māori people on a daily basis. My direct contact with people is through the formal networks and channels of the Catholic Church. This gives me a really clear idea of the people to go to who know who I am, and I know who they are. We can be honest with each other because we are part of the same family. You don’t want to be talking to someone who’s never met you, and doesn’t know if they could trust you.”

– Participant from Caritas.

**Māori may benefit from involvement...**

“The hapū themselves say that being recognised by somebody was an important part of their own kind of identity journey, somebody coming to say, ‘We want to talk to you about this’.”

– Participant from Caritas.

**but be aware of the potential limits to that.**

“The local iwi said they were quite comfortable with the work that they did with us. The koha each time they had conversations with us was enough to cover the costs. They had the capacity to be able to talk to us without it being a big cost to them, but they gave us a very clear warning that there are many groups who just don’t have the capacity to devote that kind of time to us. So we have to look at how we can find some money to support somebody doing the work.”

– Anon.

“We had somebody on council who knew a kaumātua and felt that this person would be a great fit for the organisation. He had a great understanding of, and great interest in, the work of VSA and was somebody who the organisation could work with really comfortably, and hopefully vice versa. There is a real need for organisations to understand cultural safety before heading down that track. There are huge risks in saying, ‘Oh great we’ve got a Māori staff member – let’s ask them about everything Māori. Let’s suddenly expect them to come up with a pōwhiri or get them speaking on our behalf in Māori at functions.’ You can say that’s great if that person is able to and wants to, but for a lot of Māori it may not be something they’re comfortable with.”

– Participant from VSA.

## 5.3 Relationships with other groups

Obviously, any organisation has relationships with many other bodies. Sometimes these relationships promote and encourage Treaty application, other times they constrain it, and sometimes it is a bit of both.

The organisations we talked with identified several categories of relationships which created challenges:

- with parent bodies;
- with outside organisations with whom they have strong working relationships;
- with overseas partners, especially those who question what an organisation is doing 'at home' – with indigenous peoples in Aotearoa.

Church organisations, in particular, had distinctively different histories, structures and relationships from other types of organisations.

**External bodies can provide motivation...**

“Part of our association with the alliance is that we are required to have a domestic programme. They have a very strong requirement of their members to also have advocacy in their country. So it was fulfilling that requirement.”

– Participant from SCNZ.

**...but the organisations are also providing leadership themselves...**

“It seemed to us, being a predominately Pākehā organisation, that somehow or another we needed to take the lead in showing others how they might share their resources and let go of things in order that others might develop their own directions.”

– Participant from CWS.

“The real support, the strength of the organisation, is that it is ‘visibly’ white. As a result it has influence and acceptability at government level and the strength of the partnership is actually through supporting other organisations that do not have access at that level.”

– Participant from YWCA.

**and supporting others.**

“We will go to see other organisations and link in with those organisations, particularly Māori. Because we can also offer things like training experiences and support as well, we would offer the chance to come and work in our clinic and learn more about the clinical work, and professional training too.”

– Participant from FPANZ.

“If we were to go out into a region, we would have to find a Māori organisation that would be willing to work with us, and we would work with them to develop a programme. It’s not like we would go out there and say ‘this is the programme’. And having said that, that won’t be easy. We’re setting up a clinic in Wanganui: there are a couple of Māori PHOs and some other small organisations there, not the same as us, but they’re doing some work that would be similar. We will be making it our business, as part of starting that service, to go and spend time and work out how we can work together.”

– Participant from FPANZ.

“We’ve made a commitment to resource sharing with external groups, for example, Māori Woman’s Welfare League. We acknowledged that our resources include our knowledge, our networks and our access to power and decision-making.”

– Participant from YWCA.

## 6 Sustainability

Because Treaty application by tangata tiriti organisations is still in its infancy, relationships with tangata whenua have rarely been institutionalised in the positive sense. They rely on personal connections rather than being integrated into the culture of the organisation. If any of the key individuals are no longer involved, the momentum can be lost. Also, if only a few people are involved, inducting others into the relationships can be particularly difficult.

While relationships always depend on people, there are some structural, policy and other strategies that can support the process. These include ensuring that all understand the Treaty and the organisation's commitment to it, formalising Treaty policy, formalising resource allocation and establishing Māori positions (as opposed to positions occupied by persons who happen to be Māori), especially in relation to decision-making (see *Increasing Māori Role in Decision-making*, page 30).

While it may be relatively easy to measure outcomes in relation to specific projects, it usually is difficult to determine the extent to which Treaty application is successful over time. The best-known process is a Treaty audit, but such audits are not common. It is difficult to identify meaningful indicators for audits, and there is the question of what evidence is relevant and what process appropriate for collecting it. There is very little written information available about Treaty application, and there is even less about its evaluation. Whatever method is used, it is important to monitor progress, so that there can be reflection on what is learned as well as on whether change is occurring in the desired direction.

**It's important to put structures and practices in place to keep the process moving...**

“We need to audit our own performance at national and at local level. It's been put into the standards of accountability by women who have now gone, and there's a whole lot of others who will go 'pooh pooh, who cares'. But these women have ensured that somehow we've got this multi-pronged big wheel including local, national, international, internal and external initiatives. It has its own momentum and it's just keeping on, slowly turning – at times it's a bit slowly, but then it comes away again.”

– Participant from YWCA.

“The board meets quarterly and strategic issues relating to Māori is one of the standing items on their agenda. And at management level responsiveness to Māori is embedded in policy and a commitment to the Treaty is required from all staff. It is part of all job descriptions.”

– Participant from FPANZ.

“We have begun to see a shift and it is about different layered approaches. At the New Zealand level the Treaty was non-negotiable as far as we were concerned, but there was also management training which filtered down to the rest of the staff. At an internal level we could still get on with it; we didn't need an umbrella policy statement about what we were going to do.”

– Participant from SCNZ.

“There is a need to have commitment from your management and council, a need for a good fit with facilitators and the culture of the organisation, and a need for wide education.”

– Participant from VSA.

**...because we always need to learn more...**

“In 2004 we were faced with new questions about the future of the Treaty of Waitangi, but our main question was actually, ‘What did the foreshore and seabed issue teach us about what we need to know?’ What we thought we knew about the Treaty was starting to get routine, but there were much deeper issues of common law that we hadn't worked out or faced up to. A deeper understanding is taking place with the Catholic groups that looked at it.”

–Participant from Caritas.

**...and we want the relationships to continue when key people leave.**

“I'd say that our relationships are improving. Some of my predecessors had really good relationships, but they weren't necessarily organisation to organisation. So it's really important to me that if I got run over by a bus tomorrow, the next person sitting in this chair would be able to pick up and go on. We've got a bit more work to do to make organisational relationships rather than just personal ones.”

– Participant from Caritas.

## 6.1 Education

There is a range of views as to the efficacy of education about the Treaty. However, Treaty education will have to be provided as long as the New Zealand education system does not ensure that all students have the basic information. Some would argue that it does not lead to fundamental change and that critical incidents are more likely to have an effect. The effects of both education and critical incidents can be positive or negative depending on how they are handled. It is also argued that, because fairness is an important value for most New Zealanders, Treaty education often leads to a shift in attitude. While a workshop does not often lead directly to action, sometimes it will inspire people to become proactive in their own organisations.

Treaty education is not an end in itself, but a practice to support Treaty application. Education can also be very important in making sure that all members of the organisation are kept informed about where the organisation is going and why.

When organising Treaty education activities, there are a number of factors to consider. Probably the most important is choosing the right facilitator/s for the group. The characteristics and experiences of the facilitator/s are important in order for them to have credibility with the participants (particularly ethnicity, but also age, gender, skills/experience in areas important to the group, etc). Other factors that may lead to a successful workshop include, but are not limited to:

- Considering what outcomes are wanted – this will be affected by current knowledge and attitudes of participants and by the amount of time available;
- Whether participation is compulsory, expected or optional;
- Whether ways are found to recognise prior learning;
- Whether methods are used to make sure the learning is on-going, and that new members of the organisation are supported to ‘catch up’ with the others.

Further information for organisational approaches to Treaty education are in the ‘resources – implementation’ section of the Treaty Resource Centre website ([www.trc.org.nz](http://www.trc.org.nz)), including a guide for workshop organisers and reflections on Treaty education in organisations generally over the past twenty years.

**Treaty education is seen as important for different reasons...**

“CID was offering Treaty workshops and so we went to one. It was a revolutionary experience because I really had very little background, being brought up in New Zealand in an era when no, or very little if any, Māori education was done in schools or in the tertiary sector. So it was critical for me personally and because of the human rights of indigenous peoples in the projects where we work. How could I not think about how it connected with what we are doing here and what is happening in our country? It certainly gave me a far greater understanding, sympathy, empathy.”

– Participant from Leprosy Mission.

“We thought, ‘How do we begin to shift organisational culture so that we can get more of a united voice on the importance of this?’ The logical step was to get staff, particularly management staff, to understand their own personal shift and see the relevance at an organisational level so there are more voices saying, ‘Well come on, we need to be doing something here’. With a New Zealand programme committee we could put a level of responsibility at a domestic level that could work underneath the governance policy level of the organisation. Then we could say, ‘We want to see these things happen with regards to the Treaty for our work here in New Zealand’.”

– Participant from SCNZ.

“No matter how many times you’ve done Treaty training there is always a relevance to the current context. Coming together as a group and having that shared experience of exploring the Treaty in relation to your context is really, really valuable. At the moment at board level there is a little bit of that resistance with, ‘I’ve done Treaty training therefore I don’t need it again’. Well at a personal level, no, you probably don’t, but in the context of the organisation yes, you do. You actually need to explore how it fits within your organisational context.”

– Participant from SCNZ.

“Listening to the perspective on the Treaty of someone who has come to live in New Zealand was interesting and very valuable. It actually gives you a much broader perspective. When you’ve lived here all your life it’s just part of it, you just hear about it, you don’t actually think about it.”

– Participant from SCNZ.

“An understanding of the Treaty of Waitangi is one of the organisational competencies in most job descriptions at VSA so over the last few years there has been a range of training courses for staff, council members and outgoing volunteers. A lot of New Zealanders have grown up with a blank spot in our education about the Treaty of Waitangi and the outcomes of colonisation.”

– Participant from VSA.

“The membership changes so much that we felt the first thing was to have another round of Treaty workshops, but make it clear that it’s only step one of the journey, and not an end in itself. And people who embarked on the journey could get off the train at any stage if they wanted to, but there is an element of commitment in it.”

– Participant from CID.

**...but everyone agrees that it's important to keep improving how we do it so people have a positive response...**

“The 1980s style of looking at the Treaty meant we were all terribly ridden with guilt about anything that went on. It wasn't because people were telling us we had to feel guilty, but because it's our natural reaction to feel guilty when on the wrong side of the argument and confronted with injustice. Many people had negative experiences at that time.”

– Participant from Caritas.

“What influenced some of us through this process were our experiences of Treaty work in the 1980s. Some went through some really awful times as tauwi in that process. We had to acknowledge that and make it safe for people. The approach that Denis took, starting off with the creation stories, spirituality and an underpinning of the Māori worldview was really critical to setting the scene for what actually happened with the Treaty.”

– Participant from DRC.

“It is not that we don't need the education – it's how we present it to people. For years we sent discussion kits out to parishes for people to talk about it themselves, or we sent someone out to them with the title of “Treaty educator”. People are just not responding to that now, so offering more and more things called Treaty workshops isn't going to bring in more people. If you say ‘Treaty workshop’ now, you'll either get enthusiasm from people who have already been to one, or a turn off from many people who haven't. So finding new ways to present the same information to people does seem to matter.”

– Participant from Caritas.

“We canvassed the staff to see whether they wanted to take part and there was an overwhelming interest in it. What contributed to that was the positive and open experience that the managers brought back about their own personal learning and the relevance to the organisation. So people went, ‘Oh, I want to experience that too’.”

– Participant from SCNZ.

“When we hear about CID workshops we look at our projects committee and our staff, and work out who hasn't been, who'd like to go and who needs to go. Marketing staff go to media workshops, so if there's another Treaty workshop, and there are new staff members who would like to go, that would be encouraged.”

– Participant from Leprosy Mission.

“Bringing in somebody who doesn't present a threat enables those difficult questions to be asked in a way that feels comfortable. It's the only way that you're going to get through those barriers. What is often seen in the Pākehā world as a very negative tool is something that is actually not that at all – it has a lot of positive things that it can bring to an organisation.”

– Participant from SCNZ.

**...sometimes, dual delivery is a useful approach for achieving this.**

“The Urban Council to Counter Racism ran Treaty workshops, not with Māori and Pākehā, together, but separately. The philosophy was that if you’re going to challenge racist attitudes then it had to be those of like race challenging racist behaviours or institutional practices and culture.”

– Participant from YWCA.

“At the session on colonisation issues facilitated by a Māori person there’s inevitably the comment, ‘Yes, but it would have been nice to have a Pākehā view as well’. It’s interesting what a Māori person can’t say versus what a Pākehā person can say. Once there was a very controversial Pākehā person taking the session on colonisation and the Pākehā members of the group were comfortable with what she was saying, but the same things would not be allowed to be said by a Māori facilitator. I’ve seen a wonderful Māori speaker saying things in a much less challenging way who was unfairly slated by the group as being a very angry, negative person. So the educator needs to be a good fit with the group and a good cultural fit with the organisation, because if a group is uncomfortable with a facilitator then the message is just not going to be heard.”

– Participant from VSA.

“When we did the base Treaty training everyone was involved, staff and all of the board members. For the trainer and facilitator there’s always that issue of do you do a dual delivery, and in this particular case it wasn’t necessary because of the composition of the core group and because there was support from the rest of the board.”

– Participant from DRC – External Māori consultant.

## 6.2 Policy and planning

There is a great deal of debate about whether policy guides action in an organisation or merely reflects what is occurring already. Many people are aware of organisations that have a Treaty policy 'for show' that is not resourced or put into practice. Others would argue that getting the policy adopted reflects change. Sometimes the discussion about policy has itself generated a shift of awareness and an openness to action. A good example of this is the number of workshops generated by the government's requirement that schools include the Treaty in their Charters.

Certainly, external policy requiring consideration of the Treaty has prompted action by some organisations, and many have adopted Treaty policy as a statement of intent if nothing else. Not surprisingly, it is more likely to have an impact where there is an associated plan and review process.

**All agree that policy is important...**

“The Treaty is embedded in policy and is evident right throughout the organisation’s documents.”

– Participant from FPANZ.

“The Treaty issue needs to be addressed from the organisational point of view, not just the domestic point of view. There is definite relevance to the domestic work but we are also an organisation based in New Zealand that should have a responsibility. So that has taken it to that policy level.”

– Participant from SCNZ.

“It had to be at an operational level if we were wanting to engage with service providers working with Māori. The Treaty is such an underpinning document in government policy in the way in which it connects with those communities that it made sense for us as an organisation to also have an understanding and a level of reflection on what that might mean for us.”

– Participant from SCNZ.

“It was important to get the Treaty in there somewhere because maybe if somebody came along who had no interest or commitment then at least it is there as a hook to hang some things on.”

– Participant from VSA.

**...but it requires a lot of commitment to create it.**

“A far more difficult dimension is in the area of policy. Basic Treaty training for social service deliverers is fine but working with boards and senior managers in various sectors in terms of policy work is much harder.”

– Participant from CWS.

“We tried to come out with some Treaty principles in one day. We had another go at the principles during the evening and still didn’t quite get there. So we brought it back into this little group and someone said, ‘Why don’t we tie these back to the values that we already have in the organisation?’ So we weren’t inventing something new and laying it on but we’re looking at what we already had, what we could enhance.”

– Participant from DRC.

**Some see it as on-going process...**

“We need to keep reflecting on our policies. In the affiliation agreement between the national and local associations one of the standards of good management and accountability concerns the Treaty. Each association, including the national association review these statements annually. They might be acknowledging that they’re not doing a lot, but now it’s written into the standards of good management each organisation must reflect and evaluate its movement on the Treaty journey.”

– Participant from YWCA.

**...while others think it evolves from practice...**

“It’s what you do that matters. Policy, in this area anyway, is what evolves later.”

– Participant from CID.

## 6.3 Resourcing

Establishing and maintaining meaningful relationships requires substantial amounts of energy, commitment and compromise.

The availability of resources needed to establish and maintain relationships is linked to issues of commitment because the resources allocated for something indicates its relative importance. Yet, NGOs are almost always notably under-resourced; so there is a constant juggling of priorities.

Treaty application involves at least two very large areas of work;;

- altering the culture of an organisation, the systems and processes it uses, and;
- establishing and maintaining on-going, mutually beneficial relationships with tangata whenua.

One of the most important resources for both of these is time. Lack of time means that taking action gets put off, but taking too long often means that focus and momentum are lost.

On the other hand, some noted that relationships need time to mature and develop. It also takes time for attitudes to shift. This may be frustrating but can be managed if the parties plan for the long-term.

**It takes time..**

“It hasn’t been a rush. Everyone’s been willing to take their time, to really nut their way through issues and think about the process and make sure everybody’s on board. The amount of time taken is actually one of the critical points in terms of making sure it sticks together.”

– Participant from DRC.

“Sometimes I’ve imposed constraints, because I don’t believe that it’s an area where you push. It’s an area where things evolve and you create opportunities for things to evolve.”

– Participant from CID.

**from people who are already very busy...**

“The board has the governance role, with a multitude of things that they need to undertake, and they have to set their priorities in relation to how they deal with those. Also, it is voluntary work for them – they meet five times a year for a couple of days and have a huge workload.”

– Participant from SCNZ.

“It’s more just our own personal time because we’ve got to do all the other things as well. These are just the normal constraints of having a small office and a few staff.”

– Participant from CID.

**but having designated funding can help.**

“One little thing is that we actually have a separate budget line for our Treaty work – that’s one thing we wanted and we have that now.”

– Participant from DRC.

## 7 Conclusion

There is no denying that Treaty application is difficult, but it can be tremendously rewarding as well, as the organisations and individuals who contributed to this book have shown. All we can do is try our best, and learn from our mistakes because, to paraphrase Freire, to do nothing is to be part of the problem.



### Moving out of comfort zones

Virtually by definition, Treaty work for tangata tiriti is about moving out of comfort zones, and often this applies to Māori as well. For example, looking at the consequences of colonisation, racism, and monoculturalism is usually very painful. As with more literal trail-blazing, some find the associated stress exhilarating, but many find it exhausting. Usually a group providing leadership can only do so for a limited period of time before needing time to consolidate what's been achieved while others take over the leadership role. There is also a challenge in determining when and how far to move: Treaty work includes an unfortunately large collection of stories of people and organisations becoming paralysed and/or burned out because they tried to move too soon, too fast and/or too far in relation to their resources.

### 7.1 Getting stuck

A wide range of issues can lead to dead-ends or otherwise stop a Treaty journey in its tracks. Factors which can lead to 'paralysis by analysis' can include:

- uncertainty about what to do;
- fear of doing the wrong thing;
- wanting to do the best thing;
- avoidance of tokenism;
- a sense of unpreparedness;
- not wanting to offend or upset people;
- uncertainty about who to consult;
- lack of unanimity.

Other potential problems include:

- frustration/anger because parties on either side, or even both sides, of the relationship are not behaving 'well'
- exhaustion due to factors such as
- lack of long-term support
- pressure for short-term results
- a confrontation or other type of critical incident that discourages people from proceeding.

Partly because there are so few precedents to follow, partly because different people see things differently, and partly because contexts are different, organisations often get conflicting advice on what they 'should' be doing. This, too, can lead to 'paralysis'.

“It takes courage and effort to keep everyone moving. It needed someone who was willing to be courageous at the beginning. There was a lot of goodwill on the board, but not much courage, and I think we’re all pretty comfortable with the status quo. We had various discussions about whether we had an obligation to be involved. Some say we didn’t have an obligation, but Jonquil pretty much said, ‘We do need to be involved, we’re that kind of organisation, that we can’t not be involved’.”

– Participant from DRC.

“We need to be taking time, not trying to push relationships, not trying to push organisations into moving out of their comfort zone. While you may want to challenge your comfort zone, the last thing to do is what was done to us in the eighties, which is to make people feel guilty. Guilt freezes, so the first thing would be to take time. Make sure everyone is comfortable, and be clear that it is a journey, be clear that you want to move and to bring about change.”

– Participant from CID.

“You have to progress your ideas but you also have to progress your comfort to be able to do this work. We’ve got a vision, we’ve got a plan, we’ve made a good beginning, but it does really require effort, and when you’re moving into areas that are uncomfortable it requires your will, quite a lot of will, to get yourself over some things and get yourself to do some things that you wouldn’t ordinarily do or you wouldn’t feel comfortable doing.”

– Participant from DRC.

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### **Sometimes it’s not clear what to do...**

“Even though the perception is that Māori and Pākehā get along very well there are actually underlying tensions, some of which are being addressed well and some of which aren’t addressed at all. And sometimes it sits very heavily on me because I can see the needs here and I can relate them to my international and development work. I want to do more here but am unsure about being able to open that process a little bit further.”

– Participant from Leprosy Mission.

### **...at other times there are conflicting opinions.**

“There isn’t just one Māori opinion just as there isn’t just one Pākehā opinion. We hear so many diverse opinions from people coming in to work with us. One Māori woman would say, ‘I want everybody to say kia ora when they are greeting people whether you’re Māori or not’. Then we’d have another saying, ‘Well if you’re not Māori don’t say it’. In the ‘80s everyone was rushing off and learning Māori and then a decade or so later some Māori were saying, ‘Well if you’re Pākehā don’t learn it until Māori have reclaimed it and learnt it’. So we were kind of, ‘What do we do? What do we do? Just to be safe let’s not do anything.’”

– Participant from VSA.

“One part of the organisation might be hearing, ‘When you greet anyone say kia ora’, and another part of the organisation is saying, ‘But we’re not Māori, why would we?’ It’s such a minefield because you either run the risk of making a Māori person feel uncomfortable because they don’t have the language and it looks like this Pākehā person does, or you have a Māori coming back to you speaking te reo leaving you thinking, ‘Oops, actually kia ora is as much as I know’.”

– Participant from VSA.

## 7.2 Getting unstuck

There are some suggestions in Chapter 6 ‘Keeping Going/Sustainability’ (page XXX ) for approaches that help to avoid problems occurring. When the inevitable happens, though, remember:

- 1) problems don’t necessarily have negative outcomes and even situations which appear to be problematic aren’t necessarily so – it is how they are managed that makes the difference; such circumstances can be opportunities to develop greater understanding and move the work to the next level;
- 2) we do not have to keep moving in a straight line; there may be ways around, under, over the problem;
- 3) we do not have to address everything at once; usually a problem can be broken down into smaller pieces, and then we can begin with the ones we can do most easily;
- 4) we do not have to address it on our own; if our colleagues, within and/or outside the organisation, are not able to offer helpful suggestions we may need to consider a wider range of others with whom we can work, for example:
  - try to find another organisation with Treaty experience in the area with whom to talk
  - contact a Treaty organisation locally or the Treaty Resource Centre if there is not have one locally (coordinator@trc.org.nz)
  - consult written materials and the internet (see Bibliography).

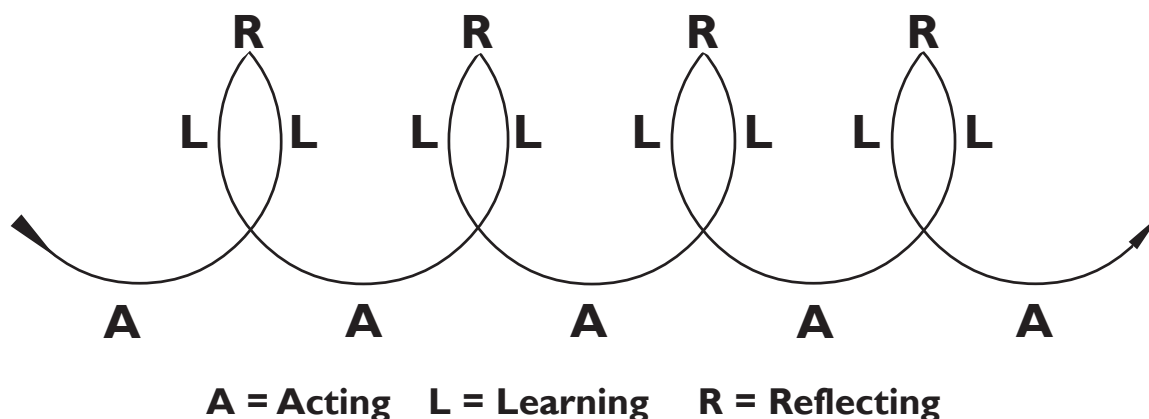
Whatever you do, do not give up!

*“If we are facing in the right direction, all we have to do is keep on walking.”*– Buddhist saying.

## 7.3 Learning by doing

We started this book with a description of why we used the metaphor of a journey, a particularly challenging journey, into relatively uncharted territory. Of the increasingly large number of books and other publications about the Treaty, only a handful refer to its practical application (examples are provided in the Bibliography). Experience teaches us the importance of developing theory and approaches to Treaty application, but more importantly it teaches us the need to put our ideas into practice. It is only when we try to ‘walk the talk’ that we can identify problems with the theory and develop deeper understandings.

There are many examples in this book of the problems which can be encountered, but the important point is not so much what was difficult as what can be learned from the experience. Reflecting on action clarifies thinking which improves the quality of subsequent action. Freire (1993) called this process ‘praxis’ which has been paraphrased as ‘action without reflection is blind, reflection without action is impotent’. Sharing the learning can then help others to avoid similar problems.



**Diagram 9: Praxis**

*“The way to do something was to start doing it and learn from it.”* (Horton & Freire, 1990, page 40)

**Start with little steps that are achievable.**

“The question was, ‘How are we actually going to do all this? Even with very supportive people the whole drama and stress of the amount of work can make it all seem just too much. It’s important to be able to chip away at the little things people can start and make a success of, and since most of them were already doing things anyway it was about enhancing what was already happening.”

– Participant from DRC.

“We started with the Treaty idea and the values and principles and committed to the Māori version of the Treaty. Then we started to think, ‘What are we actually going to do in the next six months and how are we going to live this out?’ We could only really live it out in terms of our own values and our own work. It was bringing it down to something that was practical and what we could actually do with it.”

– Participant from DRC.

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**It’s an on-going process.**

“With our Treaty principles we wrote them one way and Denis stood to the side and assisted us. But eventually, after we had lived with them for a little while, we realised that they weren’t very good so we had to rewrite them. So in that sense it’s been a great process with good assistance.”

– Participant from DRC.

“You’ve constantly got to say, ‘What are we doing here? Why are we doing this? Is this the right thing to do? What does the Treaty ask of us here?’ To keep asking the questions because you haven’t got all the answers, because each new set of situations has to be re-evaluated.”

– Participant from CWS.

## **7.4 The Treaty in practice is good for us all**

The work of the organisations involved in this resource shows that there are challenges encountered on the journeys toward Treaty relationships. There are tremendous rewards as well: developing trust which enables the parties to work separately with a sense of common purpose, feeling safe enough to agree to disagree, developing the robust and mutually beneficial relationships that the Treaty intended.

Treaty work in Aotearoa can provide models of addressing inter-community relationships that are of value throughout the world, especially relationships with peoples of First Nations. The organisations, through their contributions to this resource, are a source of inspiration to others engaged on similar journeys.

“While the work is challenging, it is also rewarding. It does feel like it’s very possible. Starting off in this very awkward place and will we or won’t we, and having this tentative ‘yes we will’, and now a real commitment. You get the feeling any group of people could do it really.”

– Participant from DRC.

“That’s what’s so encouraging – you can come together as a group of people and really talk and work with this stuff and it can be positive. At this level we can work and talk, but as a country there are still challenges to come together over these issues and talk sensibly.”

– Participant from DRC.

“We allowed the Pākehā women to talk of feeling frustrated but we also talked to them and said, ‘So are you going to be the victims in this? You know, don’t do the ‘poor me’ bit, acknowledge that you’re having a problem and keep going and keep looking at. How can you establish partnerships if you don’t examine your own position and roles?’”

– Participant from YWCA.

“There were some significant moments along the way for me and I think for the whole board. I remember voicing that moment for myself and feeling the board settle as well. It was going to be all right. We were going to be dealing with other human beings who are doing their work and there’ll be places where we can work together. And it may mean we’ll do some things differently – I would hope it would mean that we do some things differently – but it was going to be ordinary as well. It’s going to be an ordinary thing in New Zealand to do this.”

– Participant from DRC.

## Appendix I – Agency histories

### 1. Caritas

The Catholic Church's present commitment to the Treaty of Waitangi is based on three things: Catholic social teaching, particularly in relation to the rights and dignity of indigenous peoples; the church's pastoral work among Māori; and the historic involvement of Bishop Pompallier at the signing of the Treaty. Caritas is the church's national agency for social issues and was formed in 1992 out of the previous National Catholic Commissions for Evangelisation, Justice and Development (EJD, 1978-88) and Justice, Peace and Development (JPD, 1988-92).

From the late 1970s some of the church's justice and peace agencies were getting involved in Treaty-related matters. Some agencies supported the families of Ngāti Whatua through the Bastion Point protests and at around the same time the Wellington Archdiocesan Commission researched the 1860 confiscations of Taranaki lands.

The New Zealand Catholic Overseas Aid Committee formed a task group, including Rob Cooper, George Kuru and Manuka Henare, who organised meetings with various Māori Catholic organisations and church groups. This process produced two reports for the commission, *Whakamārama One* and *Whakamārama Two*.

These reports highlighted evidence for a distinctive Catholic view of the Treaty based on the writings of the first Catholic bishop of New Zealand, Jean-Baptiste Pompallier (1836-58). Pompallier had been present at Waitangi in February 1840 and had discussed the proposed Treaty with some of the chiefs who signed the Treaty. He himself had argued for religious freedom in New Zealand, and Hobson had conceded and recorded this ('article four' of the Treaty). In 1845-46, at the time of the uprising of Hone Heke, Kawiti and

others against the British, who had broken the Treaty from their point of view, Pompallier observed that, '*According to the New Zealanders, New Zealand is like a ship which they own. All they've asked the British to do is help sail it*'. For the commission this was a clear indication that cession of sovereignty in perpetuity was not part of the Māori agenda. It became a very important historical perspective for the Catholic hierarchy and leadership.

Around 1981 Manuka Henare led a symposium in Wellington to discuss the place of the Treaty in New Zealand church life. The question that came out of this was, 'What does the Treaty mean for us?' Up until then the understanding about the Treaty was often expressed as 'the Treaty is a fraud,' or, 'You haven't honoured the Treaty', but there was a new understanding that the Treaty needed to be honoured.

An avenue for raising the consciousness of many Pākehā Catholics was through considering racism in South Africa during the 1981 Springbok tour. The bishops were outspoken about the issue. For many people it was a natural progression to begin asking similar questions about racism and colonisation in Aotearoa New Zealand.

In 1984, church leaders sponsored a major hui called Te Rūnanga Waitangi, at Ngaruawahia. The Māori Council of Churches, Te Rūnanga Whakawhanaunga I Ngā Hahi, responded to the commission research by focussing on the so-called 'article four'. There were two things in the fourth clause: that Māori were free to choose a religion, and that customs and values would be protected by the Crown. This became an element in the Catholic discourse in combination with an emerging Catholic theology of evangelisation. This theology held that the gospel cannot be used in a

frontal attack on another people's culture. These two notions – that maybe Māori didn't cede sovereignty after all, and that church theology and the Bible cannot be used to denigrate another culture – came together.

This reflection led the Catholic church to a huge project, the Hui Whānau, sponsored by the New Zealand Catholic Bishop's Conference, and organised by the Catholic Commission for Justice, Peace and Development (CCJPD) and the Catholic Communications Office in 1989-90.

All parishes sent representatives to Greenmeadows Seminary in Napier where they undertook two weeks' intensive study on the Treaty and culture related evangelisation.

Many churches considered processes of internal reviews on their own history especially in light of an insight from Te Rūnanga Whakawhanaunga I Ngā Hahi – the Māori Council of Churches. The council observed that as representatives of the churches were involved in the making of the Treaty and witnessing its signing, then the churches should see themselves as custodians of the spirituality of the Treaty as well as its intentions and its specifics. Manuka Henare notes that for the most part the churches have accepted that role, basically to counter the power of the state.

When Pope John Paul II visited New Zealand in 1986, he was asked to appoint a Māori bishop, who would be a pastoral leader for all Māori. In both New Zealand and Australia the Pope made strong statements about the place of Māori and Aboriginal people. In Christchurch he said:

"The Māori people have maintained their identity in this land. The peoples coming from Europe, and more recently from Asia, have not come to a desert. They have come to a land marked by a rich and ancient herit-

age, and they are called to respect and foster that heritage as a unique and essential element of the identity of this country.”

Eventually, Bishop Takuiria Mariu was appointed as associate bishop of the Hamilton Diocese in 1988, until his death in 2005.

In the 1980s JPD commissions were very active, with many people involved at parish, diocesan and national level. Race issues were among their concerns, but there was also a lot of attention given to the economic restructuring that was going on, and groups didn't necessarily see the connections between these issues. There were other issues also grabbing people's attention during that time, including the nuclear-free legislation.

For the 1990 Treaty of Waitangi sesquicentennial the bishops made a statement of the church's commitment to the Treaty. Their statement was *He Tau Whakamaharatanga Mō Aotearoa-Nui Tireni: A Commemoration Year for Aotearoa – New Zealand*. The statement acknowledged the anniversary of the Treaty signing as a year of jubilee. This biblical concept involved a putting right of injustices, and the bishops called on people to experience renewal and reconciliation in relation to injustices resulting from the failure of the state to protect Māori people.

*“With the tradition and teaching of the church, we affirm: that the right of the first occupants to land, and a social and political organisation which would allow them to preserve their cultural identity, while remaining open to others, must be guaranteed.”*

Along with the statement by the bishops in 1990, Ruth Smithies of Wellington prepared two sets of ten-week discussion programmes. One was called *Our Common Ground*, a general introduction to the Treaty and the other was more specifically on bicultural re-

lationships. They were used quite extensively in the early 1990s.

A second bishops' statement on the Treaty was issued in 1995, calling on politicians, Māori and members of the general public to keep working together to resolve issues of historic injustice.

*“The church was present in 1840, and is still present in 1995. Through its social teachings, the church seeks to ensure that the dignity of persons, and the common good of all, are reflected within the economic, social and political structures of society. Where there exist situations of conflict the church seeks that social and economic life be directed toward just and peaceful solutions.”*

In 2000, Caritas, with the support of the New Zealand Catholic Bishops' Conference, began a land project to invite parishes to consider their own history, and to work through any issues about acquisition of land that required reconciliation with the tangata whenua. For Caritas this followed the realisation that the rights of indigenous peoples and land issues were becoming a great deal more important in international development work.

There was a sense of discomfort about not having faced up to some of those issues in New Zealand, particularly church ownership of land. A project was set up to enable parishes to look into the history of their own land and to seek reconciliation where this uncovered issues.

It was intended that parishes would opt into the project, but Caritas found the progress very slow, in part because of the historical research skills that were necessary to fully research and interpret the written historical record. Caritas also found that parishes themselves have fewer people and resources, and did not necessarily see it as a priority. Caritas employed a historian for 18 months, and follow-

ing that, in 2005, the New Zealand Catholic Bishops' Conference decided that responsibility for dealing with historic land issues should rest at a diocesan rather than a national level.

One of the parishes that was able to see this through to a good outcome was Sacred Heart Parish in Petone, where there was an issue that needed resolution over the nearby Korokoro Cemetery. This land had been gifted to the Catholic Church by Wi Tako Ngatata, who himself was later buried in the cemetery. In the 1950s, the cemetery had fallen into disrepair, and had been handed to the city council, who had removed the headstones and replaced them with a large stone cross.

This had been an upsetting experience for both local Māori people, and for elderly parishioners. After several years of research and dialogue, between parish and iwi, there was a joint service of 'reconciliation, healing and commitment' in April 2004. Since that time, parish and iwi have joined together to protect the cemetery from further encroachment by the city council and Transit New Zealand, and a second joint service is planned at the cemetery in late 2007.

Caritas and other Catholic bodies have made submissions on Treaty-related issues, such as the Foreshore and Seabed legislation in 2004. Caritas tried to show the range of Catholic opinion on the issue by compiling a publication of 37 Catholic submissions on the Bill. On-going education is taking place through publications and activities, such as the Social Justice Week focus in 2005 on 'Celebrating Cultural Diversity' and in 2007 on 'Land'.

Caritas and the wider Catholic Church has recognised the responsibility to address historic land injustices, but realise there is a lot further to go. The Catholic Church seeks reconciliation as well as recognition of injustice, which requires dialogue and building relationships.

– Lisa Beech and Manuka Henare

## 2. Christian World Service

The journey probably began for Christian World Service (CWS) with a workshop in Napier in November 1982 when, during the showing of a film on South Africa a number of Māori participants said, 'That's not just South Africa – that's Aotearoa New Zealand'. The ensuing discussion led to a lot of soul searching and quite a critical decision within the Methodist Church in 1983 to move towards becoming a bicultural church. It was seen at the time, unfortunately, as a first step to towards becoming a multicultural church. During this period most of the traditional churches began working on improving their understanding of the Treaty and in doing so gained new awareness of what had been happening for Māori. The importance of the Treaty as part of our shared history started to take root in the Christian community, particularly through ecumenical inter-church forums. Concerned Māori, who at that stage invested almost too much in helping sort out tauiwi, issued some strong challenges, including to churches. The anti-racism programme of the then National Council of Churches (NCC) under the leadership of Mitzi Nairn, Bob Scott and others undertook the hard Treaty journey work that evolved out of the Church and Society Commission of the NCC. The Programme on Racism informed our thinking and helped us develop strategies and responses, especially through workshops. Together we developed resource programmes for teachers when schools needed to include the Treaty in their charters. A resource person from CWS ran workshops with teachers. The 1981 Tour was a critical period for those of us who recognised what was happening.

CWS was open to the strong Treaty focus because the organisation was primarily relating to overseas partners, many of whom were dealing with historic injustices and oppression. Central to these relationships was honest

communication and an expectation that CWS would be involved in local issues of justice. 'How can you be partners with us,' they said, 'if you're not partners with tangata whenua and those who are marginalised in any way in your own situation?' This was a compelling rationale for CWS to become more deeply involved 'in our own backyard'.

At a critical meeting at Turanga-waewae in 1984, Te Rūnanga said the Treaty was a covenant, in the sense of a Biblical covenant. There were very strong links, quite controversial at times, with Māori activists in this period. The Catholic Church was probably more innovative than the NCC and CWS. Father John Curnow was quite fearless in supporting the groups that arose out of the Bastion Point protests, for example.

In 1990 CWS and key church people promoted the tino rangatiratanga register among members as an alternative to voting in the national elections that year. The register was developed as a public strategy to highlight the crown's inability to fulfil its Treaty obligations in the previous 150 years and as a political tool that raised the failure of the electoral process to deliver justice under the Treaty. We made it available to Pākehā explaining the background and encouraging people to sign. Many signed and also boycotted the national election in the interests of promoting Māori tino rangitiratanga – thereby acknowledging that voting would not establish 'right' relations. We sent stacks of signed registers to the originators.

CWS has continued to build relationships with tangata whenua and to speak for Treaty justice. CWS has supported activists and organisations and engaged in issues where we had common ground; for example, opposing the Multilateral Agreement on Investment (MAI) and international trade agreements, promoting the Mataatua

Declaration and opposing the Foreshore and Seabed Bill. CWS has provided financial support and assisted people, especially Māori, working on issues related to the Treaty and the rights of indigenous peoples, made submissions and written letters in support of Māori aspirations.

We had quite a strong relationship with Te Rūnanga until recent years. All requests from Māori were referred to Te Rūnanga who verified and ratified the grants CWS made. For funding in Aotearoa they were our primary reference point. CWS made a very significant donation to the Ngāi Tahu claim process, probably the most practical thing we have done in terms of local Māori. It was our recognition of having been based in Christchurch since 1945 and having some responsibility towards the empowerment of local Māori. We funded the Kia Mohia Kia Mārama Trust which provided basic education on national and international issues for Māori over many years.

Māori representatives have participated in the appointment of all recent CWS directors. Occasionally we have met with representatives of Te Runanga or the Māori sections of the church, but most of the time we get on and do our work keeping them informed. This understanding has guided our work for the last 12 to 15 years.

After an unsuccessful new fundraising initiative in 1993 we had to write to most of our partners to say, 'The guaranteed funding was not guaranteed this year. We'd do our best, but at this stage it looked like it could be less than you were anticipating'. When we told Te Rūnanga, they sent a cheque saying, 'You have supported us all these years in the work that we have been doing, why would we not return it'. In fact we got more from Te Rūnanga than we got from any other part of the church. This significant gift from Te Rūnanga during a difficult period was a very

important step in the relationship. On a day-to-day basis we would not have put our hand out for money and they wouldn't have offered.

Liberation theology, which originally came out of the oppression expressed by the peoples of South and Central America, was influential on CWS's work, especially the notion that God had a preferential option for the poor. In 1993, after extensive consultation, CWS produced the first draft of *Partnership and Letting Go*, the rationale for its work. The last section deals with responding to our context in Aotearoa New Zealand, including our responsibilities under the Treaty and the struggle of Māori for self-determination. One of the key principles of the document was that struggles overseas are related to the struggles here, and the two cannot be separated.

CWS remains concerned about how the economy has developed, who loses out and how the profits are distributed. During 1987 there were two separate consultations on aid for Maori and Pākehā. One of the concerns of CWS was the fact that the asset base of tauwiwi, especially Pākehā, was built on the unjust acquisition of land and resources. It raised the question of who had the primary right to decide what happened to the economic surplus produced from the dominant economic model. It was a highly contentious period as people, including those in the churches, insisted that 'We have a right to what we've got'.

In Hamilton the Methodist Church had been the recipient of incredibly valuable town land that was apportioned to those who'd served in the 4th Waikato militia, including Methodists. People were in an uproar over the suggestion that the church had been a recipient of stolen property.

In 1987 the National Council of Churches formally reconstituted itself as the Conference of Churches in Aotearoa New Zealand (CCANZ). In Canberra in 1991, the World Council of Churches Assembly, which only

accepted one ecumenical church body into associate membership per country, allowed Te Rūnanga and the CCANZ to become joint associate members. They were represented at the assembly by about 70 Māori and tauwiwi who managed to get themselves into the plenary floor by swapping tickets. We all walked up and sang the waiata, blowing the minds of the Europeans by singing in Māori. That was a symbol of what we were reaching towards and it was seen as a very powerful symbol by churches around the world. Unfortunately, although they keep trying, the churches have fallen short of this dream of partnership.

When CCANZ decided to close the Auckland and Christchurch offices and concentrate on Wellington they did not refer to Te Rūnanga, who learnt about it through the minutes. Te Rūnanga challenged the decision-making process on the basis that they thought they should have been engaged in the discussion earlier. Some of us met with a delegation of Māori to discuss the decision. Their issue wasn't, 'We're standing on our dignity, you didn't tell us'. It was, 'If this is evidence of a weakening of the churches ecumenically, then you must realise that this will impact on us also. We're in the same churches, so what is affecting you is also affecting us, we need to talk to each other about this.' That was the nature of relationship at this time.

A dirtier piece of laundry is what happened in 1990, when CWS received a request from someone who belonged to Te Rūnanga, but was not part of the leadership. He recommended that CWS fund a Pākehā man to make a film about the Treaty sesquicentennial of 1990 to which we agreed. Looking back on that decision, part of it came from the notion, 'We've been so awful to Māori that whatever they say goes'. The proposal was backed by Māori. As it was 1990 we needed to make some sort of contribution to the 150th anniversary of the signing of the Treaty, so against

our better judgement we gave a substantial amount, intended as a loan, to the venture.

I think that's the worst side of it, that we abdicated responsibility because of our awareness of the level of injustice that tangata whenua have suffered. This does not make for good relationships, partnerships, or wise judgement. We lost a substantial amount of money and the film did not eventuate. We wrote lots of letters, and made many telephone calls to the man, who wriggled out of taking responsibility for the project. We went back to the person who had recommended him and he washed his hands of the whole affair. The end result was that we felt angry, blaming ourselves for what we had done.

We are marking 60 years of this organisation's work under various names. We continue to learn about the history of this country, the realities for Māori and how to respond effectively to what we know about the world. CWS tries to deal with the ambiguity of the colonisation process for the churches. In our work we seek to support Māori rights and aspirations and to advocate for the crown to fulfil its responsibilities under the Treaty.

– **Brian Turner, Elizabeth Mackie, Jonathan Fletcher, Jim Stuart and Gillian Southey**

## 3. Council for International Development

I am Ngati Ranginui through my mother and grandmother so this is all very personal to me. Marion Wood from Project Waitangi, chair of the CID board at that stage, had run a series of Treaty workshops in early 2000 – just pure Treaty education then, and that’s all they had done. During handover when I took this job my predecessor told me that they were worried that they didn’t have enough contact with Māori and that they had intended commissioning or contracting someone to go out and make contact. I replied that it was not appropriate for us to contract someone to go and talk to Māori – that’s not the way to do it. I want to do it in my own way, and it won’t be fast.

It’s a journey. You can choose to go on a journey or you can be taken on a journey. But people who are taken on a journey are not necessarily as willing or receptive. So that was really how it happened, and I was very fortunate because Kim Chamberlain was the training manager at that stage and she really understood these issues and she was just there and willing to be supportive. We talked about what our approach should be.

We felt that the first thing was to have another round of Treaty workshops, but make it clear that it was only step one of the journey, that this was not an end in itself. So for the first one, we told our members that this is the way we plan to go. I started work there at the end of 2001, so that was when we really embarked on the first round of Treaty workshops in Christchurch. Then the next place was Wellington and once again it wasn’t difficult. We ran a second one in Wellington because there was still plenty of interest there and brought

the few Auckland people down. So the next step was stage two.

Also, for myself, I wanted to explore contact with Māori whom I knew. I thought that surely there must be some Māori organisations out there that are doing international development, and wondered how I would find them. Instead, they found me. Josie Karanga from Te Korowai Aroha Aotearoa said they were interested in international development, because they’d been working a bit with ANGOA. Then again another approach came from another organisation, Te Ora Hou. We then had two Māori members, and that was the stage at which I felt that there was enough of us to reach out a bit more widely to the Māori community. So I went to Moana Jackson, Pauline Tangiora, Carolyn Bull, Apryll Parata, and Annette Sykes and some others, as well as the two Māori member organisations. We invited them to a hui in Wellington, Māori only, just to talk about issues of working internationally. And amazingly they all came. So we had about 30 people there and we talked about the obstacles and the problems, which were that most of them were working on the *Declaration of the Rights of Indigenous Peoples*. They expressed their frustration, not just at the slow progress, but mainly at what happened when they went to meetings and they had to stand back for the officials who were all Pākehā.

We undertook to take these issues to both MFAT and NZAID, and we did. Though nothing much changed. We are supposed to be working with NZAID on a joint working group “to determine the implications of the Treaty of Waitangi in the international development area at both government

and NGO levels” for a new section of the NZAID/NGO Strategic Policy Framework which would include “a set of guidelines to assist with implementation of the Treaty obligations by both parties” but little progress was made. So the working group went into recess. From the connection with Te Ora Hou, based in Gisborne, Manu Caddie agreed to join our board.

After the stage one workshops the question was, what should we be doing within our organisation since we say we are trying to become Treaty-based, so we had the first stage two workshop. It was two years down the track and nothing had happened since. One of the things we were thinking about, and talking about, is doing something to monitor compliance. We have a code of ethics and this could include compliance with the Treaty. It seems like a great way to do it.

I know we should have a relationship with tangata whenua in our area, but it doesn’t come naturally. One of the things that I did try to do, through a Māori staff member while she and I were both there, was to try to build a relationship with Te Ati Awa, where she was from. But she left and I didn’t follow it up because I felt uncomfortable about it.

The memorandum of understanding with NZAID is called the *Strategic Framework for Relationships between NZ Aid and NZ NGOs*. It spells out the terms in our relationship, the terms of consultation and agrees to consult; it talks about funding, and the understandings about funding. It’s supposed to talk about understandings of the Treaty, and that’s the section that’s waiting for further development.

– Rae Julian

## 4. Development Resource Centre

The Development Resource Centre was established in 1993 when a group of NGOs collaborated to create a specialised library on development and the environment. Since then we have expanded to offer a range of development information and global education services to people in Aotearoa New Zealand.

So here we were informing and educating people, talking about indigenous people overseas, and it was like, what about the indigenous people in Aotearoa New Zealand, what's our position there, what are our policies, what are our practices for working with Māori in schools and in the community? We did two Treaty trainings and at board meetings we made a commitment to the Treaty. It was also one of our values but very little was actually being done. There were some explorations of what the Treaty meant, we had a little bit of Treaty awareness training and we agreed that we wanted to get more training, more advice, and work more deeply on it.

There was a core group appointed within the DRC to front, and be at the forefront, of this particular project. They were people who had prior

knowledge, who had done a fair bit of work, and were at the right points themselves to be grappling with this. Along with Denis Grenell from Te Aratiatia, who we had got in touch with through Literacy Aotearoa, we did a project plan together and mapped out where we were heading and the key tasks involved. That changed and moved but it gave us the framework and it also gave us an opportunity to get to know each other better.

The other key thing was that because of the size of the organisation, everyone was involved when we did the base Treaty training, including staff and all of the board members. We had to decide which version of the Treaty we were actually honouring so part of the training was dedicated to that and to ensure that everyone was happy with the decision. That was when we committed to the Māori language version, Te Tiriti o Waitangi.

Under international law the indigenous language version of a treaty is the one that is recognised and at the DRC we aim to promote the voices of marginalised groups. For those reasons it made sense to recognise Te Tiriti o Waitangi.

When we started looking at what was involved for us and how that linked to our values and principles, we realised the enormity of the work. At a board meeting the realisation came that if we were going to be successful in this work we were going to have to have reciprocal strategic and operational relationships with organisations that had similar values and were working towards a better world.

It feels like we are making very slow progress and we're stalled a bit at the moment, but in actual fact we have done quite a lot of things. We've got some really good relationships that we are developing further and we are getting better at making connections with Māori and we are in a process of building the capacity of staff to feel informed and educated about the Treaty. We still have a long way to go but we recognise the importance of getting this right and continuing to do more. The board is very supportive so we are lucky that we have that support to move ahead with this work that, as an Aotearoa-based NGO, we think is incredibly important.

– Jonquil Brooks

## 5. Family Planning Association

In the 1980s the Family Planning Association (FPA) began to address the issue of the Treaty of Waitangi and the limited access for Māori to sexual and reproductive health services. During 1990, Irihapeti Ramsden was invited by FPA to convene a group to examine the options for improving this situation. As a result, Te Puāwai Tapu (the sacred blossoming) was formed by Māori women representing various iwi. FPA contributed to its set-up with a grant of \$50,000.

The two organisations worked in partnership for 10 years, and although they worked closely together with a

common goal, they were separate organisations with separate governance structures.

In 2001 Te Puāwai Tapu changed their governance structure allowing them to operate as an independent kaupapa Māori provider. The change marked a new direction in the relationship between the organisations, with a memorandum of understanding in place. Today Te Puāwai Tapu is an independent kaupapa Māori provider of kaupapa Māori services, including sexuality education, policy and advocacy and professional development/training services.

Following a quality management initiative in 1995 to set new standards for the organisation, the national business plan of 2000 set further goals for the organisation in relation to its Treaty of Waitangi obligations and the reduction of disparities in Māori sexual and reproductive health.

In 2003 a scoping report on how best to respond to the needs of Māori was completed by John Whaanga, a Mori consultant. The findings and recommendations made in the report provided FPA with a good starting point in terms of "going about things in the correct way". While many of the

recommendations alluded to equity issues regarding organisational governance, management and service provision arrangements, the only recommendation relating directly to the Treaty of Waitangi was that further appropriate and on-going training be undertaken.

To date there has been two series of workshops on the Treaty of Waitangi delivered by different external facilitators, both of them receiving mixed reactions.

In 2004 a FPA cultural competency survey was undertaken with all staff to ascertain FPA's capacity to respond to Māori needs and to identify strengths and staff training needs. Based on the results a tikanga Māori training package was developed,

aimed at raising awareness and building capability among staff to engage with Māori clients and organisations more effectively.

FPA is committed to delivering quality sexual and reproductive health services for all people, regardless of their gender, culture, sexual orientation, disability, relationship, age, religion and political view. It is also committed to making a contribution towards improved Māori sexual and reproductive health, and to the obligations relating to the government's principles of partnership, protection and participation under the Treaty of Waitangi.

Getting it right for Māori means being aware of the way they view sexual and reproductive health issues.

Māori values and beliefs around sex and sexuality are of paramount importance. While sexuality was an accepted way of being, sex was an unspoken language and was never discussed among Māori. Today, it is still an often hard to talk about subject. These issues, and many more, are the things we have to be constantly mindful of when planning strategies for Māori and attending to Māori clients.

FPA continues to be a mainstream provider of sexual and reproductive health. We acknowledge and accept the need to develop Māori models of delivery and to continue to explore ways of collaborating with Kaupapa Māori service providers.

– Doris Kaua, Jackie Edmond

## 6. The Leprosy Mission New Zealand

The Leprosy Mission is an old organisation, born in Ireland in 1874, and established in New Zealand in 1912. The Māori name, Te Mihana Tuwhenua o Aotearoa, was gifted to The Leprosy Mission New Zealand in March 2003.

We approached the Māori Language Commission and others we knew who had a significant understanding of the Māori language to help us identify a Māori name that accurately reflected our organisation's role and work today. Eventually, after much discussion over a long period of time, we decided to accept the Māori Language Commission's suggestion, *Te Mihana Tuwhenua o Aotearoa*. During this process we discovered that the Maori name needed to be gifted to us. The board of The Leprosy Mission New Zealand organised this through the Māori Anglican Church because The Leprosy Mission is a Christian organisation. A very moving ceremony took place at the Mangere Māori Church, which is part of the Anglican diocese, and the name *Te Mihana Tuwhenua o Aotearoa* was gifted to The Leprosy Mission New Zealand. Our connection to this church was through

David Pineaha Sarsfield who had been an active supporter of our work for many years.

Since receiving our Māori name we have been using it in parallel with our English name on all communications. It is now permanently on our organisational logo. In addition, we have incorporated our desire as an organisation to work according to the principles of the Treaty of Waitangi in our programmes and projects work. This was endorsed by our programmes committee, which is a board committee. In our organisational principles and criteria, the Treaty of Waitangi is referred to as follows:

*The Leprosy Mission New Zealand is guided and informed by the principles of the Treaty of Waitangi, in particular, the underlying concepts of partnership, participation and protection which enhances and refines the nature of its relationships with entities outside New Zealand.*

We are a member organisation of CID, which has offered Treaty workshops during the past few years, and our staff who have attended have found the workshops invaluable. At-

tending two of these workshops, *Understanding the Treaty of Waitangi* and *Becoming a Treaty-based Organisation* were revolutionary learning experiences for me personally.

We discovered that the principles of the Treaty relate so well to our own organisational goals where we advocate for the human rights of indigenous peoples, mostly leprosy-affected, disabled and socially excluded people, in the projects where we work. Valuing and embedding the principles of partnership, participation and protection in all that we do is of paramount importance.

As I visit our projects around the world I am often asked if there are indigenous people in New Zealand; how I personally and how we as an organisation relate to them; and how our cultures fit together. It's a topic of great interest to many of our partners. I am always keen to share our experiences and to talk about the Treaty of Waitangi (which is even older than our organisation!) and how it remains relevant to us and guides us in our work today.

– Isabelle Duff

## 7. Save the Children New Zealand

In Save the Children New Zealand we focus on partnerships with service providers and on development education, advocating for children's rights both in New Zealand and overseas. We have had someone employed to run a domestic programme only since November 2001. With the domestic programme we work at a different level in New Zealand to how we work internationally. It became pretty evident early on that as a New Zealand-based organisation and an organisation that was working directly in New Zealand that there needed to be something in our organisation that reflected our policy with regards to the Treaty.

There was also certainly an acknowledgement that while the Treaty is between two parties (Māori and government) not involving NGOs, that as an NGO working in those communities we cannot ignore the fact that it does have an impact on the work we are doing. There was also a role within the organisation to understand better what the Treaty meant for us at an operational level, regardless of whether it was domestic programme work or our work as a whole. We are a New Zealand organisation therefore we have a responsibility to understand what the Treaty means to us.

In three and a half years we've made quite a significant inroad into trying to get some buy-in, commitment and implementation of how we determine

our policy on the Treaty as an organisation. We began to explore ways to bring this into play at an organisational level – you had to get an understanding individually about what the Treaty meant for you and then how that might be relevant to the organisation's work. That happened fairly quickly and there has been a positive response to what the Treaty might mean both personally and organisationally.

There were a number of reasons that Save the Children was able to be quite responsive to Treaty issues: we are a rights-based organisation and in our international work we practice development principles and cultural appropriateness. These made a lot of sense when put into a New Zealand context because the Treaty is rights-based and it is about Māori culture and development. It's that old adage of 'practice what you preach' – if we apply certain principles internationally, then they need to be applied at home too. So it was quite easy to shift that understanding relatively quickly.

The first step really was that the Treaty was presented as something that policy needed to be developed around and a proposal was submitted to the board. This was debated and engaged with on some levels, but probably not engaged with across all the levels hoped for. What did come out of that was that the management team embarked on a Treaty training

workshop through CID in 2003. At that point we had 15 staff, of which four out of a management group of five did the training.

So we had a multitude of shifts. There has been management training that filtered down to the rest of the staff. Also, a change in board members meant that we were able to reintroduce a new policy suggestion that wasn't about making the board undertake Treaty training. It was about ensuring that the board incorporate a process for determining Save the Children New Zealand's policy on the Treaty. The board agreed that they wanted to see a commitment to developing a policy in relation to the Treaty in the strategic plan over the next five years. So it has been taken to that policy level and the board are definitely committed to that.

We're a voluntary organisation, now with 19 paid staff. The vast majority of our workers are volunteers and there is an extensive network of branches throughout the country.

We're in the middle of a rapid growth period at the moment and it is very positive that our board president, is leading by example by doing Treaty training himself. There is a culture of internal change within the organisation.

– **Sonya Hogan, Liz Gibbs, Trent Allison, Debbie Jack, Patrice Bogert**

## 8. Volunteer Service Abroad

It's interesting reflecting on the journey. At this stage we've just done a social audit of the organisation featuring the importance of the Treaty principles of partnership, manaa-kitanga, self-determination and good faith and integrity – like a lot of organisations we've struggled in terms of trying to find our own way and we've probably mirrored the process that the rest of New Zealand has gone through.

The journey probably began post-Springbok Tour, in the early 80s. This time was such a huge period of growth and discussion, and that's when VSA started to look closely at its obligations. In the late 80s VSA had very supportive CEOs and management and a Māori chair of council. This resulted in the creation of a tangata whenua representative position on our council. The appointment of a kaumātua is relatively recent, maybe

only in the last five years. At the time we were lucky to get, as our tangata whenua representative on council, a very energetic Māori woman who felt that having a kaumātua was important for the organisation.

The kaumātua has now been on board since the late 90s.

Like a lot of places we followed what many government departments were doing at the time, in thinking about

working biculturally, with initiatives such as being given a Māori name by the Māori Language Commission and having Māori language lessons. In the beginning there was huge energy and commitment, but then there might have been a decade or so where people became frozen because we were concerned about being tokenistic.

We had found out through an internal audit of our obligations under the Treaty and the accessibility of our services for Māori that not a lot of what we do was institutionalised. It was all down to the personal commitment of individuals. Then as more questions were asked about how what we were doing was benefiting Māori, and the answer was, 'We're not sure, possibly not much', people stopped doing anything. There was a feeling that we don't want to be doing something tokenistic, we don't want to be doing something that's going to be patronising. Then things just stopped.

Also, there are the sensitivities of tauwiwi when we get into the issues of colonisation. I think that was one of the mistakes in terms of the journey that I wasn't aware of when I started. I was very keen to look at things like pōwhiri and te reo, and naively believed that everybody would be as committed and enthusiastic. What I found out was that a number of people in the organisation, not just Pākehā, but from

other cultures as well, had some concerns about the organisation pursuing these issues.

We've got a council, a president, a chair of council and a CEO. The membership can vote on who makes up the council, and any changes to our constitution have to be put to the membership beforehand. Since the annual congress of 2004 some acknowledgment of the Treaty of Waitangi has been written and endorsed by the membership for inclusion in VSA's constitution. There was some groundwork for these references in the constitution to be put through – huge groundwork – by the kaumātua and the tangata whenua representative on council. Over the last few years there has been a range of training courses about the Treaty of Waitangi and the outcomes of colonisation, not only for staff, but also for council members and outgoing volunteers.

The president and the kaumātua sit side by side in the organisational structure. The kaumātua will come to council meetings and be part of various committees, making sure that the role of the kaumātua is very much a living one. We needed the kaumātua because he was able to give us guidelines, so at least we had a sense that we were being told it's OK to do this and this. It has taken away a lot of

organisational anxiety. At the moment we also have a very dynamic, very committed tangata whenua representative on council. I think one of the exciting developments for New Zealand and for VSA has been that we've been able to take some processes and adapt them in a way that is right for the organisation.

A decade or so ago a lot of organisations rushed into getting something in their constitutions and it might have just sat there, meaningless, with people paying lip service to it. Whereas I think that VSA, to its credit, was busy trying to do something practical and meaningful, while forgetting about the policy side and the need to institutionalise these initiatives. What we did was to come up with something in relation to the Treaty that seemed meaningful and appropriate. We probably didn't articulate it, we probably didn't explore it, and we probably didn't engage our members with it as well as we could.

Now we've got some things built into our strategic plan like the goal of increasing our links with tangata whenua. We have institutionalised the recognition that a Treaty of Waitangi course needs to be inbuilt on a cycle and understanding of the Treaty of Waitangi is one of the organisational competencies in most job descriptions at VSA. It comes back down to education in the end.

– **David Panckhurst (Ngāti Porou)**

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## 9. YWCA

The YWCA began its Treaty journey as a result of two events. The first occurred in the early 1980s when the first ever Women and Violence Conference was held in New Zealand, and the YWCA was one of the co-ordinating groups. A consequence of this conference was the emergence of two community groups, one Māori and the other Pacific Island, wanting to establish their own services for Māori and Pacific Island women. As is the case today, to obtain development funding groups have to be incorporated and/or registered as trusts. Neither of these

groups had such recognition, so the YWCA became the umbrella group supporting their applications for funding, and once obtained, became the NGO with responsibility to manage the Māori Women's and Tangata Pasifika Projects. The focus was to develop services, facilities and processes within culturally appropriate kaupapa. The YWCA, at this time, was very much a European organisation, modelling much of its processes and practices on Westminster systems. Its work with both these groups was driven by the 'C' in its name – the Young Women's

Christian Association. However, because these projects operated independently and differently, there was a noticeable tension between YWCA governance and the project managers due to government accountability requirements.

Basically all three groups worked in very different ways and these ways of work were unknown to, or not understood by, the other parties in the relationship.

At the same time the YWCA selected, for the first time, a young

Māori woman and a young Fijian woman to be part of the six-person delegation to the 1987 World YWCA Council meeting in Phoenix, Arizona. At this world council the YWCA of New Zealand was advocating for a more inclusive credal basis to ensure wiser inclusion of women as members. These young women (aged 30 years and under) returned expressing a number of concerns, related not only to the voices of young women not being listened to, but also to the added barrier of being non-European.

There were subsequent challenges within the New Zealand structure to ensure the voices of young women were heard and listened to. The YWCA of New Zealand struggled with this issue, but has returned to subsequent world councils, with the result that in 1999 at least 25 percent of all leadership in the organisation is young women. For the first time, in 2003, the world executive comprised 50 percent of young women.

Young women also continued to question inclusion in Y programmes, activities and leadership on the basis of indigeneity and ethnicity. Since then the Y have taken resolutions from Aotearoa to world councils, and in Korea in 1994 the World YWCA became signatories to the Mataatua Declaration. This was great triumph for the New Zealand delegation; however, there was little evidence of any other activity or advocacy on behalf of First Nations women. In Brisbane 2003, a pre-council meeting was held of First Nations women, with approximately 140 women attending. A resolution on indigenous women in YWCAs throughout the world and several recommendations were adopted at this world council meeting. It was hoped the World YWCA would add its voice to the call for the adoption of the Draft Declaration for Rights of Indigenous Peoples, under the United Nations Human Rights Charter. The YWCA of Aotearoa is seen as rather radical within the YWCA movement.

So how did the YWCA make these moves, statements and within what kaupapa? In 1989 we had our national

convention, and it was the last of the truly traditional ones. At this meeting it was agreed to appoint a national young women's coordinator. At that same convention, there was also a presentation to request money be spent on a Treaty of Waitangi audit on the YWCA. How did the YWCA manage or work with indigenous groups, women and children? Could this in part help the Y members to understand why there were so many differences between the two projects that had been slowly developing over the previous four to five years?

The Māori Women's Project was no longer operating under the auspices of the YWCA even though there were funds still held for them, and the Pacific Island women were saying, 'We now want to be incorporated, so we wish to have our money removed from the YWCA and given to us'.

The audit did not reflect well on YWCA institutional practices. Many women were also incredibly 'unknowing' about race relations and Te Tiriti o Waitangi, even though most members were extremely aware of the issues that arose because of the Springbok Tour. The Treaty of Waitangi audit was actually driven by white women within the Y and really challenged the membership. Many left: they did not want to be involved in an organisation that was becoming strongly feminist and prepared to challenge its own position of dominance and power over other women.

Māori women were very noticeable by their absence because they had basically gone off on their own separate path; although there were many Māori women active in Y programmes and activities. At that stage there were four or five Māori women in the NZ Y involved at any level of leadership or governance. Informally these women began to collect together at national meetings, to talk and to support each other. From this was established an informal group called the Māori Women's Caucus. It was our own little support network and we were sort of tolerated. We had no resources, but as we gained confi-

dence we kept challenging the Y about selection of delegates to world councils. We also identified that there was money in the reserve fund for the 'Māori Women's project'.

So we were pushing and challenging. We had no authority, but because of the audit there was this consciousness that somehow we had to be inclusive, and ever since there has been this inculcated appreciation of the Treaty. As a result we were able to argue for inclusion of two Māori women on delegations, and for vestment of the Māori Women's Project funds in the Māori Women's Caucus.

The YWCA, at its national meeting in 1993, also agreed to acknowledge Te Tiriti o Waitangi: the principles that were identified with, and agreed to, are those principles articulated with the Māori version Treaty of Waitangi.

A lot of the Y's will come in and say, 'We can't get young women, or we can't get Māori women to come on our boards.' Although there is good intention there is still a lack of understanding that you can't go and get people and bring them into your organisation, you have to go and be with them in their environment, in their space. Now that is whether they're young women, or whether they're Māori women, or whether they're Pacific Island women or migrant women, you go to them. The YWCA of New Zealand also became the YWCA of Aotearoa New Zealand to publicly state its position to the New Zealand and international community.

We made a commitment to resource sharing and it happened externally with the Y, as a result of the audit. There are many examples of partnerships throughout the local and national associations. In the early 1990s the YWCA accessed funding for the Māori Women's Welfare League to be able to run its own exercise and fitness programmes that had been adapted and modified from a Y programme.

So we can really say that the Treaty audit set off a chain reaction. We formally changed the name from the

Māori Woman's Caucus to Wāhine o Wairoa and made it constitutionally part of the organisation, and at the same time in 2001 funding from reserves was handed to Wāhine o Wairoa. Each year, in addition to the affiliation fee from each local association to the national association, 10 percent, is now given to Wāhine o Wairoa.

Wāhine o Wairoa is trying to develop its own kawa and a kaupapa, a way of work. We're recording it, we've developed some policies and we've started to record both our journey and that of the YWCA as a whole. One of our kaupapa is that we need to demonstrate partnership the other way as well. We make funds available for local associations to run Treaty of Waitangi workshops, and help fund delegations to international conferences. It's been a practice

since 1991 to always pay for at least one of the Māori woman, so that the Y can pay for one as an official delegate, but the second one is paid for by Wāhine o Wairoa. When we went to Brisbane, we also paid for a kuia to go for the whole delegation, and we provided funding for another 15 young Māori women to go.

We trained everyone in waiata and we selected a kaiwhakahaere for the entire delegation. Every time we presented a resolution we got up and did a waiata; every time we spoke to someone we got up and we did this whole cultural practice. It was not just Wāhine o Wairoa speaking, it was the YWCA of Aotearoa New Zealand. I would say every single person on that delegation was proud – whether she was Māori or Pākehā. We were sisters standing together, working in partnership to improve the

world for all women and girls.

The culture of the Y is strongly acknowledged as Eurocentric. Yet it wishes to work in a bicultural way. By being bicultural it can network multiculturally. However, it acknowledges its history; it acknowledges its roots; it is based on Christianity; it's based on the fact that its international structure is predominantly a Eurocentric model.

However, it works by consensus, so the consensus of the time is that to honour the Treaty is not just about this notion of 'the same', you know, half to one and half to the other. It is about equity. It is about supporting both in a partnership, recognising and respecting those things valued by each, and ensuring that voices of all are heard when it comes to decision-making.

– **Lisa Hayes**

## Appendix 2: Methodology

Since the purpose of this booklet was to be a resource for other agencies rather than a collection of histories, it incorporates aspects of each agency's story in relation to some central themes. The themes, derived from work by the Treaty Resource Centre with agencies in other sectors, provided both the structure for the interviews and the major sector headings for this book.

A total of nine organisations were interviewed following an invitation to participate from the CID office.

Interviews ranged in length from one to four hours. Written transcripts of the tape recordings were sent back to participants, sometimes to clarify specific points but mainly for their information. A draft indicating which excerpts from an agency's interview were to be included in which part of the document was then sent for approval. After making requested changes, a draft copy of the whole document was sent to all participants for final approval.

### Prompts for interviews

The organisation's story:

- When/why/how did this organisation initially decide to address Treaty issues?
- What have been the main steps/actions/events since then (when/why/how for each)?
- Was there policy development?
- Was there education?
- Other strategies (e.g., appointment of staff responsible, formal relationships with Māori)?
- Who were key players (internal, external) – their ethnicity, roles, motivations?
- Were there important other events (internal, external) encouraging and/or inhibiting (e.g., increased funding for organisation, new members in governance group less committed)?
- What resourcing was available (internal, external) – money, expertise, staff time, etc?
- What next for your organisation?

### Reflection

- What worked well and why?
- Where there any significant contextual factors (e.g., type of organisation, concurrent events, personalities, era)?
- What did not work well and why; how would you do it differently if you had the chance OR how are you doing it differently?
- Where there any significant contextual factors (e.g., type of organisation, concurrent events, personalities, era)?
- What learning would you like to pass on to other groups (dos and don'ts)?

### Specific points (based on theory, experiences reported elsewhere)

- How significant was the influence of:
  - (a) policy (internal/external);
  - (b) the degree of commitment of your governance body/senior management/Māori who were involved (internal/external);
  - (c) keeping members of the whole organisation involved (non/paid);
 on what and/or how things were done?
- What were indicators of levels of commitment at different times and in different parts of the organisation? How did you decide if there was enough? What affected fluctuations in commitment?
- How did organisations determine what the Treaty meant to them (Māori text, principles, etc)?
- How did organisations identify Treaty partner/s?
- How do you see Treaty work fitting into the international picture?

## Appendix 3: Overview of Treaty history I

### Relatively good relationships prior to 1840<sup>2</sup>

The Treaty journey goes back many centuries to the time when Polynesians, migrating throughout the Pacific, identified Aotearoa as a desirable place to settle. Over the centuries, the early arrivals spread out and new groups came to join them.

Many centuries later, Europeans eventually extended their explorations in this direction as well, with Abel Tasman naming the place Nieuw Zeeland on his map in 1642. By the early 1800s, many nationalities of Europeans were living alongside the hapū, although in 1840 Māori still vastly outnumbered them.

Generally, these relationships were mutually beneficial. The European traders were keen to have new markets, the missionaries were pleased to find new converts, and the settlers relied on tangata whenua for survival as they established new homes for themselves. Tangata whenua valued new material resources such as iron tools and wool and were interested in European ideas such as a written language. As in any relationships, however, there were some problems, mainly in relation to cross-cultural misunderstandings and misbehaving Europeans with increasing problems about land rights falling into both categories.

European governments were not particularly keen to get involved because NZ was too far away and appeared to be of little strategic value, but the Europeans and tangata whenua who were living together here wanted to address the problems in order to retain the benefits of their relationships. In 1835 the British Resident, James Busby, decided to take a step in this direction by writing the Declaration of Independence to the King of England on behalf of many hapū in the north. In addition to asserting hapū sovereignty, it stated that the hapū would protect and befriend British people living in their communities in exchange for the King protecting the hapū from colonisation. Thus, the foundation was laid for a somewhat different approach to colonisation in NZ: when the British Colonial Office sent Captain Hobson to arrange a formal relationship between the Crown and the hapū it was emphasised that the hapū were sovereign and owned the land and that Hobson was responsible for ensuring their full, informed consent to any changes to this state of affairs.

Lord Normanby (British Secretary of State for the Colonies) said, in the instructions he gave to Captain Hobson in August 1839, that he was to establish government amongst Europeans in order to avert ‘the same process of war and spoliation’ that had occurred elsewhere when Europeans arrived (Buick, 1976, pp 71-72).

*Note: By definition, what distinguishes a ‘treaty’ from other types of agreements is that it must be between sovereign parties.*

### What the Treaty said (Māori Text)

#### **The Treaty:**

- **Affirms (existing) hapū rights:**
  - they retain sovereignty (Article 2)
  - they retain control of land (Article 2)
  - their culture will be protected (Article 4)
- **Promises that Māori people will have the rights that English people have (Article 3)**
- **Creates a place for governorship by the English (Article 1)**

Unfortunately, the process for discussing and agreeing to the Treaty was problematic, which led to fundamental misunderstandings between the English Crown and hapū signatories, especially in relation to who held sovereignty: the hapū believed they had retained it while the Crown believed that it had been ceded to them. These different perspectives are reflected in the two main documents that are referred to as ‘the Treaty’: the Māori text and the English version. Although the British Crown and subsequently the New Zealand government have tended to focus on the English version, the Māori text is increasingly recognised because:

- many more hapū signed it (over 500 compared to only 39 signatures on the English version);
- rangatira signing the Māori text knew what they were agreeing to as it was in their own language, while those who signed the English version did so based on explanations in Māori by British missionaries and others;

- an international legal principle recognises that the Māori text takes precedence.

The original words of the Māori text, with a modern translation, are at the end of this section.

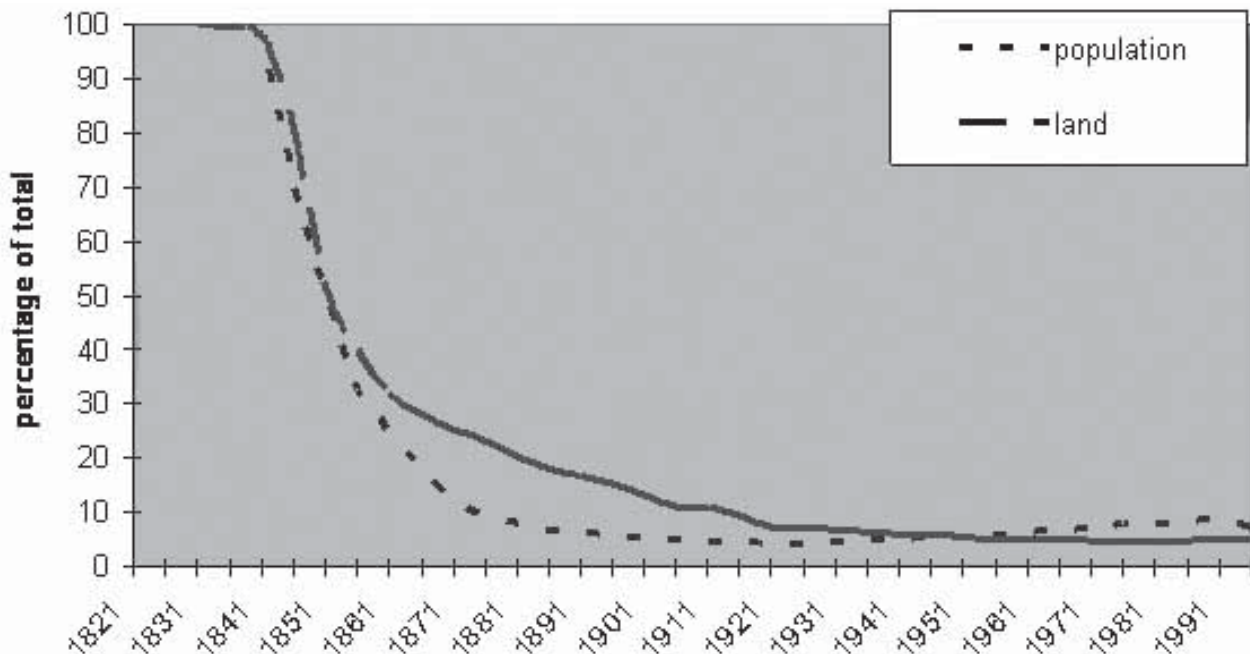
Whichever document is considered, however, the fundamental point is that the Treaty created a unique relationship between the government and the hapū.

### Treaty relationships deteriorate with colonisation

The Treaty relationship, as envisioned by the Crown in 1840, embodied some significant aspects:

- the British recognised hapū sovereignty and ownership of land
- it was a voluntary arrangement to enhance relationships for mutual benefit;
- the coloniser had good intentions;
- British were taking responsibility for misbehaving Europeans.

Unfortunately, the colonisation process that followed was typical of European colonisation elsewhere. From the beginning, differences of understanding about what the Treaty said created friction, but the problems escalated dramatically as large numbers of Europeans arrived who did not know, or care about, the Treaty and who had not been in positions of dependence on tangata whenua for survival and therefore did not particularly value relationships with hapū. By 1860, Māori were less than half the population in the country, and their land was being taken at an equally rapid rate.



**Diagram 10: Decline in Māori population and control of land**

The overriding of hapū authority and their rights in the land, the denial of fundamental human rights to Māori, and the devastating effects of colonisation on Māori communities are now well recorded and are still very evident today (see, for example, Walker, 1990; Orange, 1989; Te Puni Kōkiri, 2000).

### The Treaty today

The Treaty movement as we know it today emerged from Māori activism in the 1970s<sup>3</sup>, which in turn influenced Pākehā in the anti-racism and peace movements, amongst others, to become more proactive.

In the 1980s, for the first time, the government was proactive in considering how the Treaty might be incorporated into the future of New Zealand, by including references to it in some legislation. Previously, government activities had been confined to responses to Treaty breaches, for example in establishing the Waitangi Tribunal in 1976. The 1990s were dominated by emergence of a 'settlement' process to address injustices in taking land from Māori. The beginning of the 21<sup>st</sup> century has been characterised by a curtailment, and in some cases reversal, of previous progress as the government has responded to perceived public dissatisfaction with Treaty-identified strategies.

## Appendix 4. The Māori text

### **He Kupu Whakataki**

Ko Wikitoria, te Kuini o Ingarangi, i tāna mahara atawai ki ngā Rangatira me ngā Hapū o Nu Tirani i tāna hiahia hoki kia tohungia ki a rātou ō rātou rangatiratanga, me tō rātou wenua, a kia mau tonu hoki te Rongo ki a rātou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tētahi Rangatira hei kai wakarite ki ngā Tāngata Māori o Nu Tirani – kia wakaetia e ngā Rangatira Māori te Kāwanatanga o te Kuini ki ngā wāhikatoa o te wenua nei me ngā Motu – na te mea hoki he tokomaha ke ngā tangata o tōna Iwi Kua noho ki tēnei wenua, a e haere mai nei. Na ko te Kuini e hiahia ana kia wakaritea te Kāwanatanga kia kua ai ngā kino e puta mai ki te tāngata Māori ki te Pākehā e noho ture kore ana.

Na, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kāwana mo ngā wāhi katoa o Nu Tirani e tukua aianeī, āmua atu ki te Kuini e mea atu ana ia ki ngā Rangatira o te wakaminenga o ngā hapū o Nu Tirani me ērā Rangatira atu ēnei ture ka kōrerotia nei.

### **Ko Te Tuatahi**

Ko ngā Rangatira o te Wakaminenga me ngā Rangatira katoa hoki, ki hai i uru ki taua wakaminenga, ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu – te Kāwanatanga katoa o ō rātou wenua.

### **Ko Te Tuarua**

Ko te Kuini o Ingarani ka wakarite ka wakaae ki ngā Rangatira, ki ngā hapū, ki ngā tāngata katoa o Nu Tirani, te tino rangatiratanga o ō rātou wenua ō rātou kainga me ō rātou taonga katoa. Otiia ko ngā rangatira o te Wakaminenga me ngā Rangatira katoa atu, ka tuku ki te Kuini te hokonga o ērā wāhi wenua e pai ai te tangata nōna te Wenua, ki te ritenga o te utu e wakaritea ai e rātou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

### **Ko Te Tuatoru**

Hei wakaritenga mai hoki tēnei mo te wakaetanga ki te Kāwanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani ngā tāngata Māori katoa o Nu Tirani ka tukua ki a rātou ngā tikanga katoa rite tahi ki ana mea ki ngā tāngata o Ingarani.

Ka meatia tēnei ki Waitangi i te ono o ngā ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o tō tātou Ariki.

William Hobson, Consul and Lieutenant-Governor.

Na, ko mātou ko ngā Rangatira e te Wakaminenga o ngā hapū o Nu Tirani ka huihui nei ki Waitangi ko mātou hoki ko ngā Rangatira o Nu Tirani ka kite nei i te ritenga o ēnei kupu ka tangohia ka wakaetia katoatia e mātou koia ka tohungia ai o mātou ingoa o mātou tohu.

E mea ana te Kāwana ko ngā whakapono katoa o Ingarangi, o ngā Weteriana, o Roma, me te ritenga Māori hoki e tiakina ngātahitia e ia.

### Modern translation of Māori text

Victoria, the Queen of England, in her kind thoughtfulness to the chiefs and hapū of New Zealand and her desire to preserve to them their chieftainship and their land, and that peace and quiet may be kept with them, because a great number of the people of her tribe have settled in this country and more will come, has thought it right to send a chief as one who will negotiate with Māori people of New Zealand. Let the Māori chiefs accept the governorship of the Queen over all parts of this country and the Islands. Now, the Queen desires to arrange the governorship lest evils should come to the Māori people and the Europeans who are living here without law. Now, the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor for all places of New Zealand which are now given up or which shall be given up to the Queen. And she says to the Chiefs of the Confederation of the hapū of New Zealand and the other chiefs, these are the laws spoken of.

#### **This is the First**

The Chiefs of the Confederation and all these chiefs who have not joined in that Confederation give up to the Queen of England for ever all the Governorship of their lands.

#### **This is the Second**

The Queen of England agrees and consents to give to the Chiefs, hapū and all the people of New Zealand the full chieftainship of their lands, their villages and all their possessions (everything that is held precious) but the Chiefs give to the Queen the purchasing of those pieces of land which the owner is willing to sell, subject to the arranging of payment which will be agreed to by them and the purchaser who will be appointed by the Queen for the purpose of buying for her.

#### **This is the Third**

This is the arrangement for the consent to the governorship of the Queen. The Queen will protect all the Māori people of New Zealand and give them all the same rights as those of the people of England.

Now, we the Chiefs of the Confederation of the hapū of New Zealand, here assembled at Waitangi, and we the Chiefs of New Zealand see the meaning of these words and accept them and we agree to all of them. Here we put our names and our marks.

Signed at Waitangi on the sixth of February, 1840.

William Hobson, Consul and Lieutenant-Governor;

and more than 500 rangatira at Waitangi and 40 other hui.

### **The 'Fourth Article'**

Two churchmen, Catholic Bishop Pompallier and Anglican missionary William Colenso recorded a discussion on religious freedom and customary law. In answer to a direct question from Pompallier, Hobson agreed to the following statement. It was read to the meeting before any of the chiefs signed the treaty.

*The Governor says that the several faiths of England, of the Wesleyans, of Rome and also Māori custom shall alike be protected by him.*

## Appendix 5. Glossary

Definitions of terms are always problematic. The list below indicates how the authors have used some of these words; please note that they may be used differently by participants in excerpts from the interviews.

<b>Aotearoa</b>	Traditional place name of the New Zealand landmass (Aotearoa was not one country or state).
<b>CID</b>	The Council for International Development of Aotearoa/New Zealand <i>Te Kaunihera mō te Whakapakari Ao Whānui o Aotearoa</i> .
<b>Equality</b>	Generally means fairness, but usually focuses on making sure that everyone is treated identically (see ‘equity’).
<b>Equity</b>	Focussing on making sure that everyone has comparable/equivalent outcomes. Recognising that people are different so treating everyone the same actually doesn’t result in fair outcomes.
<b>Hapū</b>	Groups of related families; recognised by the British as sovereign bodies before signing of the Treaty; parties to the Treaty.
<b>Iwi</b>	Groups of related hapū; sometimes translated as ‘tribe’.
<b>Kaiwhakahaere</b>	Chairperson.
<b>Kaumātua</b>	Respected elders of the marae who are leaders.
<b>Kāwanatanga</b>	Transliteration of ‘governorship’; introduced by the missionaries when translating the Bible.
<b>Kuia</b>	Older woman.
<b>Mana whenua</b>	Tangata whenua with authority to speak in relation to the land .
<b>Manaakitanga</b>	Caring for others, showing respect, hospitality.
<b>Māori</b>	Traditionally meaning ‘ordinary’ or ‘normal’; used by Europeans to refer to the people living here when Europeans arrived.
<b>MFAT</b>	Ministry of Foreign Affairs and Trade.
<b>NGO</b>	Non-Government Organisation.
<b>NZAID</b>	NZ Agency for International Development, a semi-autonomous body within MFAT established in 2001.
<b>Pākehā</b>	New Zealanders of European descent.
<b>Rangatira</b>	Leaders or ‘chiefs’. In relation to the Treaty, those who signed it on behalf of hapū.
<b>Rangatiratanga</b>	Literally – chieftainship; translated in Declaration of Independence as ‘independence’.
<b>Tangata tiriti</b>	People who came here under the authority of the Treaty of Waitangi.
<b>Tangata whenua</b>	People of the land (in a specific geographic area).
<b>Tauīwi</b>	Has several meanings but in the context of this book is used to mean New Zealanders who are not of iwi/Māori descent; see also, tangata tiriti.
<b>Te Tiriti</b>	Tiriti o Waitangi (Māori text).
<b>Tikanga</b>	Practices and procedures associated with a set of beliefs to be followed in conducting the affairs of a group or individual.
<b>Treaty</b>	An agreement between sovereign parties, between states.
<b>Treaty</b>	Treaty of Waitangi (Māori text).
<b>Treaty of Waitangi</b>	<i>aka</i> Te Tiriti o Waitangi (in this book, referring to the Māori text unless otherwise indicated).

## Bibliography<sup>4</sup>

- Bishop, R. and Glynn, T. (1999) *Culture counts: Changing power relations in education*. Palmerston North: Dunmore Press.
- Buick, T.L. (1936) *The Treaty of Waitangi: How New Zealand became a British Colony*. New Plymouth: T. Avery.
- Council for International Development (2006) Treaty of Waitangi Resource Manual. In *Council for International Development resource kit*. Wellington: Council for International Development. <http://www.cid.org.nz/training/resource-kit/>
- Freire, P. (1996) *Pedagogy of the oppressed*. London, England: Penguin.
- Hayward, J. (2003) *Local government and the Treaty of Waitangi*. Melbourne: Oxford University Press.
- Health Promotion Forum (2002) *TUHA-NZ: A Treaty understanding of hauora in Aotearoa-New Zealand*. Auckland: Health Promotion Forum.
- Horton, M. and Freire, P. (1990) *We make the road by walking: Conversations on education and social change*. (B Bell, J Gaventa & J Peters, Eds). Philadelphia: Temple University Press.
- Jennings, John M. (2004) *New Zealand universities and Te Tiriti o Waitangi*. Wellington: New Zealand Universities Academic Audit Unit.
- Margaret, J. (2002) *Pākehā Treaty work: An annotated bibliography*. Manukau: Manukau Institute of Technology Treaty Unit.
- Margaret, J. (Ed.) (2002) *Pākehā Treaty work: Unpublished material*. Manukau: Manukau Institute of Technology Treaty Unit.
- NZAID and CID (2003) *Strategic policy framework for relations between NZAID and New Zealand NGOs*. NZAID: Wellington.
- Orange, C. (1989) *Treaty of Waitangi*. Wellington: Allen & Unwin.
- Ramsden, I. (1989) A model for negotiated and equal partnership. *Wellington: Author*.
- Tau, Te Maire *et al* (2004) *Treaty-based guidelines and protocols: For tertiary education institutions*. Christchurch: Te Tapuae o Rehua Ltd.
- Te Puni Kōkiri (2000) *Progress towards closing social and economic gaps between Māori and non-Māori: A report to the Minister of Māori Affairs*. Wellington: Te Puni Kōkiri.
- Proceedings of the Treaty conference 2000* (2000) Tamaki Makaurau: Treaty Conference 2000 Publication Group. *Treaty Resource Centre* <http://www.trc.org.nz>.
- UMR Research (2004) *Treaty of Waitangi awareness research – a quantitative and qualitative study*. Wellington: State Services Commission.
- Walker, R. (1990) *Ka whawhai tonu matou: Struggle without end*. Auckland: Penguin.

## Notes to the appendices

- 1 A three-page appendix is far too short, and therefore simplistic, to do justice to the complexities of the history, interpretation, and implications of the Treaty of Waitangi. Further information, including reading lists, are available in the Treaty section of the CID Resource Manual (2006).
- 2 Sources of information for this section are Walker (1990 ), Orange (1989).
- 3 Walker (1990, p.209).
- 4 This list is a combination of materials referred to within this book plus others which are focussed on Treaty application in a variety of contexts.