

## **Some Thoughts about the Treaty of Waitangi in the New Zealand of Tomorrow<sup>1</sup>**

Te Ahukaramū  
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Tēnā koutou katoa.

Thank you for inviting me here this evening to share some thoughts and ideas about the Treaty of Waitangi. I would like to offer two ideas which represent ways of thinking about the Treaty in years to come. I am less concerned with historical matters and am more focused upon what we might do in the next decade or two when we come to consider the Treaty of Waitangi.

My first idea asks whether the Māori/Pākehā identity paradigm is losing its effectiveness and meaningfulness as a way of identifying ourselves. As there is an increasing diversity amongst the populations for whom we use these terms, I suggest that they undermine diversity, or at least misrepresent it. Further, I wonder if there might be new ways by which we can identify ourselves.

My second idea represents a call for a ‘creative tino rangatiratanga’, a transformation of tino rangatiratanga from its current traumatised and marginalised state into a confident, positive and distinctive cultural feature of New Zealand of which we can all be proud.

### **Identity**

Like all societies, cultures and nations, New Zealand has numerous ways by which identity is constructed, articulated and expressed. Some of these ways are very old – such as tribal identifications of Māori communities – and some are new and emerging – such as the ‘digital native’, the identity of younger people (usually) who have never known life without the Internet and the Ipod, those who feel more comfortable texting their friends rather than making a telephone call.

One of the oldest identity paradigms in New Zealand is the Māori/Pākehā paradigm which came into existence in the 19<sup>th</sup> century. These two words have been with us a long time and continue to be powerful ways by which we New Zealanders relate to one another. The effect of these words upon our consciousness, upon ways in which resources are apportioned, upon political power and more can not be underestimated. For some time now, however, I have been wondering whether these words have reached their ‘used by date’ and my purpose this evening is to raise this question.

My questioning of the Māori/Pākehā paradigm has taken place in the context of my own identity formation – being a person of both ‘Māori’ and ‘Pākehā’ descent - as well as in the context of my recent involvement in policy and research

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activities designed to advocate and enable creativity and innovation within Māori communities, (particularly creativity involving mātauranga Māori). I find that much of my exploring and thinking leads me to a more complicated, complex but ultimately richer view of life and identity than that afforded by the terms ‘Māori’ and ‘Pākehā’.

### **The Māori/Pākehā paradigm**

In recent decades, we have spent a good deal of time reconstructing and repatriating Māori culture to Māori people. One of the outcomes of this process is the growing ease between Māori and Pākehā when Māori become more confident in Māori culture. Māori antagonism toward Pākehā is intensified if Māori lack confidence in their own identity and culture. Conversely, when Māori grow in understanding and knowledge of their own culture and history, this antagonism diminishes. This is a human phenomenon seen throughout the world – the ease and confidence that grows when a culture and identity is repatriated to a people.

I can attest to this from personal experience. Now that I am older – and that I speak the Māori language, have an understanding of my whakapapa, and am able to participate and at times lead initiatives within my iwi - I find myself less anxious and concerned to defend my Māori identity. I feel more at ease to regard myself culturally as Pākehā too understanding that embracing my Pākehā heritage does not necessarily mean a diminishment of my Māori identity (in the past this was not the case). So long as there are clear and up-to-date ways of exploring, understanding and experiencing Māori identity, I find that I need not be so concerned for its welfare when I embrace my Pākehā heritage.

Another difficulty with ‘Māori’ and ‘Pākehā’ is that they do not communicate a worldview, a culture, values, modes of experience, behaviours and more. Rather, the terms merely ring fence one group of people and call them ‘Māori’, and ring fence another group and call them ‘Pākehā’. They do not tell us anything about these groups of people and they certainly don’t tell us anything about the many people who belong to both. Hence, in a less diverse world in which ethnicities contest, and do so continually, these kinds of words are helpful. But in a much more complex world, a plural world, an increasingly diverse world, one in which lines are blurred, these words become inadequate.

Consequently, I find that the terms ‘Māori’ and ‘Pākehā’ have become less meaningful and that a new language of identity, a new way of relating is required. I think this is the case for a personal journey such as mine as well as for the larger cultural transition I have been discussing.

I am looking, therefore, for some identity words which somehow express who we actually are, what we stand for and the values we hold, particularly in the New Zealand of tomorrow. Our children and grandchildren will live in an even more diverse world than we live in today and I want them to be free to express themselves, to express identities old and new, to cherish their heritage and to be who they are.

In advocating for this direction, it is important to recognise that Māori and Pākehā identities remain very important to a lot of people. This was so in my own case and it is important to understand that my sense of freedom from 'being Māori' now has arisen as a result of my movement *through* being Māori rather than an abandonment of it. Hence, in advancing this discussion, one needs to take care and be humble and patient for we are trying to liberate and enable diverse expressions rather than impose a new and constricting orthodoxy.

### **A Creative Tino Rangatiratanga**

Now, in advocating this direction, I need to make clear that I am not suggesting that we Māori abandon our culture, our values and worldview. Like so many peoples around the world (particularly minorities), we Māori rightfully worry about assimilation and I need to make clear that that is not what I am suggesting. I am not advocating for the disappearance of Māori into some kind of new, vague and ultimately oppressive 'melting pot'. Rather, I am urging the creation of new ways of identifying that more accurately reflect who we are and what we stand for.

At the same time as urging us Māori to hold onto our culture, values and worldview, I also challenge us to transform our culture so that it can remain in touch with the opportunities and challenges of the 21<sup>st</sup> century. One such way is by exploring the idea of a creative tino rangatiratanga.

Since 19<sup>th</sup> century conflicts, tino rangatiratanga has been largely constructed and experienced in opposition to Kāwanatanga and the so-called 'Pākehā' world. Tino rangatiratanga, as we have customarily come to regard it, was created through colonisation, conflict and marginalisation. Later it became a political tool to communicate protest and disquiet. This is entirely understandable given our history. We can ask the question, however, was tino rangatiratanga envisaged in this way at the time of the signing of the Treaty?

In my view, the Treaty was never designed as an instrument for the alleviation of grievance. Rather its purpose was more forward looking, guaranteeing and entrenching certain rights to those representing 'tino rangatiratanga' and establishing new rights for those representing 'kāwanatanga'. I do not believe that my ancestors, who signed the Treaty upon Kapiti Island and elsewhere, would have signed the Treaty if they truly believed that their *rangatiratanga* was soon to be seriously compromised. Rather I think they saw the Treaty as a way of entrenching their position as well as introducing some order into relationships with the newly arrived Pākehā of the time.

As we know, they did indeed come into serious conflict and their rangatiratanga was deeply compromised. Hence, tino rangatiratanga became entangled in conflict and became inextricably linked to it.

A second concern relates to what might be called the ‘ethnicisation’ of the Treaty. On many occasions the partners to the Treaty are referred to as Māori and Pākehā whereas the partners are the British Crown and those iwi and hapū whom we have subsequently grouped and labelled as ‘Māori’. But this may not have been and may not be appropriate<sup>2</sup>. For example, it is not too much to suggest that those iwi that were in conflict with my Ngāti Raukawa ancestors at the beginning of the 19<sup>th</sup> century (and remained so in 1840) would be quite unhappy to be lumped into a group called ‘Māori’, a group which included my ancestors! I think conflicting rangatira of the time signed the Treaty not so much that they felt that they were all ‘Māori’ but rather they believed that the Treaty recognised their *rangatiratanga*.

Colonisation and its outcomes entrenched the Māori/Pākehā paradigm into our thinking about the Treaty. Thus ethnicity contests arose rather than encounters between identities which are more ‘constitutional’ in nature. The people of Ngā Puhī, for example, have been consistent in their view that the Treaty created a relationship between them and the British Crown *first*, prior to any relationship with the New Zealand Government. This idea is held in numerous other iwi as well.

The Treaty became entrapped in a conflict between Māori and the Crown, Māori and Pākehā, as Māori naturally appealed to the Treaty of Waitangi both to articulate grievances and to seek compensation. This began in the middle of the 19<sup>th</sup> century and continues today. Similarly tino rangatiratanga became entrapped in an interminable battle with Kāwanatanga and has remained there ever since. I believe that this experience was never envisaged by those representing tino rangatiratanga and that something quite different was in their minds. Now we can spend some time speculating what might have been in their minds, and we can have debates about the detail of their views. However, I think we can agree that the 1840 representatives of tino rangatiratanga saw it as a dynamic, influential and evolving feature of these islands. Further, as it was the pre-eminent cultural and organising feature of life at the time, it held jurisdiction over all who lived in these islands, not just iwi and hapū members.

Returning now to the present, with respect to the Treaty, my preference is to use identities communicating tino rangatiratanga on the one hand and kāwanatanga on the other. I prefer to think about the Treaty as a relationship between tino rangatiratanga and kāwanatanga as I find these terms more meaningful than Māori and Pākehā. Secondly, I hope that we can begin to relate to the Treaty as a creative intersection between tino rangatiratanga and kāwanatanga rather than as a competing and traumatised relationship such as we have been accustomed to.

With respect to moving forward, I hope that with the settlement of Treaty of Waitangi claims we can evolve our thinking about the Treaty. Before the

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<sup>2</sup> We can note that the word ‘Māori’ is used in the Treaty.

settlement of a claim, we regard the Treaty as an instrument for the alleviation of grievance – and this will continue for some time yet. After settlements, however, I hope that we can relate to the Treaty more in the light of its original creative intention.

For the future, I hope we can develop a creative tino rangatiratanga, one which all New Zealanders may be proud of. Its features might include:

- A concern for all New Zealanders and for New Zealand, a concern for the mana of our nation
- A tino rangatiratanga that is not in competition with Kāwanatanga
- A tino rangatiratanga that is liberated out of the Māori/Pākehā ethnicity paradigm and instead becomes a taonga for all New Zealanders (as Kāwanatanga is)
- A concern overall for the new tangata whenuatanga – a vehicle for the indigenous worldview as this is expressed through mātauranga Māori, tikanga Māori, and the heritage generally of the tangata whenua in history.

### **The New Tangata Whenua**

Concerning the identity of tomorrow, I like to think that New Zealanders are caring people, that we care for one another (or we at least aspire to this) and that we maintain a sense of fairness in our relationships with one another. I also like to think that we care deeply for these islands that we call our home. We cherish our natural environments, our mountains, our waterways, our indigenous flora and fauna and I think there is a real interest in our people to be a caring and responsible nation.

To this end, I suggest these two themes can be a common meeting ground for all New Zealanders, including those Kiwis newly arrived, and might be the basis of the *tangata whenua* of the new Aotearoa-New Zealand. My thought is that *tangata whenua* might be a vision for humanity in which we all may share and participate in, regardless of ethnicity, culture, gender and religion. Creating and maintaining quality relationships between ourselves, New Zealanders old and new, is critically important as is sustainable relationships with our natural world. These are issues of the highest importance and my suggestion is that *tangata whenua* might be an Aotearoa-New Zealand cultural movement and vehicle designed to uphold these ideals and address these challenges.

There will be some Māori who will not be pleased with this proposal asserting that such a suggestion could undermine legitimate iwi and Māori rights. It is not my intention to undermine these rights at all – indeed we may not be able to move in this direction if we Māori feel our rights endangered. I would like to challenge us Māori, however, to deeply engage in what it means to be tangata whenua - and not tangata whenua of yesterday but tangata whenua of tomorrow as well. I challenge us with the questions, can we really say that we ‘people of the land’ now? Are we not spoiling the earth and her resources just like everybody else? There is much more for us to discuss here.

To be tangata whenua of tomorrow, I suggest, will require us Māori to engage deeply with our language, history, heritage, identity and knowledge together with a desire to create anew - finding new and creative expressions of being tangata whenua in our world today. And as we increase in our confidence as tangata whenua, I feel that we will become less anxious about regarding other New Zealanders as tangata whenua too. Indeed, we may seek their help to grow this way of being a New Zealander.

For non-Māori New Zealanders, particularly Pākehā, being tangata whenua will entail a deep engagement with our past, particularly its relationship with and expression in these islands and then an ongoing ritualising of these relationships. Pākehā culture has overlooked the importance of ritualising our sense of place and connection with these islands. This new valuing will lead to a deeper sense of being 'people of the land'.

Ultimately, to be tangata whenua will require a fundamental consideration of relationships between people and between people and our natural world. We need to devise new ways by which to respect difference and diversity whilst participating in a whole called Aotearoa-New Zealand. We also need to create sustainable and mutually nourishing relationships with the natural world.

The most critical sets of issues facing humankind today relate to the challenge to create and maintain harmonious relations between peoples, and between people and the natural world. I hope that *tangata whenua* might be a distinctively Aotearoa-New Zealand 'way' or 'vehicle' by which these challenges might be addressed in the Aotearoa-New Zealand of tomorrow.

Kia ora anō tātou katoa.

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