

## TE TIRITI O WAITANGI – Issues in 2023 and 2024

(11/1/2024) This resource consists of a collection of views and opinions related to Te Tiriti o Waitangi. An annotated precis of the resource is provided, and the reader needs to open the link to view the original article..



### ***'Iwi files legal action against Govt over public sector te reo plans'***

10/1/2024: <https://www.1news.co.nz/2024/01/10/iwi-files-legal-action-against-govt-over-public-sector-te-reo-plans/>

Waikato-Tainui is taking the Government to court over its plan to roll-back the use of te reo Māori in the public sector, claiming it is in breach of their 1995 Raupatu treaty settlement. About 100 members of the iwi travelled to Wellington today to file the legal action at the High Court. "Our 1995 Raupatu settlement is clear, that any move by the Crown to undermine or breach our settlement there's but one track and that is directly to the High Court," said Waikato Tainui's Tukoroirangi Morgan. "This is a milestone in the history of Waikato, in the history of the Kīngitanga, in the pursuit of te reo. This is about putting a stake in the ground about what te reo and tikanga mean to Waikato," said Waikato-Tainui's Rahui Papa.

### ***'Te Papa should remove English version of the Treaty of Waitangi - Māori legal expert'***

12/12/2023: [Te Papa should remove English version of the Treaty of Waitangi - Māori legal expert | Stuff.co.nz](#) - Jemima Huston of RNZ

Professor Carwyn Jones, a Māori legal expert, Kaihautū for Māori Laws and Philosophy at Te Wānanga o Raukawa and honorary associate professor of Māori studies at the Victoria University of Wellington, is urging Te Papa to listen to protesters and remove its large display of the English version of TToW.

### ***'Words matter – Te Tiriti o Waitangi Referendum'***

11/12/2023: [Moana Maniapoto: Words matter | E-Tangata](#) – Moana Maniapoto

Ditched words...replaced words...twisted words...decontextualised words; and to quote [Winston Peters](#): "Words matter". Remember that the Māori version of Article 2 uses the word "rangatiratanga" in promising to uphold the authority that tribes had always had over their whenua, their kāinga, and their taonga. It emphasises status and authority, which is way more than co-governance achieves. And way more than just English-style property rights over plots of land. Ironically, even the English text guarantees to Māori the undisturbed possession of their properties, including their lands, forests, and fisheries, for as long as they wished to retain them: the kind of property and ownership rights Act is usually keen on when it applies to everyone else.

### ***'Why redefining Treaty principles would undermine real political equality'***

30/11/2023: [Why redefining Treaty principles would undermine real political equality \(1news.co.nz\)](#) - Dominic O'Sullivan for 'The Conversation'

The Government's proposals around Treaty principles are significant. All three parties in New Zealand's new coalition government went into the election promising to diminish various Māori-based policies or programs. But it was the ACT Party that went furthest, calling for a referendum to redefine the "principles" of te Tiriti o Waitangi/Treaty of Waitangi. The referendum didn't make it into the coalition agreement, but National and New Zealand First have agreed to a Treaty Principles Bill going to a select committee for further consideration. Meanwhile, NZ First negotiated a review of all legislation referring to the Treaty principles and to "replace all such references with specific words relating to the relevance and application of the Treaty, or repeal the references". These proposals are significant because they would reverse a decades-long bipartisan trend towards increasing the Treaty/te Tiriti's influence in public life.

### ***'He tapu Te Tiriti'***

29/10/2023" [He tapu Te Tiriti | E-Tangata](#) - Eru Kapa-Kingi

Preying on Pākehā fear and proposing a referendum on Te Tiriti is completely unjust. Te Tiriti is imbued with the tapu of my tūpuna, their moko on the paper encapsulating their dreams for an intercultural Aotearoa. He tapu Te Tiriti, Te Tiriti is sacred. Despite the sacredness of Te Tiriti, Act has campaigned on proposing new law to redefine the "Principles of the Treaty" and proposed law to a public vote through a national referendum.

What even is a referendum? It is a vote by the public on a single political decision. Referendums can either be binding, meaning the majority decision must be implemented into law or policy by the Government which has put forward the question; or non-binding, meaning the Government must consider the result but are not obliged to make any corresponding law. It is unclear what type of referendum Act is proposing. Notwithstanding the type of referendum, it is a process that involves the public, and is decided on a majority-rules basis, rather than consensus. It is completely unjust to use a referendum to consider the legitimate rights of an oppressed minority people. This is like two teams playing a game where one team has 10 players and the other has 100, and only the smaller team must give up something precious if they do not win. It's impossible for the smaller team to win, but they are forced to play, as they have everything to lose. Yet the result of the game has no real affect on the lives of those in the bigger team. Any person observing this game would surely notice the complete lack of fairness. The question would surely arise whether such a game should be played in the first place.

### ***'Ngāi Te Rangi protest at Parliament, demanding treaty claim resolution'***

4/10/2023: <https://www.youtube.com/watch?v=Zcw8xE9DpRY> – Te Karere, TVNZ

"It's about all of us." That was the feeling expressed by one protester who, along with more than 1000 people, marched down Hewletts Rd in Tauranga holding aloft placards and Māori flags that flapped in the breeze. The protest in Tauranga was part of Te Pāti Māori's call for nationwide action against Government policies labelled "anti-Māori". Thousands of people across the country turned out to similar events in main centres. Ngāi Te Rangi chief executive Paora Stanley, who had been mobilising people to take part, described the protest as a "mana battle" in response to the Government's "assault on tangata whenua and Te Tiriti o Waitangi".

### ***'The Treaty, in English or Māori, is still our best way forward'***

5/2/2023: [David Williams: The Treaty, in English or Māori, is still our best way forward | E-Tangata](#) – Professor David Williams.

"When politicians say that Māori ceded all sovereignty, they're wrong. We must challenge those arguments when people put them forward. Anyone who's really concerned about how our society is constituted today needs to understand that the Treaty was massively breached over many decades. Many of the people who need to understand this are people with power, people with lobbying capacity on legislative proposals like Three Waters. Because today's co-governance proposals are Treaty-consistent ways of creating relationships in the contemporary context for dealing with issues that are important to us all.

### ***'What if the Treaty had been honoured?'***

5/2/2023: [What if the Treaty had been honoured? | E-Tangata](#) - Paul Temm (Queen's Counsel and a member of the Tribunal in the 1980s)

There've been recent calls from the political right for a referendum on the Treaty of Waitangi, at the same time as other politicians show they barely even know what's in our founding document. This isn't a new development. It's an echo of the calls and the ignorance that have been around for decades. In 1990, Paul Temm responded to a similar climate of fear and ignorance in a short book he wrote about the Waitangi Tribunal. In his book 'The Waitangi Tribunal: the conscience of the nation', he sets out a plain history of what the Treaty intended to achieve, how it was broken, and what might've happened if colonisers had kept their word.