

BACKGROUND - TE TINO RANGATIRATANGA

This short backgrounder has been prepared by members of the Public Issues Group in response to a request from the Executive, at its meeting on August 30th. It seeks to explore the breadth of meaning covered by the expression te tino rangatiratanga.

The root of the word rangatiratanga is rangatira, literally meaning chief. The authority of the chief was based on personal qualities, locality, and lineage/kinship.

"Tino" is an intensifier or superlative, meaning 'very', 'most', 'great', 'supreme', 'total', 'complete'.

Te tino rangatiratanga means something like 'total control', 'complete responsibility', 'absolute authority'. It contains the concept of mana and can be extended to ideas of oversight, responsibility, control, sovereignty, power and authority.

In the Declaration of Independence, of 1835, it was clearly translated as 'independence'. As Maori were still signing the Declaration of Independence up to six months before February 6th 1840, it is clear that the same meaning for te tino rangatiratanga applied in the second article of the Treaty of Waitangi. Further evidence for this can be found in the missionary translation of the Lord's Prayer into Maori where the kingdom of God is translated as "rangatiratanga".

These interpretations mean considerably more than "the full, exclusive, and undisturbed possession of their lands, estates, forests, fisheries, and other properties" in the second article of the English text of the Treaty of Waitangi.

In terms of the Maori text the sovereign right of Maori was confirmed not ceded. It is mostly the Maori text that Maori talked about, signed, and have understood. It was the Maori text that the Crown presented for signature.

Furthermore it is a basic tenet of international law that in any bilingual treaty when the differences arise between two language versions, precedence is given to the text which is not in the language of the drafter. This is known as the rule of "contra proferentum".

It is our understanding that te tino rangatiratanga provides Maori with absolute control over all things Maori plus a partnership say in all other aspects of life in Aotearoa today. This is the conviction of the Methodist Bicultural Committee included in their report to Conference 1990. Te tino rangatiratanga gives Maori special rights in Aotearoa, which should constitutionally

limit the power of government, specially where Maori interests are concerned. This means that the "Kawanatanga"(governorship) of the government is always limited by te tino rangatiratanga, something which hasn't happened yet.

Mitzi Nairn says the following in her Selwyn lecture on Justice, Peace, and the Integrity of Creation: "Although te tino rangatiratanga implies possession and distribution of resources, it is primarily about authority, control, and wider issues of policy, management, and conservation, as so many of the claims before the Waitangi Tribunal indicate. The Treaty of Waitangi assumes a complete and functional Maori World, social, cultural, economic, political, and spiritual, holistic and integrated - tino rangatiratanga and ritenga Maori. Under te tino rangatiratanga the tangata whenua(the people who are the land) have not only a complex set of obligations with respect to land, resources, and past and future generations, but also the means to fulfil those obligations.

In breaking the Treaty and undermining te tino rangatiratanga by taking over control of lands, waters, forests, fisheries, and other resources, we Pakeha settlers, acting through the crown, have taken away the means for the tangata whenua to fulfil their sacred responsibilities: but we have not and cannot take away those responsibilities".

In terms of Biblical understanding a choice for te tino rangatiratanga is a choice for life rather than death, see Deuteronomy 30 V15-20. In John's gospel in chapter 10, V10 Jesus says "I came that they may have life and have it abundantly". We need to ask ourselves questions about both government and church - have our policies delivered life for Maori, or are they continuing to deliver "death" in areas of health, education, employment, justice, welfare, and the economy.

Te Runanga Whakawhanaunga i Nga Hahi o Aotearoa, the Maori Ecumenical Council, and our partner council in Aotearoa, is making a choice for te tino rangatiratanga, a choice of life.