

**Mitzi Nairn: Thoughts on social justice**

**TE TIRITI O WAITANGI**

**Transcript of recording 30/08/10**

Talking about Te Tiriti o Waitangi, I need to go back to my experience and try to remember the order of some of the things that happened. What happened in ACORD, that was the Auckland Committee on Racism and Discrimination which I was a founding member of, we started out looking at racism in a pretty across the board way, Pakeha racism or white racism. So our early work was done with Polynesian Panther Party as well as with Nga Tamatoa. But apart from knowing that it had happened, whatever it was, I didn't really know that the Treaty existed in the Sixties. In the ACORD days we were working with Nga Tamatoa, we were working with Polynesian Panthers, we had some Polynesian consultants, Tongan and Samoan, alongside Maori consultants because white racism is white racism and goes almost in every direction. But from the Maori perspectives that was contributing to a disempowering pattern that the Crown had of describing Maori as one minority among many minorities in this country. That is to dismiss the whole standing of tangata whenua, the whole standing of rangatiratanga and all those things which are in the Treaty but as I say I didn't have a clue about. And so I see that Maori who knew the Treaty, and that wasn't millions of them in any detail, but Maori who did know about the Treaty in some detail realised that Pacific peoples came under the auspices of the Crown. So although they were on the receiving end of the consequences of being brown, they actually were not the same as Maori. They were, from the Maori point of view, part of the Pakeha problem. They came under the auspices of the Crown so they were part of kawanatanga, of governance. I see that now, but it was difficult, it was really difficult to get your head around it then.

I think I said before Nga Tamatoa were struggling about Te Tiriti, particularly with northern Maori, it was a debate around whether it was a great occasion or the beginning of being colonised. But gradually being around Nga Tamatoa gave us some rudimentary insight that there was this thing called the Treaty that was hugely important to Maori or to some Maori. And furthermore it was hugely important to Maori who I and we respected and admired. I mean if it had been sort of Joe Blogs down the road well you know it wouldn't be any more important than watching On the Mat wrestling or something. But the fact that people that you admire and like and respect are passionate about something makes you focus, makes you take an interest. You think 'What is going on here? What has been going on here?' So Pakeha people were drawn to the protest without knowing any detail about Te Tiriti, I see that. The Treaty was more like a slogan. In the early Eighties, late Seventies and early Eighties, when people were going to the marches, not hikoi at that stage, they were usually Nga Tamatoa and Waitangi Action Committee who did things like runs to Waitangi in relays and all sorts of stuff like that around Waitangi Day but all of us or very large numbers of us used to toddle up to Waitangi to be part of whatever was going on. That usually was protests and marching about and carrying signs and standing at the bridge and all kinds of stuff. The early slogans were 'Stop the celebrations the Treaty is a fraud'.

As the Eighties began to go on I became more interested in the Treaty and it began to function in the workshops that we were already doing because from the time we were challenged to educate

our own people we began doing anti-racism workshops and there was plenty to do in those workshops but we began under the encouragement of some of our Maori consultants to include some reflections on the Treaty protests for instance in those workshops. Maybe we would say “What was at stake?” Talking about what we had seen Nga Tamatoa protesting about. There was a waiata they used to sing which had a chorus ‘How much longer must we wait for our seafood and our land guaranteed us at Waitangi?’. If you unpack that that gives you some... seafood, land, guaranteed - enough to be going on with. And often in a workshop there would be people in a workshop critical of how badly whoever was protesting had behaved at Waitangi or ‘Were there really police helicopters there?’ ‘Were the army really present?’ and ‘Did Maori rebels actually have caches of machine guns?’ you know all that stuff had to be unpacked and talked to. But when it came to sorting about the Treaty, the input, there was very little to say because Claudia Orange is just beginning to write her book or research her book on the Treaty I guess. But initially the Treaty component of workshops would be a session where you literally workshopped. Everybody put in what knowledge they had of the Treaty and we made a bit of a timeline and people would know some things and then someone would know something that was new so we were kind of like magpies collecting stuff about the Treaty to use in following workshops.

*Jen: When is this? About what year?*

I guess it would of been the late 1970s. I do remember there was a church group I was in the Church and Society Commission of the National Council of Churches and we were working on some of this stuff. We, I remember we had a day, we used to have days to work on the various things we worked on, and we decided to have a day on the Treaty and what happened after the Treaty. We just went into a quite small room, there were about 10 or 12 people in this group, and we put newsprint up all around the walls. We said “That sheet is the 1830s and that sheet is the 1840s” and so on through to the present day and we all just wrote up with felt pens anything we knew had happened and when it had happened, or roughly when it had happened. We just worked on that virtually all day and in the last hour or so we looked at what we had got and what we knew and it was shattering. We hardly knew anything but what we knew was shattering and there was so much to verify and kind of locate in time. There might be something floating around like Parihaka but people wouldn’t know whether to anchor it in the 1870s or the 1880s. ‘When was this exactly and what was it and where was it?’ and so on. I remember that was a true workshop and it was enormously, for me and I think for a lot of other people, it was truly generative. It kind of gave us so much to check out and to know and to find out and so on. So that kind of workshopping around not only the Treaty but the history as well became a hugely important component of workshops.

I started doing the anti-racism workshops I did in a group called New Perspectives on Race which was formed by Polynesian Panthers, Nga Tamatoa and ACORD as an education wing. Because if we ran, tried to as ourselves run workshops and education sessions it turned out that everyone just wanted to yell at us about what bad people we were and how terrible our tactics were so you never did any education at all, all you did was get mutilated. So what we had to do was form an incorporated society which as I say was called New Perspectives on Race Inc. Then I started to do some voluntary work, well I was always doing a bit of voluntary work around the edges of the

churches and when the National Council of Churches set up its Programme on Racism, which had a whole lot of internal in this country and external in the world churches kind of history which I won't go into, the workshops that we did in the Programme on Racism were really Treaty based from the beginning.

As far as which groups and organisations got into the workshop processes fairly early, the churches were one body that did partly because of their international relationships. They had the Programme to Combat Racism from the World Council of Churches which was a fairly controversial programme but it actually represented international dialogue between churches from the third world and the West and that gave a lot of impetus and a lot of theological propulsion.

The student movement got into some of this stuff pretty early, partly because they're always ones for new ideas and the international student movements were pretty active. There was a lot of communication in the Sixties because at that stage international and national travel, air travel, was the cheapest it has ever been relative to student incomes and so there was more actual contact than ever before or since, until the internet. You didn't have to write a letter or anything you actually found yourself being sent somewhere to have a conversation with somebody and that I think meant the ideas around justice developed fast. And because the third world countries and the first nation or the first world countries everybody was involved in the student world to some extent. Black students, South American students, you name it everybody was in those conversations and interested in those ideas. So students were responsive and put a lot of stuff up there although there were also the problems you have with student enthusiasms. That they all get scholarships and bugger off overseas just when it was getting interesting you know or the term ends and they all start swatting. It's all a bit up and down in the student world. They were responsive.

The trade unions were responsive but they had to work it through in terms of class and in terms of strategies and in terms of history on the ground so I can't really speak in any detail to how it worked for them, I know much more about how it worked in the church world and the student world and the general kind of activist world I suppose. NGOs came on board quite early, some of them, because a lot of them whether they were church based or not were there to do good things. They were in some ways values based and so they were open to seeing if their values needed a bit of a kick up the backside as it were.

Then some government departments and agencies and so on got into workshops. Some of that was because they had already been challenged by being researched and blown up in the papers and so on. I mean we did some work with police for instance, they were awful death traps, they were no-win situations, but some of the early workshops were with police. Some of them were what we called booby-trapped. We did one with police who were on a training course and we went there on a Saturday morning and did a workshop. We didn't find out until afterwards that that was usually their leave time and they'd had their leave cancelled to do the workshop. So you can see that structural sabotage can happen and we learnt about it early.

We did a lot of early work with social welfare people, social workers and what's now called the Department of Corrections but they used to be the Probation Service I think, some of who were professionally social workers by training. We did one or two big challenges in their national conferences or forums that they invited, for better or worse, invited people to give papers at and so on and in response to some of those challenges we got to do quite a lot of work. For example the Department of Social Work had its own training organisation places and centres and staff in those days. Those trainers did quite a series of workshops that got extremely heavy and took them to the point where they would use the autonomy they had, which was fairly considerable and they were very expert in their field, and they used that autonomy to bring Treaty education into their training centres and make it part of their courses and so on. So that was one earlyish area.

Another fairly early area was health. In, I can't remember the year, there was a health conference at Hoani Waititi Marae called by Dr Salmond, who was then Head of the Health Department, to look at Maori health issues basically. I should think it was about 1983. I actually was at that, they thought I was a dentist I was actually an ACORD infiltrator. I never said I was a dentist but after when the list of people came out I was amazed to find I was a dentist! Maybe there just weren't any dentists there so they thought that must've been what I was, I don't know. But anyway it was so significant that gathering that not only was everyone who was anybody there, but anybody who thinks they are anybody thinks they were there. If everybody who thinks they were there, it's like being on the field at Hamilton during the Springbok Tour, if everybody who thinks they were there had actually been there it would have been standing room only. There were several push factors for that hui. One was the Maori Women's Welfare League was doing research into health and was making a very strong connection between land and health, which was a bit baffling for a lot of people at that stage. Dr Eru Pomare had put out his health statistics, Maori death rates and life expectancies and rates of different conditions and diseases and so on. I forget what it's called, there's a term for all that – demographics. He'd done a lot of demographic work. So one way or another, any honest person looking at the way the figures were going could see that Maori health needs were not being effectively met. Even if you were a victim-blamer and said "Well there's something that makes them more susceptible to diseases, they're probably inferior stock" or something you still had to account for the fact that you hadn't researched what extra they needed to get them up to speed and not having pneumonia or asthma or whatever. So that hui was a bit of a watershed.

The nurses and the nurse educators really took off as a response to that. Partly they began to recruit Maori back into the profession. Because there have always been Maori women who trained as nurses but they never lasted all that long because they just got worn to frazzles I think. It was too stressful. A large number of them began to go overseas to nurse to avoid that stress. But a large number were recruited back particularly in the training areas, although typically they were in isolation sort of one on a staff of 10 or 12. But the nurse educators did a lot of workshops. Karena Way did a lot of workshops with nurse educators, I did some and of course in Wellington Irihapeti Ramsden did huge amounts of work not only with the nurse educators but also with the

Nurses Association which came on board and began to look at policy. So the nurses were early movers.

When we first started ACORD one of the first things I was invited to do was by Ranginui Walker who was then the Head of University Extension. I don't know what it is called now, but that is what it was called then. He did quite a lot of education courses for GPs or school, senior school staff, I don't quite know what they all were. He recruited me to do some presentations in those series. You know to do a lecture on racism I suppose. So there wasn't nothing going on in the early times, in the early-mid Seventies. I just suddenly remembered doing that, being dragged in to do that. I owe Ranginui a lot because he dragged me kicking and screaming into doing presentations. The fact that I was terrified and completely unconfident just cut no ice with him at all. He just said "Well somebody needs to do it". I suppose my motto, my family motto almost, has always been 'If it's got to be done I can do it'. So that's kind of the point at which I began to develop a self understanding as a person who could front things and speak reasonably convincingly and present a certain amount of information \so long as nobody asked me to explain how the statistics worked.

In the mid Eighties Claudia Orange's book came out which was absolutely wonderful because it put heaps of information about the Treaty into your hands so you no longer had to keep trying to find stuff out. If people asked you curly questions you could just kind of whizz through the index at the back and say "Oh the boats that the Maori were building were Barquentines" or you know something like that. Very, very interesting stuff. That was a huge resource, but a little earlier than that Bob Scott, who was Director of the Programme on Racism of the churches, realised he was very clear that there needed to be a secular organisation doing Treaty work. Apart from that fact that we were small and we were supposed to prioritise with the churches there were a lot of people who would come out in a rash at the thought of having the word church on a separate page, you know which you afterwards burnt. So he began to use his enormous networking powers to look to something, to try to set up something. They worked out that 1990 would be the 150 years since the Treaty was signed and they used that as a pressure point with the government to get some funding to set up Project Waitangi. And I can't remember now who the key players in all that were. I could make some bets but that wouldn't really be helpful. It came into being in something like 1987-88 and brought out people like Maryanne Haggie who was absolutely brilliant and brave as a lion. It brought a whole new range of people into Treaty work and Treaty workshopping. I stayed out of that pretty much because Bob was already in there and I thought that was quite enough church presence. The last thing we wanted was a whole lot of church programme based people throwing their weight about. So my relationship with Project Waitangi has always been cordial and approving but absent.

Somewhere in the early-mid Seventies the Treaty began to be the focus of the work and our relationships, all the relationships in the anti-racism movement, shifted because of Pacific peoples needing to re-establish their self understanding as people who had racism in their experience and hostile attitudes in their experience but who were not Treaty based. They were Pakeha in the Treaty if you like. This is where all that language about tauwi and so on began to appear. But it

came, 'bong', right in my head clear. Maori have borne hugely the brunt of racism in this country probably from Abel Tasman onwards if you come down to it in terms of Euro attitudes and so on. But certainly they, compared with any other group for sheer quantity and sheer damage, Maori have borne the brunt of racism. I mean for Samoans Fa'a Samoa would still be there but if Maori language is stamped out there is no reservoir anywhere, you couldn't go anywhere and get it back. It became very clear to me that the best remedy for racism would be for the promises that were made and the vision that was set out in the Declaration of Independence and the Treaty, if they were enacted and put in place and lived by - that would be the best remedy for racism. It would give us a frame of reference for how to live.

One of the most important things that happened in about '74 or '75 was Paulo Freire came on a brief visit to Auckland. One of the things he did informally was help us as a movement sort through that analysis. Because the tensions were beginning to surface. I think Maori were becoming resentful of the amount of play off, of how they were diminished by being made a minority group as long as racism was seen as kind of an across the board thing. So that was a tension. What Freire helped us to see was that each group has its own agenda and it must do its own analysis and must dialogue with the other groups to some extent in order to verify that they aren't making it up in their heads. He helped us to see that it wasn't a failure to cease to be a smooth coalition but to focus on our own stuff and dialogue as needed. That I think was a huge relief to Maori because they were trying to challenge their own, at the same time they were being leant on for monitoring and feedback by Pakeha and they were having difficulty relating to the Pacific disparate groups and Pasifika were beginning to see they had their own agenda. Some of them I suspect wanted to see how they could compete for the attention better. Others were doing a deeper analysis and including the Treaty. There was a lot of tension I think in the Pacific world for quite a long time, probably mainly going along divisions between Island born and New Zealand borns. New Zealand borns on the whole recognised earlier that the Treaty was here to stay and something that they needed to relate to. I think it was more difficult for Island born, particularly people who arrived as adults, to sort that out. Anyway it was one of the reasons we didn't have too many horrific time wasting destructive rows and so on was that timing which was purely fortuitous of having someone so brilliant, so skilled, so perceptive. He hardly said anything but he took us through a whole lot of stuff. Kind of it flowed, it just happened. It was I believe one of the great blessings that our movement in this country received was being able to sort out a change of pattern without necessarily having blood all over the carpet.

That's about when it began. Because there's a difference between when you get your agenda and when you've dealt with it. So yes, the Treaty as a remedy begins for me somewhere in that part but it isn't worked through for some time. Partly because of not knowing enough about the Treaty. It took a long time to understand the radical difference between the two texts and that didn't really come, you know how you can have an idea and it isn't properly anchored in your head and so what I call 'here to stay' is when it's got its place in your head and it always turns up where it needs to be and you don't think after you get home 'Shucks I never mentioned...' you know when it's anchored. The difference between the two texts was hugely, hugely significant and hard to grasp at first. One of the things you can read in Pedagogy of the Oppressed, and which Rangi

Walker picks up in his book *Struggle without End*, is that there are what Freire calls 'generative themes'. One of the generative themes that he says is a priority is culture for oppressed groups. Walker says that Maori had actually been addressing the generative theme of culture since about 1915 or so. So that when you got the so-called Maori Renaissance springing up in the 1980s it was actually based on 60 or 70 years of hard yakker. You can see that that was so. There was all sorts of stuff that went on in the Maori world around culture.

But we bring the Treaty into focus let's put an arbitrary date on it, the early Eighties, this is just when the Maori cultural renaissance stuff is right there - the cultural theme. So when we begin to focus the Treaty it's not surprising that the first interpretations are around culture. This is where the theme of biculturalism comes from. There are a number of reasons that made it have to be powerfully and strongly argued. One was that from calling Maori a minority among minorities the government had now shifted to talking about multi-culturalism which is another way of saying a minority among minorities. That's where the bicultural focus as a Treaty thing, you can see how it began to operate and why it fit. It fit a whole lot of needs and it fit a whole lot of stuff that was floating around. So we got the Treaty as a bicultural document and that worked not too badly for several years.

I'd have to look it up to find out when the cracks really began to appear, but the fact is the Treaty is not a bicultural document. It is a bilateral document. It is a treaty, it's about politics and economics and resources and boundaries and territories and passports and that sort of international stuff. Somewhere in workshopping I think we moved. I know Susan da Silva and I did, to saying "It's not a bicultural document it's a bilateral document. It's a political treaty". That's partly from knowing more about what a treaty is which probably comes from people like David Williams and just from finding that the way you were thinking about it didn't account for it. There were a whole lot of things it didn't account for very well.

But you can still find that era of bicultural being the main thing of the Treaty has its footprints or its vocabulary track in organisations that did their main work in that period. The Methodist church didn't for a long time mention the Treaty at all, except in bicultural terms and their goals are expressed in terms of biculturalism and multiculturalism. I think there is a similar pattern in social work. You find some social work documents and thinking that still hinge very much around biculturalism.

When the Treaty moved to being a bilateral document that enabled the focus to shift to *rangatiratanga* and *kawanangatanga* in a way that it hadn't been able to before. Up until then they were kind of names, kind of like you might name two teddy bears or something, but when you began to look at the bilateral, political, economic aspects of the Treaty suddenly you needed to focus those power and identity kind of terms that are in the Treaty. That in itself led in the direction of understanding constitutional questions for instance. It also led to needing to understand economic aspirations and bases and so on. It took a while I think for Maori to get in touch with the economic scale that they actually needed to be in touch with. If you've kind of sold raffle tickets to get enough money to paint the marae fence and maybe save up for having an

indoor toilet or a hot water system or something you don't really understand I think, it doesn't cross your mind that you might need millions of dollars in order to have the hapū operating on the scale it ought to be operating. It had all got so diminished and so squashed and so pushed into hobbies and weekends I think for Maori. But there were one or two quite major economic conferences, hui where Maori began to process some things like if you make a bridge, put in a bridge, or half a mile of motorway or even a decent sealed road or open a supermarket, you do not get change from a million dollars. And suddenly "What sell raffle tickets?" You're not going to build a bridge or have a forestry project from selling raffle tickets. At that point I think that we have to understand a different shift of scale of our understanding about te Tiriti.

You were asking before about some of the things I'm dubious about. I don't think we have successfully argued for the scale that Maori need to be on. There's a really interesting bit by Hugh Fletcher in that book of Carol Archie's 'Pakeha Understanding the Treaty' or whatever where he basically says 'Maori are not going for enough in these Treaty settlements. If Fletcher Challenge had been done down and were seeking compensation we would have all sorts of ways of costing this, what we're owed and what we should be having.' I thought that was jolly interesting. One of the things he said was there are formulas for calculating these things and I thought 'Of course there are'. But I've never said in a workshop, been in a workshop where I've been able to take people through the arguments of scale if you like. This is why we've let Pakeha media and so on do this picture of how greedy the iwi are and how 'they' are getting 'our' stuff. 'We are wasting jolly good stuff to give it to these greedy iwi' and nobody, we've never really managed to get into the vocabulary, 'Maori are getting back *their* stuff'. There's still a real perception it's *our* (Pakeha) stuff that Maori people are getting but Maori people are just getting back their stuff. That's one of the things we haven't successfully done as Treaty educators I don't believe. We've been, we just aren't skilful enough in that kind of economic area. It's hard to keep up with everything but none of us have really kept up with some things. I know I don't know enough about the Resource Management Act. It's probably about to be repealed and I'll have never have known. I still think I probably ought to have, somebody needed to know that stuff. I think the Hamilton people had a pretty good handle with a lot of that because they tangled Environment Waikato and they got their heads around a lot of that stuff so I just sat back and thought 'well if I really need to know that I'll send for someone down there which is probably, well I was busy flinging myself at constitutional stuff. But there you are.

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