

Recognition of Indigenous Citizenship and Nationhood

Challenges for Educators in Aotearoa

By Veronica Tawhai

ABSTRACT

In Aotearoa (New Zealand), the nations that make up the Indigenous Māori population enjoy a limited form of recognition by the state, based on the Treaty of Waitangi signed between these nations and the British Crown in 1840. This recognition, however, falls far short of the relationship agreed to in Te Tiriti o Waitangi (the Indigenous language treaty texts), as well as other Indigenous rights instruments such as the United Nations Declaration on the Rights of Indigenous peoples (UNDRIP) and rights to self-determination. The current controversy in New Zealand regarding proposals for co-governance on certain national matters has, again, highlighted anxieties amongst New Zealand's citizenry regarding Māori nationhood and citizenship and the need for education on these matters should we hope to continue to progress toward greater realization of Te Tiriti's provisions. This article shares the findings of doctoral research, supported by the Center for World Indigenous Studies (CWIS), on issues to be addressed by educators in our efforts to conscientize Aotearoa's citizenry on these matters.

Keywords: Māori, Treaty of Waitangi, Co-governance, UNDRIP, Aotearoa

The 1840 treaty signed between Māori nations¹ and the British Crown stipulates the terms upon which our relationship, formed around the mutual benefits of trade and exchanging of materials and knowledge, was to progress further. Māori-British engagements had progressed significantly throughout the early 1800s, with Māori dignitaries traveling abroad to develop relationships with the British governors in

Sydney and, later, directly with the monarchs of England². By the late 1830s, several issues causing tension in our relationship, including the unruly behavior of British subjects and their disciplining by Māori authorities according to Māori law, led to the more formal treaty agreement. The British Crown would exercise *kāwanatanga*, the enforcement of British law and order over British subjects residing in Aotearoa.

¹ WHapū, the political-economic unit of Māori society - what in contemporary times is referred to as sub-tribes.

² See: Healy, S., Huygens, I., & Murphy, T. (2012). *Ngāpuhi* speaks. Whangarei, New Zealand: Network Waitangi Whangarei, Te Kawariki.

At the same time Māori were guaranteed ongoing recognition of our *tinu rangatiratanga*, ultimate authority, and independence over our lands and affairs. Māori were also offered *ngā tikanga katoa rite tahi*, all the rights and protections afforded British subjects, addressing concerns about the mistreatment by some Britons of Māori and other Indigenous peoples³, and formalizing Māori access to British trading ports.⁴ As per *tinu rangatiratanga, ngā tikanga katoa rite tahi* did not make Māori British subjects, nor did British *kāwanatanga* extend over internal Māori matters. Instead, Te Tiriti o Waitangi (the Indigenous language treaty texts) set out the conditions by which Māori could confidently continue to pursue opportunities that progressed our aspirations for development, with Britain as a powerful ally in our endeavors.

More British migrants arrived in Aotearoa following the establishment of a formal British presence. However, they did not share the humanitarian views of those with whom we entered the treaty agreement. Following the election of the first Settler Parliament in 1853, by

1863, legislation such as the Native Lands Act⁵, Suppression of Rebellion Act⁶ and New Zealand Settlements Act⁷ had set the foundations for settler colonialism: the removal of Māori by any means from our lands, and the transfer of those lands and base for livelihoods to the mass influx of settlers arriving from Europe. Through the state-run native school system, Māori children were to acquire the skills suited for roles as laborers and domestic servants of the newfound colony and be introduced to “European customs and ways of thinking, and so fitting them for becoming orderly and law-abiding citizens”⁹. Along with our language, laws, knowledge, values, and political systems, our political identities as citizens of our own independent nations with rights to self-determination were subsumed within the Colony and then the State.

Challenges for Aotearoa’s Educators

In Aotearoa, the goal of transforming our constitutional arrangements into one that again provides for the exercise of *tinu rangatiratanga* by our people requires a return to Indigenous

³ specifically, the treatment of First Nation Aboriginal peoples in Australia and the African peoples enslaved in England that Māori had observed during our travels abroad.

⁴ For more on the provisions of Te Tiriti o Waitangi (the Indigenous language treaty texts) see: Waitangi Tribunal (2014). He Whakaputanga and Te Tiriti, The Declaration and the Treaty: The report on Stage 1 of the Te Paparahi o Te Raki Inquiry (Wai-1040). https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_85648980/Te%20RakiW_1.pdf; Waitangi Tribunal, (2022). Tino Rangatiratanga me Kawanatanga: The report on Stage 2 of the Te Paparahi o Te Raki Inquiry (Wai-1040). https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_192668456/Te%20Raki%20W.pdf

⁵ See: http://www.nzlii.org/nz/legis/hist_act/nla186226v1862n42251/

⁶ See: http://www.nzlii.org/nz/legis/hist_act/sora186327v1863n7403/

⁷ See: http://www.nzlii.org/nz/legis/hist_act/nzsa186327v1863n8377/

⁸ See: Simon, J. A., and Smith, L. T. (Eds.) (2001), A civilizing mission: Perceptions and representations of the Native Schools system, Auckland University Press; Walker, R. (2016), Reclaiming Māori education, in J. Hutchings, & J. Lee-Morgan, (eds.), Decolonisation in Aotearoa: Education, research and practice. Te Wāhanga, NZCER Press, pp. 19-38.

⁹ J. H. Pope, Inspector of Native Schools - see Education: Native Schools, Appendix to the Journals of the House of Representatives, 1888, In continuation of E.-2, 1887, p. 9.

understandings of nationhood and citizenship. After 160 years, the task of conscientisation¹⁰ to revive subjugated knowledge, reverse internalised colonialisms, and address inherent white supremacist views, amongst others, is fraught with many challenges. As highlighted by Dr. Moana Jackson from the Ngāti Kahungunu, Ngāti Porou, Rongomaiwahine nations:

They [Settler society] never use terms like ‘the government of an *iwi*’. They never use terms like ‘the constitution of an *iwi*’, ‘citizens of an *iwi*’, because they have depoliticised what those structures are and privileged those words, ‘government’, ‘citizen’ and so on, as only being reserved for *Pākehā* [Settler] power. When for example our *tipuna* (ancestors) adopted *Pākehā* into the *iwi*, there was always a ritual about that. They didn’t just say “Jim Blogs, you can come and live with us and be a member of our *iwi*”, there was actually a ritual, and the ritual to me was a citizenship ceremony. It was requiring that if you were going to be a citizen of this *iwi* polity, this *hapū* polity, then you accept these obligations. Whereas now, when we talk about a citizenship ceremony, its people holding the Bible and swearing loyalty to Queen Elizabeth.¹¹

One subsequent effect of the oppression of Indigenous understandings of political belonging, rights, and responsibilities, raised by expert Indigenous educators in Aotearoa, was the poor conduct of our people according to *kawa* and *tikanga* (Māori law). As highlighted by Dr. Leonie Pihama from the Te Ātiawa, Ngāti Mahanga, and

Ngā Mahanga a Tairi nations, acknowledgment of peoples, territories, and the responsibilities we might have on those territories as guests have been mainly subsumed by hegemonic economic individualism that now characterizes our wider society:

Due to an economic context, our people do that too now, in terms of go and live uninvited on someone else’s territory. We are in a context “to have a job you have to go somewhere else and live”, so you go somewhere else and live, but we’re not actually invited to that territory... In a day we could drive from the top of the Island to the bottom and we could cross all of these tribal boundaries, all of these *iwi* and *hapū* (nation) boundaries and never once have to say hello to the *hau kainga* (home people), that’s what the context is that we’re in now. I don’t know that that would have happened in another time, where we would have felt an ability to go and live on someone else’s land and act as though we have some fundamental right to that land.¹²

As highlighted by Emeritus Professor Sir Mason Durie of the Ngāti Kauwhata, Rangitane, and Ngāti Raukawa nations, reconciliation of this individualism with recognition of and provisions

¹⁰ The fundamental teaching and learning approach emerging from Freire’s work (1970) in which learners become actively engaged in identifying problems, questioning, analyzing and developing strategies for change. Teachers serve as facilitators and resources to support student inquiry. Learn more in: Transformative Learning.

¹¹ See: V. MH. Tawhai. (2020). A red-tipped dawn: Teaching and learning about Indigeneity and the implications for citizenship education [doctoral dissertation]. Massey University, New Zealand. p. 282.

¹² See Tawhai, (2020). p. 291.

for collectives in citizenship terms is one task for Aotearoa into the future. Provision for Indigenous collective rights, as Durie suggests, would better reflect Te Tiriti o Waitangi in Aotearoa but is also necessary for democracies worldwide. However, as Durie highlights, this will require reconceptualizing citizenship to overcome the dominant individual-state framing:

Modern democracies need also to consider that within their society there are groups that have rights... to say that “there are groups that are part of our society and we’ve got to recognise them, and there are individuals, every individual has certain rights as well”. So the notion of citizenship as linked only to individuals is not consistent with where modern democracies will be heading... We have an idea of individual citizenship rights but we also recognise through the Treaty that a group, *Māori* or *hapū* or *iwi*, have rights too as a group, not as individuals, but as a group, and that’s a different connotation.... As long as you clarify that citizenship is more than individual rights, it’s the way that people relate to each other and the rights that people have individually and collectively. Now the problem with that is that citizenship rights are so much linked to individuals, the rights of individuals, that you have difficulty incorporating the collective right into it and that’s what modern democracies are facing.¹³

Being critically aware of the negative effects that an individualistic framing of citizenship

has on Māori today, not just historically, was supported by Professor Graham Smith of the Ngāti Porou, Kai Tahu, and Ngāti Apa nations. As a part of overcoming state hegemony and the socio-political and economic dynamics that perpetuate colonialism in Māori lives, Smith urges the reimagining of citizenship that reflects Māori values and priorities in contemporary contexts. Smith refers to this as our ‘cultural citizenship’:

There is a need to identify our ‘cultural citizenship’ and to struggle to develop that... What counts as a good Māori citizen today? What are the things that we need to survive as a Māori citizen? We need our reo (language), we need to resurrect some of our cultural nuances that are about sharing and protecting our cultural preferences... I don’t want to be just captured by the government rhetoric of “We must produce people who will pick up good jobs”, a very individualised meritocratic idea that you study to get good credentials to get a good job. It’s a picture of individualised advancement, is built off the capitalist notion of the possessive individual, that people naturally want to accumulate property and to build, if you like, their individual freedom through individual freedoms, their wealth and so forth... I think that immediately that is a contestation with our cultural preference - in other words it is colonising... So that’s part of our struggle

¹³ See Tawhai, (2020). p. 297.

here. All that stuff that I'm talking about to me is part of that cultural citizenship... creating people who have got good skills to go to work, but really people who can make an impact on the socio-economic condition of our communities.¹⁴

Jackson also emphasizes the need to reconceptualize our notions of citizenship in Aotearoa, specifically to return to Indigenous knowledges, systems, and values that embody Māori understandings of our world. This restoration of Indigenous citizenship knowledges in Aotearoa, argued Jackson, is essential to moving past a critique of the limits of colonial-state citizenship and the damage its imposition has inflicted upon our peoples and communities. Instead, as Jackson emphasized, there is immense value in reconnecting to notions of political belonging, rights, and responsibilities Indigenous to these lands that connect us not only to others in the present but those past and future, such as *whakapapa* (genealogy):

What citizenship education in the twenty first century in Māori terms means for me is that you deconstruct what that term has come to mean in the Pākehā [Settler] nation-state, but it's never enough just to deconstruct. I think you have to sit alongside it, the reconstruction of what we are, what we were, so to no longer privilege the term. If we just critique Pākehā and don't posit something Māori in its place then even that critique is a privileging of them. I think deconstruct citizenship in Pākehā terms of what it's done to us, but reconstruct what our notion of citizenship

is, and that's tied up with *whakapapa* (genealogy)... Haunani Kay Trask was the first I heard say something similar, when she said "I am not American, I am Kanaka Maoli". That's a very bold and definitive citizenship statement. So for me every time you talk *whakapapa* (genealogy) to the *iwi* (nation), we are talking about it in a different context, our citizenship in an *iwi*. *Whakapapa* has quite different connotations because it's more than just citizenship, but that's what citizenship is a part of.¹⁵

The importance of Māori knowledges to citizenship on these lands was also raised concerning the citizenship of non-Māori here in Aotearoa. Specifically, non-Māori should also be mindful of Māori knowledges as a requisite to a fuller sense of citizenship formed part of the analyses from expert Indigenous educators about citizenship in Aotearoa. As argued by Professor Margaret Mutu of Ngāti Kahu, Te Rarawa, and Ngāti Whatua nations:

... when the State turned up here or the British Crown turned up here, they didn't come here to be citizens. They came here to take over this country and to turn it into an England in the South Pacific... Now when they did that they denied themselves a wealth of knowledge and a wealth of understanding... For me, most New Zealanders haven't got a clue about this country. What they know about is a layer

¹⁴ See Tawhai, (2020). p. 298.

¹⁵ See Tawhai, (2020). p. 272.

that was brought in by the British and laid over the true country, and they put a layer that was about Pākehās being supreme, and under that they put that Māori are inferior. So all of our extensive knowledge got put under there, and they built up these myths, myth upon myth... It's a whole lot of rubbish. I look at them and I think "You poor people. You don't know what you're missing out on. You'd love it if you knew, but you haven't been allowed to know", and for me they can't be proper citizens, or even full citizens of this country because they don't know about this country.¹⁶

Citizenship Discussions Into the Future

Reconfiguration of Aotearoa New Zealand's constitutional arrangements to better provide for the exercise of *tinō rangatiratanga* by *hapū* as per Te Tiriti o Waitangi has been an

ongoing struggle by Māori and our allies since the expansion of *kāwanatanga* over Māori lives. Analyses on Indigenous, non-state conceptualisations of citizenship based on different bodies of knowledge, laws, philosophies and values, however, is an emerging field. Māori have our own distinct knowledges concerning political belonging, rights, and responsibilities on these lands that, as expressed above, extend beyond ourselves to others that now call Aotearoa home. The thoughts shared by the expert Indigenous educators above subsequently provide an initial indication of the potential this line of inquiry has as one approach to strengthening New Zealanders' understanding of Indigenous nationhood in Aotearoa and progressing us towards the more just futures our Te Tiriti agreement envisaged.

¹³ See Tawhai, (2020). p. 276, 295.

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