

## *A Time for Leadership*

Hon Winston Peters\*

In the last 72 hours since the debacle at Waitangi, we have had poured over our collective heads a cacophony of comment from all manner of participants and observers, and very little that is of any potential value or substance for the future of this country. The volume has been great, but much of its substance has been thoroughly regrettable.

The paradox is that whereas when protest first arose at Waitangi in the 70s, the chorus then was "The Treaty is a fraud", today it is that the Treaty, apparently no longer a fraud, is not being honoured.

The personal irony for me in addressing you, is that what I put before you today, I had prepared for delivery at Waitangi, and the reasons I could not, are the very reasons the kind of approach I am outlining is so necessary. I seek to address issues that go beyond the transparent and obvious circumstances of Monday, to look at principles by which we might guide all New Zealanders in the way ahead. Monday's events, in brief, portray what happens to a race where leadership has been deliberately broken down, and in a country where both vision and leadership, and commitment to nationhood are lacking. Monday's events are a full reply to the question "where have we reached as a country in the resolution of the issues raised by the Treaty?"

Gathered at the nation's birthplace to recommit ourselves to its future, there could have been no better time to witness the disgrace unfolding around us, and to recognise the reality of the present. There, where our nation was born in great promise, we had to be blind not to see that today, in terms of realising that promise, we sadly have a failure of leadership, and a want of vision.

My message is that it is time now for us all to rise above that failure, and commit ourselves with generosity of spirit, to both ourselves and our fellow New Zealanders, to a new beginning.

It is a time for Leadership; it is time for new ideas - a time to put the wrongs of the past in their place and reach out with courage and vision for creative solutions to the problems that divide us. It cannot be that the Treaty that founded our nation be the cause of its remaining divided. It cannot be that a historic agreement that brought two peoples together, becomes the reason they move further apart. The fact is that no country, and no people, have a greater future in front of them.

It is up to all of us to reach beyond our difficulties and make this land of ours one of which we can be justly proud, and with a pride in which we can all share with equal dignity. It is time to recognise that the hypocrisy and grandstanding must end. If we are finally to deal with the festering legacies of our past, we must sweep aside the

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extremism and ultimatum of the present. The time for the grand gesture, and final solutions is over.

The "Fiscal Envelope", rejected as it has been, is an idea whose time was up before the envelope was in the mail. A Government, in saying it had no other offer, has fired its best shot, and it has blown up in its face. With each failure, expectations have become ever greater.

There is now a yawning vacuum in Treaty policy, when the need for a resolution is at its greatest ever - and it is a matter that can be deferred no longer. We cannot go on with an increasing part of our nation suffering a burden of unrecognised grievance, and another part imagining it will just melt back into the history books. We cannot go on with mounting frustration by those for whom long denied justice seems always to be beyond their grasp, on the one side, and the reaction of continual ignorance and denial because the price asked is too high, on the other.

It is time now to bridge the gulf between apparently ever greater demands borne of frustration on the one hand, and a refusal borne out of fear, to recognise any liability at all, on the other. It is time now, through boldness of spirit and lateral thinking, to find ways to bridge the gulf between the enormous billions of dollars that in total are one measure of the justice denied on the one hand, and what we need to know can be paid on the other. And to do that we need a plan and a vision which is capable of being supported by all sides, of this and future generations. But to get to that point, we must as a nation first establish a number of principles on which broad agreement needs to be reached. Treaty of Waitangi policy must go back to Square One.

Those who signed the Treaty in 1840 were mandated to do so, under a system qualifying true tribal representation. Today for the most part, those purporting to represent the Maori people, have no such mandate.

## **I THE FIRST PRINCIPLE: PROPER MANDATE AND REPRESENTATION OF MAORI**

We must find out who it is that is mandated to speak for the Maori, and that is an issue solely for the Maori to determine.

It is a discourtesy to ignore such tribal leaders as Sir Hepi who ranks as the last and only Maori leader who by virtue of his whakapapa commands respect and subjection in terms that rest on Maori custom. Such an oversight does not go unnoticed by the Maori who respect him enormously because he has borne his responsibilities in a manner that has brought honour to his own people.

Without doubt he remains one of the most respected of modern day Maori leadership. Maori think that their values are being put down when a chief like Sir Hepi, who bears all the hallmarks of the old Maori world while fulfilling a role in this modern age, is rudely ignored. Everyone is aware of the vast land tract that was gifted by his family to the nation last century. That the donor of such a lucrative area as the national park could be overlooked or considered inconsequential to Treaty settlement matters today,



speaks volumes about government perceptions of the actual status and cohesion of Maori people.

## **II THE SECOND PRINCIPLE: MAORI WHO MANDATE A REPRESENTATIVE MUST BE BOUND BY THAT REPRESENTATIVE'S DECISIONS**

Without acceptance of that responsibility, there can be no progress on the matters at issue.

## **III THIRD: THE MAJORITY VIEW OF MANDATED MAORI REPRESENTATION MUST PREVAIL**

Until that is accepted, nothing more can legitimately be done with any prospect of enduring authority.

As a matter of comment, in recent years, with the exception of "*Ka Awatea*", every initiative in the area of Maori or Treaty policy has been a case of Governments purporting unilaterally to mandate Maori representation themselves.

It puts me in mind of the imperialists in nineteenth century Africa, who confronting uncooperative chiefs, created their own in substitution. Indeed in our own history, we can find an example of exactly that happening at Waitara, leading directly into the land wars in Taranaki.

I put it to you that Sealords and the Fiscal Envelope are modern day equivalents I need not mention the Maori personalities involved, but this Government's tactics are perceptively viewed with a sense of *déjà vu* in fast forward.

More than any other group of factors going to the heart of either process or legality, these principles of legitimate representation, spokespersonship, or delegation are paramount.

## **IV FOURTH PRINCIPLE: THE NEED FOR MUTUAL DECISION AS TO THE FINAL ARBITER IN THE ABSENCE OF AN AMICABLE AGREEMENT BETWEEN MAORI AND THE CROWN**

We must consider in advance, in the event of our being unable to resolve matters between the two sides, appointing an international group to arbitrate matters for us.

That may well be a regrettable option for us to have to take, but in the end, for the process to have integrity and enjoy acceptance from the nation as a whole, the question of *who decides?* is one all parties need to have resolved at the beginning.

**V FIFTH: IDENTIFICATION OF THE CORE MATTERS IN THE TREATY SETTLEMENT PROCESS. WHICH ARE CAPABLE OF SETTLEMENT, WHICH ARE NOT?**

And on this question, all New Zealanders must be prepared to look with fresh eyes.

For instance, are the consequences of the destructive process of colonisation a negotiable issue? Or is that a matter of unresolvable history?

I still hear talkback hosts claiming that Maori leadership was responsible for the *English-only-in-schools* policy of the first half of this century. Is that an accurate historical fact, or was it the case that governmental marginalisation of Maori as a language in all aspects of national life left Maori leadership at the time with no option but to advocate a monolingual policy that might better advance the progress of their people?

Further, the Fiscal Envelope was always certain to fail, for it is limited to land, and land alone, and no such exclusivity is to be found in the Treaty. The Treaty is not a long document - I suggest some policy makers read it again, or in some cases for the first time. They will see all sorts of other issues arise. They will see mana, language, spirituality, and inherent respect forming part of it, all of which are amenable to inexpensive, subtle policy changes for the better. For instance, what is standard policy on multiplicity of languages in much of continental Europe and emerging Asia, is denigrated in a New Zealand policy of monolingualism.

If we are capable of resolving or accepting the foregoing principles, then others arise to complete the process.

**VI SIXTH PRINCIPLE: WHAT MATTERS SHOULD BE TAKEN INTO CONSIDERATION TO ARRIVE AT A SETTLEMENT PROCESS REGIME?**

Questions of geography, time, variable compensation assets, when the most obvious either do not exist any more or are unavailable, are all matters for determination.

**VII SEVENTH: WHERE LIES THE ONUS IN THE SETTLEMENT PROCESS? WHERE WILL THE FUNDING FOR THE PRESENTATION OF EVIDENCE COME FROM?**

There needs to be a legal fund clearly setting out the parameters of expenditure and avoiding some of the contemporary frauds on both the New Zealand taxpayer and the Maori people.

It is nothing short of a disgrace that forestry on Maori owned land or on land over which claims are registered has been partially settled but without accountability to the Maori claimants on whose lands the forests are growing and from which the royalty rentals and interests derive. The only accountability is to the Minister of Finance, who



himself was unable to tell us last year what research funding each claimant group in Tai Tokerau (Northland) had received. The trustees managing those monies ought to be accountable at an annual meeting, to each claimant group whose land supports those forests and over which there has been sold a forestry right.

It is incomprehensible that money in excess of \$100 million earning interest can be spent without beneficiaries having access and information on what is happening to it.

**VIII EIGHTH: WHAT REGIME FOR VALUATION AND/OR ACTUARIAL ASSESSMENTS ON ISSUES OF COST PRICE, VALUE AND DISCOUNT IS TO BE FOLLOWED?**

The value ultimately accepted may be much less than the compensation initially sought, but this situation may quickly be reversed if an offer is seen as unilateral.

**IX NINTH: RECOGNITION THAT THE NEEDS OF YOUNG MAORI MUST OVERRIDE THOSE OF OLDER GENERATIONS**

In this respect, much of the acrimony of today's debate would have been avoided if governments had shown the initiative, the wisdom, and the foresight on focused development for young Maori in the areas of education, employment, health, and sound economic resource development to acceptable developed world standards.

Moreover, focused development is capable of being sold to non-Maori New Zealand for it substitutes positive future contributions to the economy and welfare of the nation, in place of the enormous negative drain that has become New Zealand's shame.

New Zealand can no longer go on tolerating the waste occasioned by underdeveloped human capital, itself the seed-bed of so much of the destructive social and economic malaise that is existence for too many Maori in New Zealand today.

Unless this approach is taken the Treaty of Waitangi will remain in an historical time warp which colours much of the debate on it at this time.

**X TENTH PRINCIPLE: THERE MUST BE A PROCESS OF EDUCATION LEADING TO A NATIONAL CONSENSUS**

Simply attempting to foist a "consensus" on the nation on the basis of what is "politically correct" is not enough. That is what we have now, and its legacy is one of smouldering resentment, grudging acceptance, and even more entrenched ignorance on the part of many who do not like to be told how to think.

Non-Maori New Zealand must be brought to see that not only are there issues of simple justice and honour at stake, but that it is in the interests of the whole nation that they be recognised. Or are New Zealanders content to look to a future in which the whole basis of our society as a nation remains permanently under threat?

In the end it is the *national interest* which must be paramount, and to which even the Maori cause must be subservient, but non-Maori New Zealanders, if they are to take responsibility for a problem too long ignored, must see that it is a responsibility they should, in the interests of the nation's future, willingly undertake.

On this issue it may well be the case that the *multi-party agreement*, so essential to an enduring resolution's success, will be the consequence of a national consensus, rather than the other way around.

What New Zealand First is putting before you and the country is a new perspective, a real solution that will see this country turned towards the future, instead of transfixed on the past.

Where wrongs have been suffered, they must be acknowledge and addressed. The carpet of ignorance can no longer be stretched large enough to sweep these problems under. It is not a matter of creating new rights, but of righting old wrongs, and creating new futures.

Most Maori are asking for recognition of their case, and settlement with honour - for without honour, there can be no settlement. And a settlement imposed by one side is not a settlement at all. It is the role of Leadership, absent too long, to offer a solution that is honourable and acceptable. This is a vision for those with the capacity for such vision to bring together a solution based on what is right.

Most Maori, once their rights are finally recognised, will not demand a price that the nation, in which they only seek to participate as equals, cannot bear. Most Maori will be reasonable, flexible, and generous, and all they ask is that the Crown be the same.

If we refuse to deal with the matter, the price could be the destruction of our nation's future.

The essence of the Treaty is citizenship, and the right of all to participate as full citizens. Instead today, the price of failure is a level of dependency, without honour and without mana, which is being borne by all New Zealanders. It is a price now, that through inaction and through failure, has turned large numbers of our citizens into victims. And we are all paying the cost, but none more than Maori themselves. That is the legacy of a failure of leadership, and a lack of vision. It is time now for even the most red-necked to know this. It cannot go on.

To those who object, I say this. Who among you, if property belonging to your family, especially where guaranteed to you as a citizen under a solemn Treaty, was simply taken without compensation even one, two, or three generations ago, would not be using every means at your disposal to have your family's birthright restored? Is that not a right to which you are entitled as a citizen, and as a New Zealander? And if that is a right you would pursue for *your* family, is that not a right that belongs to *every* New Zealand family regardless of race?



And I would say to the redneck, "If you believe that Maori should just be treated like anyone else, why then should they give up those very same rights that you would claim for your own family...or are you saying that when Maori were guaranteed the benefits of equal citizenship they alone were not to be allowed to enjoy them?"

New Zealand needs a plan and a vision which has the understanding and support of every New Zealander, and it is New Zealand First's intention that there shall be one. And it can be done. "*Ka Awatea*", when once we were given the chance, was just the start. The lessons of "*Ka Awatea*" are that success is achieved by listening, not by lecturing, by consultation with those who have a real stake in that success, not by edict from on high.

Our task is to turn the negatives into positives, to turn liabilities from the past into assets for the future - to turn disadvantage into advantage that will benefit the whole nation.

In the next few months New Zealand First will unveil such a plan - a plan that places Maori development at the centre of the national interest, and off the margins where it has festered for too long. We need to ask ourselves with this obsession with the past, what are we doing about the present, and more importantly, what are we doing about the future? In the midst of this rash of recriminations about the wrongs that have occurred, where are the employment initiatives that will help address at its source the smouldering resentments of a whole generation of younger people to whom the future should rightfully belong but who are trapped in a septic legacy? Where are the education and training initiatives to lift so many young Maori out of the underclass so they can take charge of their future with confidence? Or are we content to rely forever, when it comes to administering the proceeds of whatever settlements are reached, on the same little Maori self-interested and self-appointed elite and their bloated consultants?

They are questions that go to the heart of the alternative to the sort of bold and visionary plan to which I have referred.

## **XI CONCLUSION**

Ladies and Gentlemen, recent events more than ever must reinforce that this is a time for leadership and a time for vision.

We are here today to examine where we have reached as a country on the resolution of claims under the Treaty of Waitangi, and where we should go from here in addressing those claims. Where we have reached is a question answered by the events of last Monday, and a catalogue of Third World social and economic statistics for today's New Zealand Maori, and an entire nation paying the price. In short, going nowhere, we have reached nowhere.

Where we should go from here, my party has set out in a series of principles for this country's consideration. In the context of those principles, it is our intention within the coming months to unveil a new set of initiatives which we propose as a specific way of

honouring the commitments of the past but with a view to a better future for the whole nation.

Asked what is the alternative, I do no more than offer you the events of the last three days.

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## LOU TANGAERE

I do not think most New Zealanders understand that the Maori version of the Treaty of Waitangi was the one that our Tipuna signed. Not the English version that a lot of them cannot get out of their minds. And that is the ceding of our sovereignty. That is not in the Maori version of the Treaty. That should be understood by everybody in New Zealand. It is not in the Maori version of the Treaty.

Our Tipuna signed the Treaty believing that the Articles were protected by the Treaty itself. I do not think we need a lawyer to tell us that, whether in Maori or English.

The signing of the Treaty gave the Crown the right to govern, Parliament was set up where the constitutional laws of our country stem from. It also confirms and guarantees to our Tipuna *full exclusive and undisturbed possession of their Taonga* and the Crown's *royal protection* and the rights and privileges of her subjects.

We hear that the law ignored the Treaty, it did not recognise it. There are many examples from Taha Maori or Maori perspective we could quote.

Now the other message that was left to me by my Tipuna is this, that in Article I, they agreed that the Queen of England, the one they were dealing with, would set up a Parliament so that *full, exclusive and undisturbed possession* and her royal protection would be monitored. 'Tiakina'. We hear 'kaitiaki' and 'kaitiakitanga'. That is what it means. To set up a Parliament so that those Articles were protected. I do not think we need a lawyer to tell us that whether in Maori or English.

I am sorry to say that a lot of our people, both Maori and Pakeha, misunderstand our grievances, because it says quite clearly in both the English version and the Maori version of the Treaty that the Queen's subjects would have land through Her Majesty's exclusive right of pre-emption as the proprietors. They may wish to alienate provided that the Maori and Her Majesty's agent agree to the terms: whether it was a tomahawk or a musket or whatever. Millions of acres of Maori Lands and other taonga did not pass through the Treaty system, they were in fact systematically confiscated by successive Governments imposing laws. Confiscation is a breach of the Treaty. The Maori was now aware that his partner the Crown and the laws of the country have largely ignored the Treaty of Waitangi.

Those that signed the Treaty left their taonga to their whanau/hapu and not to Tribes or Iwi. There is no such word as Iwi in the Treaty, hapu is. In my area of the Tairāwhiti District whanau is generally recognised as the owner of the resources of their



Rohe or area, ie Te Whanau a Hunaara, Te Whanau a Rakairoa, Te Whanau a Rua, and other whanau/hapu groups extended throughout the Tairāwhiti District and Aotearoa.

The grass roots of Maoridom, the Heart of Maoridom is at the whanau and hapu level. The whanau is the number one group in our area; the resource owner. If anything happens to any of us, if there is a death in the family, who is the first to go to the Marae? It is the immediate family/whanau or hapu, not Iwi.

## **RIMA EDWARDS**

Ruia, ruia tahia, tahia. Kia hemo te kakoakoa, kia here mai te kauau o koroki. Tataki mai ana i roto i tana pukaro, karo, whai karo. He kua ka marangaranga o tahi, te manu ki tau ki te tahuna, tau atu, tau atu, ko tau mai.

Tautoko ake ana nga mihi ki to tatou minita e arowhatangia i a tatou ki to tatou matua nui te rangi i tenei ata. Ki a koe te matua, te paepae tapu o to tatou huihui i tenei ra, nga mihi atu kia koe e whakatau mai nei te manuhiri tuarangi kua tau mai nei ki te Upoko o te Ika o Maui.

E te matua, e Winitana tena koe. Te rangatira whaea, Sandra tena koe. Koutou katoa nga rangatira huri noa, huri noa nga whaea. Kia ora mai tatou mo tenei wa.

Winston, I'm Rima Edwards. I'm Chairman of Te Runanga o Muriwhenua. I apologise for my rangatira Matiu Rata who is unable to be here today but if anyone knew anything about the Treaty it would be him. And I'm only trying to fill in for him.

Winston. First of all I need to admit to you that I signed the Sealords deal. I did not sign it for the money and it's important to understand this, I signed it because the sacred taonga of Tangaroa was coming back to us. I signed it in the acceptance that my right to this land and this taonga did not stem from the Treaty of Waitangi. I really would like to give a full day's lecture on that issue. And only when you go back to the interpretation of the Maori universe will you understand what I am saying. But I won't do that, it will take a week.

But having said that I am appreciative of all the comments about Sealords expressed from all quarters of our people and across the nation and across the world. I appreciate all that.

I appreciate our Maori MPs in the House fighting for the rights of not only Maori but of all New Zealanders. As the Treaty of Waitangi was signed in Waitangi, it is important for me to start from there because what I'm about to say will reveal the foundation and the pathway which we must take today. At that time there were many symbols of evil which our tupuna saw. They manifested themselves in the skies, on the land, on the face of Governor Hobson. But why did they sign it? Why did they sign the Treaty of Waitangi? I will tell you why they signed it.

The prophecy made at that time was this, and I will cut it short. "E Nga Puhi to Tiriti ka huri hei pungawerewere hei kai i a koe." Nga Puhi with your Treaty will come the spider's web and the spider that will consume you. And when that tupuna made that prophecy what he meant by that he was talking about the spider's web, the spider itself of how it sedates its victim and sucks the blood from its victim and just leaves a carcass. That's what he meant by that. And he interpreted the Treaty as being the pungawerewere as I have just explained it.

But he signed the Treaty and why? The reason why he signed the Treaty was this, because in the finality he accepted that the cloak that would embrace the Treaty was based on four principles. It was based on love, truth, righteousness and kindness one to the other. It was those four words that our tupuna accepted as a cloak for the Treaty of Waitangi, that is why they signed it.

And what I am saying, is that it's still the cloak on which we move forward today. We can talk about anything and everything. If we do not come back to that foundation, we are not going to get anywhere. And that means, te aroha, te pono, te tika, me te atawhai. Those are the four foundational principles that cloak the Treaty of Waitangi and it means having aroha for this Pakeha over here. That is what it means. And for all the other Pakehas and it is a reciprocal thing.

### **APIRANA MAHUIKA**

My name is Api, I am Ngati Porou. I am Ngati Porou, I am Irish, I am Scottish and I am Maori.

It was very interesting your observation about the role that Sir Hepi Te Heuheu plays within his own people. Have you actually examined how leadership in Ngati Porou and in other tribes has traditionally been selected. That's question No. 1. Do you care to answer that one?

### **WINSTON PETERS**

Yes, I have. And that is why I'm not one who is coming out and asserting the absolute primacy of the democratic, one person one vote principle. Or there may well be many tribes or Iwi or hapu who would be interested in asserting the traditional principles of leadership, that is why I do not rule it out. All I want to know is, is there an acceptance that they must be mandated authority to represent the people for whom they come to Wellington to speak.

### **APIRANA MAHUIKA**

Have you also examined the whole question of mandating and where and how the politicians' view of mandating and the imposition of that on to Maori has caused the so-called rift within Maoridom and the use of the term mandate as a political expediency and tool.



**WINSTON PETERS**

I have not to the degree that many here would have. Safe to say this that since 1988 first with respect to ... I do not want to turn this into a political argument ... with respect to the Labour Government and then my own caucus colleagues and the Prime Minister in 1990 after that, I asked time after time "Who says that the people you are dealing with are the appropriate Maori authorities? Where is the mandate coming from?"

Now the Evening Post had a fascinating article. At about the third paragraph, the Prime Minister says, it is up to Maori to tell us who their leaders are. Well, isn't that extraordinary. Well, he wasn't saying that last week with a fiscal envelope and he wasn't saying it on the Sealords deal, and he was not saying on the Reserve Land Rentals deal. All of a sudden, in an act of desperation, when there is all despair in front of him, he comes up with that line. That was the first issue that should have been decided in my view.