



## GOVERNANCE FACT SHEET

### The Treaty of Waitangi as it applies in schools

This paper is written to assist Boards of Trustees of Catholic schools in preparing policies and practices that reflect New Zealand's cultural diversity, as required by the National Education Guidelines.

These policies and practices and the unique position of Māori culture are requirements on all schools, even those where there are no Māori pupils or students.

The adjective "bicultural" implies that there are two distinct sets of cultures which are officially recognised and respected in New Zealand. One set contains Māori culture, the other set contains all the settler cultures. Māori culture therefore has a special place of its own.

#### Bicultural relationships

Bicultural relationships derive from two key concepts. One is found in the phrase "tangata whenua" (literally "people of the land"), the other is the constitutional relationship established by the Treaty of Waitangi between tangata whenua, the original inhabitants, and the later settlers.

The phrase "tangata whenua" denotes a people bound to the earth in a unique relationship. From the earth of their ancestral home, the original inhabitants of Aotearoa brought a culture to this land. For around 1000 years tangata whenua refined and developed that culture to become what is now Māori culture. It is still unfolding, drawing its vitality from the earth of Aotearoa. Māori culture is unique in that it is indigenous. It can flourish nowhere else but here.

Much later, European settlers and later immigrants brought cultures which have their roots in other lands.

The second key concept from which bicultural relationships derive is the constitutional relationship between the two groups of people who were partners in and co-signatories to the Treaty of Waitangi. The first partner is the indigenous people, tangata whenua, who as sovereign and independent people, agreed to the right of settlement under certain defined terms by the second partner represented at the signing by the British Crown.

Thus, te Tiriti o Waitangi/the Treaty of Waitangi was then, and remains now, the constitutional keystone of a bicultural society the spirit of which is required to be reflected in all our institutions, including those related to education.

Both these key concepts can be summarised in the two phrases "tangata whenua" and "tangata Tiriti". Te iwi Māori have rights in New Zealand by virtue of the fact that they are the original inhabitants of the land. Others who arrived later have rights because they were given them by the Treaty. Among these rights which each possess is the right to their own cultures.

## Multicultural relationships

The word “multicultural” is not used in opposition to “bicultural”. Each word refers to a different set of societal relationships. Multi-cultural relationships are those by which the diverse immigrant cultures establish a modus vivendi for relating to each other and with the indigenous culture. It expresses the fact that each of these different cultures has an inalienable right to maintain, preserve and pass on its cultural heritage and to develop it in a New Zealand context.

This idea is not incompatible with Māori culture being the indigenous culture of the country. Nor is it incompatible with the bicultural relationship between Māori and the cultures of the settler groups, which was determined at the birth of the nation by our founding document, the Treaty of Waitangi.

Vatican II in *Gaudium et Spes* defines culture as “all those factors by which people refine and unfold their manifold spiritual and bodily qualities”.

It follows that culture must not be thought of as something belonging only to ethnic groups and minorities. Everyone exists in one culture or another. Fundamental to attaining the National Education Goal of

reflecting New Zealand’s cultural diversity and the unique position of Māori culture is an acceptance and valuing by majority groups of their own culture.

Nor is culture to be considered as something static, esoteric or set in a bygone age. Cultures develop as people adapt to new situations. In the words of *Gaudium et Spes*, people constantly “refine and unfold” their own cultures.

Culture is a total experience covering all dimensions of a group’s life. It encapsulates all aspects of the spiritual, social, emotional and physical being of the group and its members. It is a way of viewing oneself in one’s complexity of relationships whether with God, one’s ancestors, one’s family, tribe and nation, as well as with the animate and inanimate world. It incorporates all one’s established ideals, values, life goals, priorities, sense of morality, codes of behaviour, conventions, rites and protocols, even good manners.

It determines how one responds to situations, interprets history and current social events. Culture is concerned not only with what we do and how we do it, but also why we do it.

Because culture gives identity and status to each member in a group there arises a warm, emotional attachment to it from which some feelings of national and group pride emerge. To protect itself each culture sets up complex systems of formal and informal institutions which dominate relationships within the group and ensure that each member of the group will act in a predictable way and be subject to accepted controls.

Since one’s culture is a way of expressing one’s deepest spiritual insights and feelings, often too deep to explain adequately even to oneself, culture is often expressed through ritual, art, poetry and myth.

Tikanga Māori has its own value system, protocols, modes of social control, codes of conduct and behaviour. There is a specifically Māori way of viewing personhood in all its complexity of relationships. From this flows a Māori spirituality, a way of praying, of viewing one’s relationship with God, of showing respect to ancestors and to persons and places of spiritual significance.

To express their deep spiritual insights which determine their modes of thought and action and all the other aspects of life implied by the word “culture”, te iwi Māori use specific rituals, art, poetry and myth, including poi, haka and carving.

Language is one of the instruments by which a people articulate their cultural values and attitudes, and because the language and culture have grown up together, cultural values and attitudes and other aspects which make up a culture can only be translated inadequately into some other language which grew up in some different cultural setting.

It is a requirement that every School Charter contain the objective of taking reasonable steps to ensure that education in Tikanga Māori and Te Reo Māori is provided for full-time students whose parents request it.

Bicultural relationships in New Zealand are not, however, to be thought of as if the two cultural sets were to exist and develop in isolation from one another. The diverse values, spirituality, attitudes and all the other complex factors that make up both sets of cultures are part of the heritage which all New Zealanders can, and are encouraged to, share in.

By using the expression “diverse ethnic and cultural heritage”, the National Education Guidelines are saying that Māori cultural values are not for Māori alone, that te iwi Māori should not reserve tikanga Māori to themselves. Tikanga Māori is, as such, the heritage of all New Zealanders, as are the other cultures in this country. All New Zealanders have as much right to be enriched by valuable elements in Tikanga Māori as Māori have to be enriched by the other cultures

existing here, but each of them has the obligation to ensure that none absorbs the others so as to destroy their uniqueness.

Bishop Pompallier, accompanied by Father Servant, represented the Catholic Church at Waitangi in 1840. While he was always careful not to influence the Catholic Māori either for or against signing, the bishop did intervene in an important matter.

Bishop Pompallier obtained from Hobson an assurance that:

England's policy is to support equally the diverse faiths, be they Anglican, Catholic, Wesleyan or Māori custom (ritenga Māori).

This statement, agreed to by Hobson, Pompallier and Colenso, was formally announced to the assembled chiefs before the Treaty was signed.

The early Catholic missionaries in New Zealand learned the language, translated prayers into Māori, adapted the rites of funerals and other ceremonies to Māori custom, and established schools. Priests, religious and lay people who work today among the Māori people continue to advance these traditions.

The Church therefore has a fund of experience which should be used to develop genuine bicultural relationships in the spirit of te Tiriti/the Treaty.

Church documents, both universal and national, have always stressed the rights of people to their own culture (cf *Gaudium et Spes*, Part II, Chapter II). These rights have not been consistently observed in New Zealand.

A Statement of the New Zealand Catholic Bishops Conference (Advent, 1989), entitled *A Commemorative Year for Aotearoa-New Zealand*, says:

The review of our history clearly indicates that the promises and guarantees made in 1840 have not been consistently upheld and that the Māori partner has suffered grave injustices.

The Church teaches that faith exists within a culture and not in such a way as to impose an alien culture. The document from the Pontifical Commission "Justitia et Pax", entitled "The Church and Racism: Towards a More Fraternal Society", in S5 shows that this has been the constant teaching of the Church at least from the discovery of the New World.

The first New Zealand Catechetical Directory, *We Live and Teach Christ Jesus*, published by the New Zealand Catholic Bishops Conference, said (page 84):

By reason of our common human heritage and our redemption in Christ, we have a right:

1. To our ancestral and cultural heritage.
2. To have our traditions, religious values, language, customs, myths and art forms used in education in faith.
3. To express Christ's teaching in terms of our own culture.

These statements refer to all cultures in New Zealand, the culture of tangata whenua as well as other cultures which co-exist with it in virtue of te Tiriti o Waitangi/the Treaty of Waitangi, whether of European, Polynesian, Asian or of any other ethnic origin. All these people have a right to their own cultures and to express their common faith within their own cultural heritage.

However, these other cultures are encouraged to recognise the special place to be given to Tikanga Māori as the indigenous culture of New Zealand.

In conclusion, the aim is a recognition that people of different cultures have diverse ways of viewing themselves and their relationships with the animate and inanimate world and with God. It is necessary to understand and actively engage with students' cultural inheritance if they are to succeed in learning