

ANNUAL REPORT

for the period 28 May 2015 to 28 July 2016

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INTRODUCTION

Statement of Purpose

Network Waitangi Otautahi supports the development of a multicultural, Treaty-based society. Because the intent and the actual content of Te Tiriti o Waitangi are not well-known, let alone well-understood, we make our contribution through education to enhance understanding of the indigenous status of tangata whenua and the role of tangata Tiriti - i.e. everyone else. This work supports the kaupapa of the restoration of tino rangatiratanga and establishment of honourable kawanatanga. We focus on what was happening both globally and locally in the period leading up to the signing of the Treaty and also on the importance of implementation in all its five aspects – the Preamble and four Articles.

We promote **strong sustainability** (www.earthslimits.org) and since we are committed to a **community development** approach, our workshops and other activities are designed to start where people are at and are non-confrontational.

The content for any session / workshop is developed from this basis in consultation with the group and depends on time available, prior knowledge amongst the participants and desired outcomes.

*Our website is at www.nwo.org.nz. NWO resources, many of which are available on our website to download, are made available under the **Creative Commons licence**. This means that permission is given to copy, distribute or transmit them provided they are properly attributed, not altered in any way and not sold for profit.*

NWO is an educational incorporated society with charitable status. We are part of a wider national network of groups and individuals. Apart from relevant legislative and some funding requirements, NWO is independent of government, business interests and political parties. We accept koha in recognition of our work on the basis of what individuals and groups can afford, while taking into account the need to ensure that any amounts paid to us will not disadvantage mana whenua planning and will not put people off engaging in the workshops and other activities.

The Organising Group currently has six members and meets approximately fortnightly for two hours. This year we reviewed our membership which currently stands at 49. Members continue to receive email news.

We would like to place on record our thanks to Mike Asmussen and Eileen Gregg who have continued to support our organisation's administrative base at *Te Whakaruruhau ki Otautahi* Christchurch Community House, 301 Tuam St.

Educational Challenges from Changes in the Social Context

In our previous Annual Report we reported on the insights from Rachael Harris's thesis ***The Changing Face of Co-governance in New Zealand – How are Ngai Tahu and Ngai Tuhoi promoting the interests of their people through power-sharing arrangements in resource management?*** This described the influence of New Zealand as the first country in the world to give 'legal personality' to a natural area. ('Legal personality' has been previously ascribed to all sorts of non-human entities, including corporations, ships and nation states but not to a natural area.) These insights led us to invite Ruth Busch to explore the topic **Co-Governance possibilities – where to now?** at our 2015 AGM. Ruth's review considered further existing legal precedents that we could use to envision future developments. Taking hope from these insights we have focused our work this year on supporting the kaupapa of both the restoration of tino rangatiratanga and establishment of honourable and appropriate kawanatanga.

The **Waitangi Tribunal's conclusions** in November 2014 of the Report on Stage 1 of Te Paparahi o Te Raki Inquiry WAI1040 – part one of the Nga Puhi Claim, viz:

- *The rangatira who signed te Tiriti o Waitangi in February 1840 did not cede their sovereignty to Britain. That is, they did not cede authority to make and enforce law over their people or their territories*
- *The rangatira agreed to share power and authority with Britain. They agreed to the Governor having authority to control British subjects in New and thereby keep the peace and protect Maori interests.*
- *The rangatira consented to the treaty on the basis that they and the Governor were to be equals, though they were to have different roles and different spheres of influence. The detail of how this relationship would work in practice, especially where the Maori and European populations intermingled, remained to be negotiated over time on a case-by-case basis.*
- *The rangatira agreed to enter into land transactions with the Crown, and the Crown promised to investigate pre-treaty land transactions and to return any land that had not been properly acquired from Maori.*
- *The rangatira appear to have agreed that the Crown would protect them from foreign threats and represent them in international affairs where that was necessary.*

are perhaps the most significant aspect to document in this Report.

NWO HIGHLIGHTS

The **first aspect** on which to report is that these conclusions sparked our **new expression in English of the Te Reo text of the Treaty**. This new expression in English is published by Network Waitangi Otautahi as a result of feedback from Maori linguists and others over many years.

It is available in the **November 2015 edition of the Treaty poster**. This poster records the conclusions of WAI1040 as well as the new expression in English of the text in Te Reo. We are grateful to the Christchurch City Council for contributing to the funding of printing these posters

We also want to draw attention in this Report to the **2016 edition of the Treaty of Waitangi Questions and Answers** (available to download from our website without cost and as hard copy for \$5 + p&p.). This incorporates the new expression in English of Te Reo text of the Treaty and the WAI1040 conclusions as well as other significant updates.

These two updated resources of our poster and of the 2016 edition of the *Treaty of Waitangi Questions and Answers* handbook have been vital in supporting our work of addressing a range of views expressed about the Treaty.

It is pleasing that both these resources, along with the associated 1835 Declaration poster were distributed at the Citizenship Ceremony at the Waitangi Day 2016 celebration held at Ōnuku marae and are being widely distributed not only in Greater Christchurch but around the country. The new museum at Waitangi has also asked for copies.

Report of Matike Mai Aotearoa

A **second aspect** to influence our work this past year is the Report of MATIKE MAI AOTEAROA - *the Independent Iwi Working Group on Constitutional Transformation* report **He Whakaaro Here Whakaumu Mo Aotearoa**.

In August 2015 Moana Jackson generously resourced a NWO evening during which he briefed us about the interim stages of the Report. Then he made the Report available on the NWO website after the launch at Waitangi on 6 February this year. We were fortunate to have a representative present at that launch.

The report is the result of 252 hui, written submissions, organised focus groups and one-to-one interviews with tangata whenua, held from 2012-2015. It approaches the idea of transformation (instead of change or reform) with a fresh and innovative view. It gives us a context with which to re-imagine what a new constitutionalism could look like.

The Terms of Reference for the Group did not ask “How might the Treaty fit within the current Westminster system?” but required the Group to seek advice on a different type of constitutionalism based on tikanga, He Whakaputanga o te Rangatiratanga o Niu Tirenī of 1835, the 1840 Te Tiriti o Waitangi, and other international resources.

NWO organised an initial discussion on the Report on 31 May this year and will continue to consider the six indicative constitutional possibilities to incorporate rangatiratanga and kawanatanga. These provide for what the Waitangi Tribunal described as “different spheres of influence” as well as an expectation that there would also be an interdependent sphere. The “rangatiratanga” sphere, where tangata whenua make decisions and the “kawanatanga” sphere, where the Crown makes decisions will work together as equals in the “relational sphere”, where Te Tiriti relationships will operate – this is where conciliatory and consensual democracy will be most needed. Our initial NWO discussion highlighted the need for a lot more dialogue! We note that the expectation in the Report is realistic in that the outcome from discussions is anticipated for 2040. We are linking with other Treaty educators around the country who are considering what educational resources can be developed to assist this informed discussion.

Recognition of Third Sector Organisations

The **third aspect** on which to report is the support we have given to upholding the respect and recognition of Third Sector Organisations (TSOs) which are committed to a Treaty-based future. One of our Organising Group is the tangata Tiriti co-chair of **One Voice Te Reo Kotahi (OVTRK)** and works alongside the tangata whenua co-chair. TSOs which support the OVTRK kaupap put themselves on the OVTRK Register.

The 2016 update by Statistics NZ documents that there are around 114,110 non-profit institutions (NPIs) in this country and only about 10% have any paid staff. Over 1.2 million people in NZ volunteered for one or more NPIs. They contributed 157 million hours of formal (unpaid) work. The Third Sector makes a direct contribution of \$9.51 billion which is 4.4% of the country's Gross Domestic Product. Income Sources: are from Government 31%, Philanthropy 20% and Fees etc 49%. This contribution needs greater respect and recognition.

Independent thinking is possible in TSOs because their independence is not limited or constrained by statutory or commercial imperatives. This enhances our understanding of Tiriti-based development to achieve the best of both the indigenous and western world views. The visit of Edgar Cahn to mark the 10th anniversary of the Lyttelton Time Bank led to the **OVTRK Project on VALUING TSOs** beyond the market approach to social planning. We are pleased that social enterprise organisation AKINA recognises the work of TSOs that does not fit the social enterprise model. Our NWO membership of **HuiE! Community Aotearoa** and the **Tangata Whenua, Community and Voluntary Research Centre** have also resourced this approach.

OVTRK strategy and policy relationships with Te Runanga o Ngai Tahu, the Christchurch City Council, Selwyn and Waimakariri District Councils, the Canterbury District Health Board, Environment Canterbury, the Urban Development Strategy Implementation Committee, Canterbury Earthquake Authority (CERA) and now Greater Christchurch Group of the Department of Prime Minister and Cabinet have enabled further profiling of our Treaty-based approach. Two further resources have been attendance at the *Seismics and The City* conference and the research report commissioned by CERA *Third Sector/Not-for-Profit Sector Recovery in Post-Earthquake Christchurch*. This lists some Priority Actions to support TSOs. OVTRK organised a forum on this report on 7 July on which further action is being taken (onevoicetereokotahi.blogspot.co.nz).

Valuing Holistic Transition in Social Context

The **fourth aspect** to highlight in these changes in the social context of our work is the imperative of Treaty-based development to value a holistic transition to the future where people shift from dominating nature to aligning with it.

The appointment of one of our Organising Group to the Christchurch City Council Multicultural Working Party was an opportunity to promote such a holistic transition. Our commitment is to build an **ecologically-sound, Treaty-based multicultural future where the indigenous status of tangata whenua and role of tangata Tiriti are understood.**

The final draft of the resulting **CCC Multicultural Strategy** passed through Christchurch City Council on 9 June this year. The vision for that strategy is:

Otautahi Christchurch:

An inclusive multicultural and multilingual city that honours Te Tiriti o Waitangi and values our diversity - a city where all peoples have a sense of belonging.

Aroha ki te tangata, te tuapapa o te taone whaimana.

Respect to all, the foundation of great cities.

The inclusion in that vision of the primacy of the te reo text of the Treaty is pleasing.

We do however draw to the reader's attention that the vision statement for the draft strategy that was released earlier this year to the Interagency Network for Refugees and Migrants (INFORM) Forum began with

Otautahi Christchurch:

An inclusive multicultural and multilingual city that honours Te Tiriti o Waitangi and values our environment -

We were sad this recognition of the relationship between people and their environment, which is integral to the meaning of tangata whenua, was not retained.

We trust the policy work we have done, as outlined above, will be followed up with the Christchurch City Council.

A recent opportunity to reflect further on these matters arose from an invitation from Sara Hansen to one of our Organising Group to co-present at a seminar at the Victoria University of Wellington. The other presenter was Jo Smith Senior Lecturer in media studies. Titled "**Reflections on Treaty-based multiculturalism and host/guest relations – from the viewpoints of practice and theory**". This seminar has led to further consideration of the role for the state in creating the conditions from which hope for all might prosper, while recognising Tikanga, the Declaration and the Treaty as a framework for the future. As Amartya Sen argues, an economy needs to be designed to enable people to live the lives they have reason to value.

Sustainability and Maintaining Links

Finally, our work in promoting the links between Treaty-based development and Strong Sustainability ("True Sustainability") continues and links have been maintained with Sustainable Otautahi Christchurch, Avon Otakaro Network, 350.org, 360 Trail, VIVA, Te Putahi, Lincoln Envirotown, Life In Vacant Spaces Trust, Project Lyttelton, Ihutai Trust, Generation Zero, Water Rights Trust, It's Our Future network, Sustainable Aotearoa NZ (SANZ), the Environmental Defence Society, Mike Joy's work at Massey University and Jonathan Oosterman's research on place-based approaches. Eddie Durie's address on Water allocation at the Environment and Conservation Organisations (ECO) conference, Michael Bauwen's work on the *Sharing Economy*

and Guy Standing's work on *The Precariat* have further resourced this focus to recognise intrinsic connections with the natural environment.

Profiling the indigenous status of tangata whenua is vital for thinking and acting outside narrow materialism and unifying our human efforts within the ecology in which we are embedded.

TREATY EDUCATION PRACTICE

Our regular **emails to NWO members** update them for their educational work. Much of the information we share is not available through the mainstream media.

We continue to **respond to requests from individuals and groups in Government, Commercial and Third Sector Organisations.**

Sessions with Individuals

Sessions with individuals have been a major part of our work this year. Many people who have done introductory Treaty work find their workplace / organisation is not responding to their deeper understanding of implementing a Treaty-based approach. It is unsafe for them to table some of their concerns there and they discuss with us their strategies for dealing with this challenge. A constant issue is in recognition of the limitations of using *biculturalism* as a substitute for the Treaty. This has proved to be especially alienating for people whose first language is not English and those who are bilingual at home. Such people have to be *bicultural* anyway and they appeal for this word to be used semantically accurately. They welcome the use of *Treaty-based* with the recognition of the *indigenous status* of tangata whenua. It is often useful to refer, where appropriate, to the *bilateral* relationship between tangata whenua and tangata Tiriti, or Maori and the Crown, etc.

Other Sessions

Other sessions are a result of people needing to be prepared for admission to professional organisations. Many such organisations require this pre-admission knowledge, yet such tuition / funding for them is not available through those organisations.

Groups organising our workshops and sessions also vary widely. Examples include; Christchurch Youth Council, Ngaire Button's church group, Christchurch Women's Centre, Community and Public Health, Canterbury WEA, English Language Partners, Northcity Church, National Council of Women (nationally), Canterbury District Health Board staff, Pacific Youth and Leadership Transformation, Ministry of Education Special Education Services, UC Te Ao Maori postgraduates, UC College of Education staff, Christchurch Migrants Centre and the Social Equity and Wellbeing Network (SEWN).

The Christchurch Multicultural Council continues to be supportive of their national Federation's commitment to Treaty-based multiculturalism and opportunities arise through our participation in that network to reach out to migrants and refugees who are not so directly involved in the Inter-agency Network for Refugees and Migrants (INFORM). Knowing the great work done by the INFORM agencies has proved invaluable when these contacts are made. The success of this networking was manifest at the Hagley International Day.

We have been asked to **brief visitors** from Spain, Switzerland, Japan, Wales, Canada, Australia, and China about our approach.

Another opportunity to speak to our approach was when we were **interviewed** on the UN Indigenous Peoples' Day by the Human Rights Commission organiser of SPEAKUP-KOREREOTIA! Plains FM programme.

Distribution of Resources/Website

We continue to distribute, on the basis of koha, our NWO **posters of *He Wakaputanga o te Rangatiratanga o Nu Tireni*** (70,000 printed to date) and ***Te Tiriti o Waitangi*** (62,000 printed to date). The handbook ***The Treaty of Waitangi Questions and Answers*** has been widely distributed through us - 500 copies of the 2009 edition, 1850 of the next edition available since 4 February 2015 and 800 of the 2016 edition.

Examples of this distribution, apart from to those in our educational sessions and workshops referred to above, are to other Treaty educators in Whangarei, Taranaki, Palmerston North, Tamaki Makaurau, Workwise (Ingrid Huygens), Waikato University, and Otepoti as well as through the NZ Federation of Multicultural Councils, Adult and Community Education Aotearoa, Kids First Kindergartens, Auckland Regional Migrants Association, Community Waikato, Auckland Anglican Action, Rapaki marae, Rehua marae and several other interested individuals.

We also continue to supply Arts Centre and All Books in Christchurch and Wheelers and Academy Books in Auckland as they are non-profit educational distributors.

We continue to maintain and update the **NWO website** and receive many complimentary comments on how useful people find that. We often receive follow-up enquiries from readers who use our website, some of which can be time consuming.

Workshop Process

Finally we want to stress the value of our workshop process. As outlined in more detail on our website, this process is best offered in a two day workshop. It involves building awareness of tikanga by the participants considering what matters most to them, their ancestry and their cultures as well as those of tangata whenua. Differences between tikanga and the dominant society are then considered. The focus is then on pre-Treaty history, the Treaty itself and post Treaty colonisation as well as responses for a Treaty-based future. We endeavour to maintain that process even in shorter educational sessions - the provision of information is not necessarily sufficient for developing an understanding of the Treaty. We are happy to report that feedback from our work is very positive.

NWO AND TANGATA WHENUA

Since 1984 NWO has maintained its relationship with Te Runaka ki Otautahi o Kai Tahu which was established in 1936, and have continued to be represented whenever the hui occur.

We wish to place on record the support Rex Gibson has provided in his role as tangata whenua co-chair of OVTRK.

We have been pleased to expand our links with Ngai Tuahuriri through Lynne Te Aika, several contacts with the Maori Women's Welfare League, briefly with Dr Te Maire Tau and very recently with Gabrielle Huria. Robyn Wallace and Deborah Breeding in He Oranga Pounamu (HOP) have been very helpful. It will be interesting to learn of developments now that HOP is disestablished. We have made contact with Hana O'Regan as advised and have recently met with Diane Turner. Links re-established with Bill Karaitiana at the Canterbury WEA Centennial last year have been most valuable.

Relationships with people from Onuku, Rehua, Kokourarata and Rapaki marae have also been maintained.

We are preparing further work with the Maori staff in the Ministry of Education and have maintained links with UC Maori Vice Chancellor Darryn Russell as well as established links with Manaia Cunningham ex ECAN and now on the *Board of Regenerate Christchurch*.

Nationally we were privileged to be invited to attend the NZ Maori Council's Hui **Te Tatau**

Pounamu in Palmerston North in May 2015. While their commitment to working across boundaries of Iwi Chairs, professional groups, Ratana, Ringatu, Maori Women's Welfare League created challenges, the determination to continue to do so was clear.

NWO AND OTHER NETWORKS

We highly value the Social Equity and Wellbeing Network SEWN (previously the Council of Social Services COSS).

Other links are maintained with the Parihaka committees, locally and nationally, University of the Third Age (U3A) Network Canterbury, Engineers For Social Responsibility, Engineers Without Borders, Women's Centre, Twigger Women's Endowment Collective, Thankyou Trust, Child Poverty Action Group and the Living Wage campaign, Tenants Protection Association and international links through UN Association, UN Women and the Disarmament and Security Centre.

Both the Healthy Christchurch and the Human Rights Commission networks provide valuable links.

We continue our involvement in the Canterbury WEA and the Federation of WEAs, Adult and Community Education (ACE) ki Otautahi Forum and membership of ACE Aotearoa, Kotare Research and Education for Social Change, and links with the national organisations Public Good and Wise Response. International ACE links are through Asia and South Pacific Basic and Adult Education (ASPBAE) and its world wide International Council of Adult Education (ICAE)

We continue to participate in the virtual national Treaty People Network, through which we have been visited by Mahdis Azarmandi whose research *Colonial Redux – A comparative study of the role of colonialism in anti-racism in Aotearoa New Zealand and Spain* is examining how race and racism need to be critically assessed in Peace and Conflict Studies.

It was valuable to be able to be represented at Waitangi this year and hear some new thinking face-to-face. While the opportunities to share experiences were limited we hope these national Treaty networks will strengthen again so we can develop that collective wisdom that helps sustain us. We look forward to a report from the Kotare weekend workshop in September on anti-racism praxis and engagement with our Tiriti responsibilities to Māori where it is planned to address a number of matters that we believe are vital – viz: strengthening political competencies, exploring collective accountabilities, constructively challenging allies, avoiding collusion with institutional racism, refreshing structural analysis and responding to neo-liberal discourses.

CONCLUSIONS

The slogan on our banner ***Understanding the Treaty*** summarises our educational approach. Our resources are networked out into the wider community and we are grateful to the Rata Foundation and Community Organisation Grants Scheme for supporting our day to day operations which enable us to respond to requests for assistance.

A very current challenge is that of getting these resources to the ***Treaty Times Thirty*** Project of the Society of Translators. The project is to mark their 30th anniversary by translating the Treaty into 30 languages in which it is not already written. We have been concerned that updated material that we provided was not being used. This was going to mean that the fourth article and other important matters would be left out of the expression being used for translation of the text in te reo - as is the current situation with 5 Pacific languages. For many new migrants religious freedom is important and we have continued to ask that they reconsider the exclusion of the updated material we have provided.

An opportunity to follow through with updating educational resources emerged through the recent invitation to one of our Organising Group to serve on the review team of education stakeholders

assisting the ***Learning Resources and the Archives Exhibition Project in Archives NZ Te Rua Mahara o te Kāwanatanga*** (part of the Department of Internal Affairs). This Project is working on an educational exhibition on the Declaration, the Treaty, and the Womens' Suffrage Petition. We were able to follow through with the Archives NZ Project and are very pleased to report that we have just received the following update from Treaty Times 30 Project:

The Treaty Times 30 project is committed to producing translations which will be used, and which will be useful. The Organising Committee is awaiting advice from Archives NZ as to which English rendition of Te Tiriti will be used in the permanent exhibition. Due to time constraints, we will need to know by mid-August if they intend to use a different rendition, and if so which. We will then endeavour to update the translations based on the new source document.

If Archives NZ cannot reach a decision by then, the Treaty Times 30 project will continue with the current source documents. The organisers are committed to produce updated translations of Te Tiriti based on NWO's recent rendition into English. This second stage will start when the current stage is completed or nearing completion. It is likely to start in the first quarter of 2017. The Project Lead and Spokesperson, Stefan Grand-Meyer, will lead this part of the project in partnership with NWO.

The five aspects of the Treaty (the Preamble and four Articles) taken together, both as a whole and also as a follow-on from the 1835 Declaration of Independence, will continue to form a basis for our work to assist in our work with Projects such as the two to which we have just referred. These also form the framework for implementation plans for Treaty-based action in our lives and organisations.

Particular challenges arise from acknowledging that Treaty relationships are rooted in the local context. Recognising mana whenua and working to understand relational politics to build a cohesive, ecologically sound, multi-cultural, Tiriti-based future where the indigenous status of tangata whenua and the role of tangata Tiriti are understood is vital. Leadership from tangata whenua, preferably local (bottom up) rather than national (top down), is vital.

Tangata Tiriti (all those who are not of Maori descent) working alongside tangata whenua are pivotal for future decision-making by and for all of us living in this country, so that we can take responsibility to clarify what opportunities there are for all to participate.

We conclude by posing the same question that we posed at the end of our Annual Reports in 2014 and in 2015 last year:

Will the Treaty be named as a framework for the future – *For us and our children after us?*

Without such a framework we are likely to continue with what sociologist Ulrich Beck (2000) describes as “*organised irresponsibility*”.

ACKNOWLEDGEMENTS

Finally, we thank all our members and friends for their encouragement and on-going commitment. Averil Williams, Eileen Shewan, John Peet, Tatjana Parsons, Helen Gibson, Kathy Duncan and Katherine Peet.

NWO Organising Group 28 July 2016