

The Treaty of Waitangi: what does it mean?

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It is our task, in Social Studies, to make sure that our students understand the terms of the Treaty of Waitangi¹ so that they will be able to apply it to events and situations in their lives and so that they will recognise when it is being breached.

It is not difficult to clarify the meaning of the Treaty of Waitangi in its 1840 context. The Treaty is a short document and while it is written in te reo Maori, its translation into English creates few problems. Only two words require an investigation of the context in order to be clear about the interpretation. Nevertheless, many New Zealanders are confused about what the Treaty actually says. This paper will first clarify the meaning of the agreement made in 1840. After that the more challenging question to be considered is 'What does the Treaty mean for us today?' The Treaty established a relationship between the Crown and Maori and like any other relationship, it needs to be worked on. There is a saying:

Te reo o Te Tiriti mai rano. The Treaty is always speaking.

What is it saying to us today and what are our Treaty responsibilities, as Social Studies teachers?

Firstly our students need us to be able to explain the terms of the agreement clearly and accurately, and then they need opportunities to reflect on how the Treaty applies to events in New Zealand history, to current events and to their lives and their schools.

The Treaty of Waitangi: what did it mean in 1840?

Henry Williams read out the Treaty in te reo Maori to the rangatira gathered at Waitangi on 5 February, 1840. When they heard him say that they were being asked to give 'kawanatanga' to the British Crown, some of them may have wondered just what Williams meant. 'Kawanatanga' was not a Maori word. It was a word that the missionaries created from a transliteration of the English word governor (*kawana*). However, the rangatira would have known that the great English rangatira, Kuini Wikitoria, appointed Kawana to govern parts of her empire; some of the Maori present had met the Governor of New South Wales.

As Williams read out Article Two of the Treaty, the rangatira heard that the Queen confirmed and guaranteed their *rangatiratanga*. They were to give to the British Crown the powers of a governor, but they would retain the powers of rangatira. What would this arrangement mean in terms of power, authority, mana?

Consider the implications of the word *rangatiratanga* as it was used in the Maori version of the Lords Prayer, which was familiar to many of the rangatira in 1840:

Kia tae mai tou rangatiratanga Thy kingdom come.

....

Thy will be done on earth as it is in heaven.

The authority implied here is absolute. The words *kawana* and *rangatiratanga* were used together in *Te Kawenata Hou* (the New Testament) in Luke 3:1 which spoke of the days of the *rangatiratanga* of Caesar, when Pontius Pilate was *kawana* of Judaea.

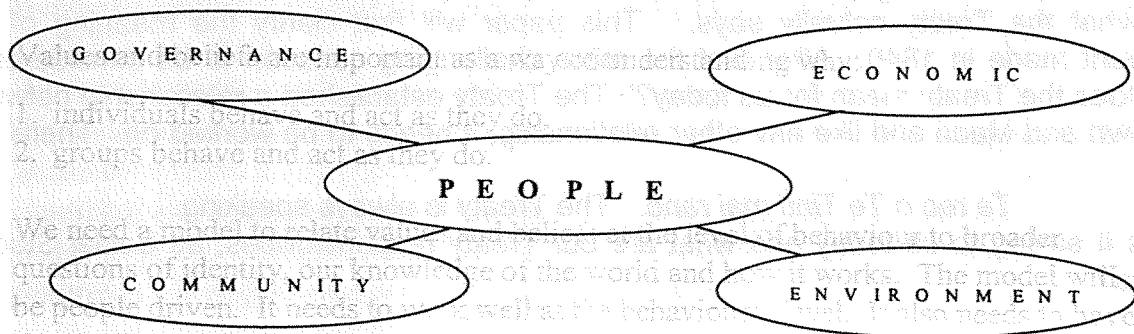
¹ All references to the Treaty of Waitangi refer to the Maori Text of the Treaty

VALUES AND BELIEFS

Values and beliefs are important as a way of understanding why:

1. individuals behave and act as they do.
2. groups behave and act as they do.

We need a model to relate values and beliefs at the level of behaviour to broader questions of identity, our knowledge of the world and how it works. The model will be people driven. It needs to work well at the behavioural level. It also needs to have the capacity to address the task functions of organisational life in a way that both addresses the business to be done and also the place of people as the key facilitators of business process.



Council's understanding of itself is complex and its operating philosophies/driving values are the starting point in that understanding. When seen from the perspective of the Treaty one would expect to find a balance in the values that are drawn from both a Maori and non-Maori perspective. The reality is that a balance does not exist at present. The challenge is to develop the capacity of Council staff to make judgements about how to develop that balance.

The method is to learn about Maori values and beliefs as a way of understanding Maori as a customer and client. Learning about Maori values and beliefs is a most important precondition of understanding of Maori as a Treaty partner and having the capacity to practice the disciplines of that relationship. The way to approach that learning is through an understanding of Maori world view.

The three elements of world view concern identity, knowledge of the world and how it works. Ultimately, the place to develop an integrated understanding of Maori world view is the Marae.

In this akoranga we will concentrate on identity. Knowledge of the world and how it works will be covered next time we meet.

Ultimately we will find ourselves back at the model outlined above with tools to enable us to make judgements about how to make appropriate changes to the values mix in our work that will enable progress to be made with the implementation of a Treaty-driven understanding of our role and responsibilities to deliver governance, community, economic, environmental services to the people of Manukau.

It is clear that the word *rangatiratanga* implied greater power or mana than the word *kawanatanga*. The rangatira in 1860 would never have given away their mana, their sovereignty, but many of them were prepared to make a commitment to a relationship with the British.

In Article Three the rangatira heard that they were to receive the same rights and privileges as British people. Many Māori had travelled to Australia and seen that Aborigines there were not treated as equals; for them this was an important point. In Article Four Hobson guaranteed that Māori customs would be protected.

The Treaty established a relationship which gave the Crown the right to set up government and therefore gave Māori the responsibility to accept that government. At the same time the Treaty gave Māori the right to have ultimate authority (*tinu rangatiratanga*) over their lands, villages and all the things they cared about (*taonga katoa*), and this placed a responsibility on the Crown to accept that Māori did have authority over these things. According to Article Three, Māori were to be equal, giving the Crown the responsibility to ensure that Māori did receive equal rights and privileges. Article Four gave Māori the right to have their customs protected, and this gave the Crown the responsibility to ensure this happened by actively protecting Māori customs.

The Treaty established a contract which involved rights and responsibilities for both sides. A breach of a contract requires reparation.

What does the Treaty mean to us in education today?

As we teach current events, we need to apply Treaty rights and responsibilities to New Zealand events. When we apply the Treaty to the issue of the foreshores and seabed, we will need to explain that the Crown has the right make laws and regulations but at the same time it has the obligation to ensure that hapu have *tinu rangatiratanga* (ultimate decision-making power) over those parts of the foreshore and seabed that are (under Article Two) their lands, their *taonga*.

As we teach ELANZ topics, we need to consider the Treaty rights and responsibilities. For example, if we are teaching about New Zealand government we must ensure that students understand that the Crown's right to govern is derived from Article One. But this right depends on the Crown fulfilling its obligations such as the Article Three guarantee of equality. Despite this fact, throughout most of New Zealand's history Māori have not had equality in terms of electoral power. The 1867 Māori Representation Act ensured that Māori were denied equality by limiting the number of Māori electorates to four so that Māori could have no more than token representation in Parliament. (Equal representation would have given Maori more than 15 seats in 1867.)

What are our rights and responsibilities as state sector employees?

Article One gives the Crown the right to make laws and regulations and so gives teachers the right to implement and enforce them.

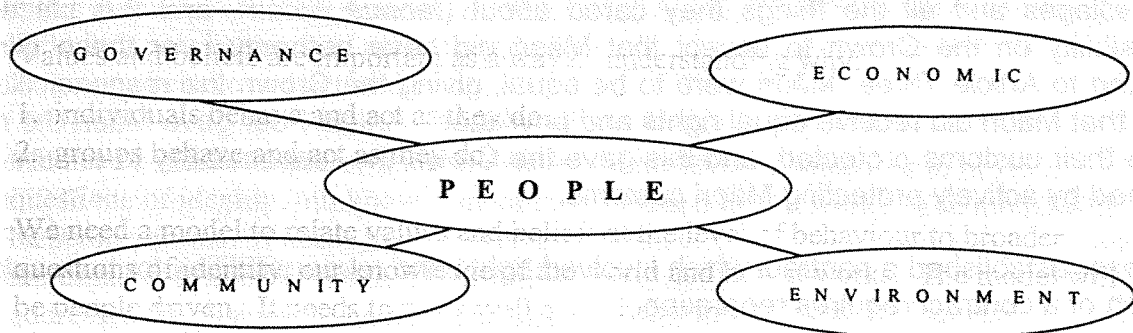
Article Two gives schools the responsibility to ensure that Māori have control over the things they value (*taonga*). What might you find in the classrooms of your school that Māori would consider to be *taonga*? The Treaty tells us that decision-making power over

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these things (Māori students? Māori language? Māori history?) must lie not with the Crown and its employees, but with Māori. What Māori groups is the school in a relationship with? How could the school become accountable to Māori? These are challenging questions for any school. It is never easy to share power!

Some schools have policies and systems to enable them to consult with Māori. This is a step in the right direction but consultation is not the same as *tino rangatiratanga*! Some schools ensure that there are some Māori members on the BOT. Again this is a good step, but Boards are based on European values and use European processes so again this step is not likely to provide ultimate authority (*tino rangatiratanga*) for Māori over the things they treasure.

Article Three gives to teachers the responsibility to ensure that Māori have equality. In 1986 the Waitangi Tribunal said that: "The promises in the Treaty of Waitangi of equality in education as in all other human rights, are undeniable. Judged by the system's own standards Māori children are not being successfully taught, and for this reason alone, quite apart from a duty to protect the Māori language, the education system is being operated in breach of the Treaty" (Waitangi Tribunal 1986, p 51). Does the success rate of Māori students in your school indicate that this comment is still true today? How can we ensure that Māori students have an equal opportunity to feel at home in the school culture and to find their values, their history, their language included in their texts and in their lessons? How can we ensure that Māori have equal opportunities to be taught by a teacher / role model of their own culture?

Article Four places a responsibility on teachers, as employees of the state, to protect Māori customs. Often our training did not equip us to do this and professional development in this area is needed. We can start with simple things like the pronunciation of Māori names.

The Future

As we help our students to understand and apply the Treaty, we move closer to becoming a nation which honours the contract made in its founding document. The vision is of a country in which legislation and government policies reflect and implement the Treaty; a nation in which systems of power-sharing ensure that Māori have control over their taonga; a nation in which Māori have equal rights so that Māori children can gain an education without losing their identity; and one in which Māori language and customs are protected.

References

Te Hiringa i te Mahara. (2002) *A Relationship and Change Management Handbook for New Zealand Secondary Schools*. Retrieved from <http://www.thm.ac.nz>

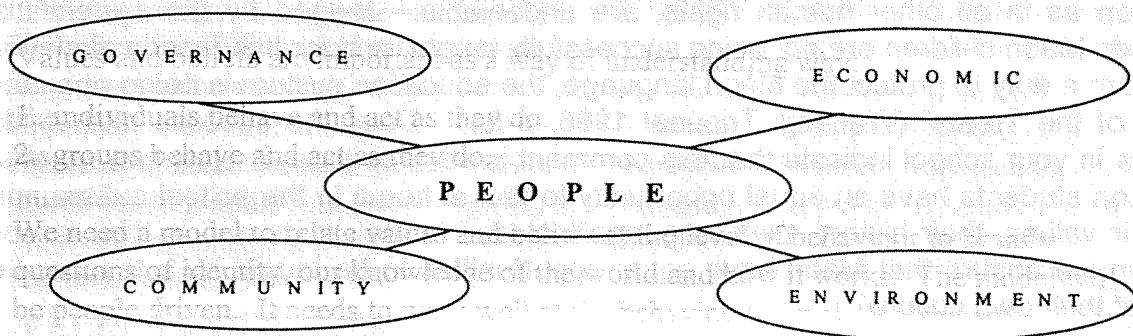
Waitangi Tribunal. (1986) *Finding of the Waitangi Tribunal Relating to Te Reo Māori and a Claim Lodged by Huirangi Waikerepuru and Ngā Kaiwhakapumau i te Reo Incorporated Society*, Wellington.

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