

TAPE TRANSCRIPTION

RT90:7 SIDE ONE:

Steering Committee Hui:

Speaker: Mereaira Hata

Make sure those legs don't collapse Graham ...

(Lot of background noise and coughing)

Speaker: Mereaira Hata

Can stand it by Hira Te Popo (giggle)

(quite a long pause here)

um ... you fellows have to excuse me I've never used one of these things before but it'll ... I ended up having to do a rush job with having to ... rewrite my ... transparencies because I wrote too small ... but it's alright ... what I'm gonna be taking you with through (muffled) ...

Speaker: Graham Reisterer

(Muffled can't hear speaker)

Speaker: Mereaira Hata

You've got it here aye ...

Speaker: Graham Reisterer

(can't here speaker)

(long pause)

Speaker: Mereaira Hata

... it's better there aye ...

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Speaker: Graham Reisterer

(can't hear him speaking ... muffled)

Speaker: Mereaira Hata

... it's alright ... (muffled) ... (long pause) ... very good ...

Speaker: Graham Reisterer

(muffled)

Speaker: Mereaira Hata

... ooh it's getting tight .. or do I pull back the machine ...

Speaker:

(can't hear speaker)

Speaker: Mereaira Hata

... ooh na I might break it ... never mind I'll read it loud as I'm going along ... um ... all this information here is in the Iwi briefing format that we passed out quite a while ago ... um ... I actually bought some for your Secretary tonight ... is this ... but I'll zap through anyway ... so what is devolution the reason why we are starting off here that's right at the beginning it leads into all these other things here ... devolution criteria of Iwi Authority and so on ... so what devolution is basically is that ... devolving or breaking down an existing structure ... to make it service the needs of the people more effectively ... um ... I drew a little mutu-car here (giggle) ... but my car is suppose to represent ... a new structure ... and the planning that went into it ... where those green arrows are ... is the restructuring you can do on a mutu-car so you can put in a a a great big huge engine if you want ... you can put ... um ... anything on your mutu-car ... can have some louvres on the ...

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Speaker: Mereaira Hata

... back ... you can have mag wheels ... but basically what what ... what that trying to show is that there's abit planning that's involve with devolution ... to ensure that the next structure you're getting into will preform better than the last ... o.k. ... now my example here Maori Affairs ... and how that's gone out ... now become Manatu Maori ... um ... the other example is Department of Health ... that's devolved into Area Health Board ... o.k. ... Department of Education ... that's devolved into Tomorrow Schools ... I tried to show ... here an example but ... those are three that we should all know something about ... um ... well that's basically what devolution is I don't think I was suppose to have summed it up that quick ... and um ... that's it it's devolving or breaking down an existing structure like a car ... um ... knocking out all the cobwebs out of the system ... to make sure that it it runs better than what it did before ... you don't want to go through all the hassle of breaking down a car stripping it cleaning it up oiling it putting it back together and again it does the same job you don't want to do that you want to make it work faster for your needs ... o.k. ... that's basically what it's about ... any questions ... (giggle) tell me if I'm going too fast ... I don't think so though ... oh we ... got it all ... (cough) ... so basically (coughing) due that devolution issue our people have had hui after hui on this devolution trying to understand it there's been alot of point come out of it ... good reasons for just devolving structures and bad reasons ... but these ... of what I see ... um ... have

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Speaker: Mereaira Hata

... probably been beneficial ... for us the maori people ... whats happening is that there's an increase in Government responsiveness ... o.k. ... Government is starting to response to the maori needs ... or special needs ... there's an increase in political awareness mainly in maori people and there are ways you go about it ... um ... there's also an increase awareness about our Treaty ... Treaty of Waitangi ... on both Maori and Pakeha ... there's also more accountability ... from Maori to Pakeha from Pakeha to Maori ... this is what this devolution issue created from locking out Maori Affairs and bringing Manatu Maori there's also an increase exceptance that the best way to serve the Maori people is by asking them for the solutions they've starting to realise that the maori people um ... you know they've got abit of puku in what they're saying and they can actually um fix up a few of our problem ... and they've proved this time and time again ... um ... for example our language is dying and they want to set up kohanga reo see how successful kohanga is now the other thing is Maori Affairs needs to exist or Maori Affairs need to exist but in a restructured form ... if everybody knew that ... Government knew that ... and the Maori people knew that ... o.k. but there are few rules that were going abit laxed over the years ... they wanted that changed ... the other thing too, is that Iwi ... the Iwi your own Government needs to work out a balance of responsibility that's the big one ... the partner issue ... um getting back to our Treaty um Claude going to be talking on the Treaty so I won't get into that ...

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Speaker: Mereaira Hata

... very much but basically that's what's been happening Iwi and Government need to work out a balance of responsibility ... right we knocked out Maori Affairs now we bring in Manatu Maori but you can't give it the same jobs as Maori Affairs had before ... so they are devolving it ... halving out the responsibilities here and there ... so this time it works for the better ... o.k. ... that there ... ooh it's a bit little ... mm ... that there it's called development decade it goes from 1984 to 1994 ... reason why I added that in ... um ... it shows where we've got and shows where we going ... I didn't write that I wrote I copied it out of the book (giggle) ... page 7 in that book there o.k. now that's covered on here in 19 ... 1984 came the "Hui Taumata" I've outlined those I've highlighted them with the red pen 1988 four years later the Government responded with "He Tirohanga Rangapu" ... now there are a lot of problems that our our people wanted heard and they came out in the hui in the "Hui Taumata"... o.k. ... now it wasn't until four years later ... the Government responded ... "Te Tirohanga Rangapu" was the name of that one ... that came out before this ... then at the end of 1988 came that one "Te Urupare Rangapu" ... that's a partnership with _____ ... (cough) you'd be able to these from ... I've got a few copies ... o.k. now that's the one I'm talking from ... then 1989 came the Iwi Authority's Bill ... Arahia and then will take that one over me ... Iwi Transition Agency was also set up ... Ministry of Maori Affairs is called Manatu Maori ... o.k. um ... then came the transfer of the Maori Land Court ... this is ...

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Speaker: Mereaira Hata

... this the part where I said ... they can't give the same responsibilities to Maori Affairs because it will just end up way it was ... um ... they have to pass out a few jobs here and there ... o.k. to ease the burden ... for a few of them ... then 1989 comes a Transition period that's us going from ... um ... from the beginning of the Bill ... trying to except th ... except the Bill ... o.k. this is where a transs transitioning (laugh) whats the word transitioning ooh never mind transition period ... (giggle) 1990 is the Iwi choice begins this is basically where we are at now ... you either decide do want an Iwi Authority or not ... but all the same you still have to know about this stuff ... um ... to know how ... where we've been ... where we came from ... um where we are at now ... and where we hope to get ... but only you can organise that ... only you the Iwi can tell us ... where you want to go ... your goals ... (coughing) ... so then comes once you've made up those choices for ourselves we know we want an Iwi Authority or maybe we don't want a Iwi Authority ... that's the time where we have to start developing ourselves ... get all our resources together our skills our trained people ... o.k. listen to what ... um ... our people need ... what kind of services do they want the runanga ... to be responsible for ... they have to have that eared ... that's got to come up ... and we'll be covering that on the 7 of October by the way ... 1994 is where where ... Iwi Transition ... is suppose to just stand o.k. they are only set up a little while to help the Iwi go through this ... Act stage ... to become ...

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Speaker: Mereaira Hata

... established so by 1994 the Iwi Authorities is suppose to be fully operational ... o.k. ... this is basically how I saw it happening ... the Iwi in ... Iwi Transition involvement in development until 1995 ... here's my time line ... 1990 we've got a strong base here ... and the green one is I.T.A. o.k. another words they've got a strong economic base ... they know what they have to do ... they know how long they gonna they go on for ... 1995 (muffled) ... self destruct ... the red one is our Iwi ... that's our Iwi Development ... over the next five years we're gonna start off weak ... start off with 1990 ... but the more we learn and accept this whole issue hopefully we're going to be ... as strong economically as Iwi Transition is ... but basically the reason for the ... that type of diagram I I used was ... um ... to show ... that one gotta go out one gotta phase out ... the other one gotta strengthen on top of that they gotta work side by side to help one another ... we need the Iwi Transition to help us out ... um Manatu Maori will be there mo ake tonu ... alright um unless they wanna boot that out the window too ... but those are the Government Department that have stayed there ... but this Iwi Transition is the one ... that's gonna stay there ... um for only until 1995 ... o.k. ... so where do I finish ... oh I finished back at my mutu-car ... (long pause) ... o.k. there's my mutu-car so ... another words what gotta happen is that ... as a result of this Iwi Authority issue just imagine all the Whakatohea peop Whakatohea people the Iwi and everybody else who's attached to the Iwi ... who might not be involved with ...

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Speaker: Mereaira Hata

... or blood ties or anything like that ... all get squashed into this car ... o.k. ... that's all your Iwi inside what we've realise ... is that ... there are some who are going to be that car who are better drivers than others ... others on this Iwi Authority issue ... there are some who are better as back seat drivers ... there are some who have a better sense of direction ... this is what we've got to sort as an Iwi who are these people ... this um it's o.k. to think about it now ... um also there are some who have got the experience ... on ... on a trainee but this is what we've gotta work out ... I think from that ... that kind of set um ... if we can work all our problems out within a closed structure like a ... car um ... and we pull together as an Iwi ... we've got no reason to fail ... I've finished there ... kua mutu ...

Speaker: Graham Reisterer

I think what we have remember is that um ... we all get out of that car ... the same (laughter) we all get out one thinking ... don't forget if people ... have questions ... can interrupt and just ask them as you go along (muffled) ... very easy to be up here (Mereaira: just zap through it) ... zap out don't be afraid ... one has a question ask you know that is what we need hear (muffled) ... any questions from that we can talk more ... and everyone join in ... (muffled)

Speaker: Mereaira Hata

If I can't answer them then the rest of the Committee might be able to answer ... (long pause) ... oh I forgot that one ...

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Speaker: Mereaira Hata

... that's not much ... so there we are in terms of Government Departments ... Government Departments is suppose to work along side with Iwi Authorities ... so if there's any transaction to take place Iwi Authority work with the Government ... o.k. Iwi Authority distribute the money ... to the Maori people ... and Government Department distribute the money to ... everybody else ... other New Zealanders ... like the Social Welfare ... whatever ... but this the the positive thing about whats come about ... is that the maori people have got two places now to get money from ... the Iwi Authorities or the Government Dept ... pakehas' can't do that ... (long pause) clear as mud ... I've finished ...

Speaker: Teriaki Amoamo

So basically what you are doing here Mereaira is spacing out the old one introduction the new ... (muffled) ...

Speaker: Mereaira Hata

Yeah that's what it is ... yeah what they have to look at is is all the problems that are um Maori Affairs in the past I don't know I had just to read them ... you fellows will probably remember some hui going down ... but they had to pinpoint what the problems were ... um ... and then work out delete them ...

Speaker:

This is where they give the people the opportunity that's it ... in in your area (muffled) wants your need get an idea what's it all about ... what what you have on your area ...

Speaker: Mereaira Hata

See here it was mentioned to me before that even though the ...

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Speaker: Mereaira Hata

... Bill was bought out by the um it was a pakeha ture what we've got the opportunity to do is say this is why we can see our runanga helping us that you've got to voice it ... you've got to say what you want ... um how is it going to work for our people ... we've got pretty much the rules and um regulations ... um which has to come about in the charter but I won't talk about that ... that's covered by somebody else ... um ... but this time we can ... have a saying ... yeah ... yeah ... we can have a say ... (muffled) ... so maybe it's just a step in Spain ... for now ...

Speaker: Arahia Tuoro

The way I see it I like to see it abit ... for along time ... and the maori people are taking claims to pakeha people ... pakeha does them as for since the time they arrived here ... decided how they would feel (appeal) to us alright we had very little input ... (muffled) ... that's when they assumed that's the way they do it ... the way we want it ... the way will respond to them but we all know that that really (muffled) ... otherwise we feel defensive today ... otherwise we'd be (muffled) ... if we have we wouldn't be at the bottom of the heap for education ... we wouldn't be at the bottom for help ... we wouldn't be at the bottom for everything ... so ... obviously to to us that's helped us ... at the way things are at the moment ... don't stick up for people ... so maori people have been saying this for quite along time ... for a 150 years in fact ... and maybe here is an opportunity ... like I now play something with personal not ...

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Speaker: Arahia Tuoro

(muffled) ... I make the opportunity is really that we've had now in time ... sit and korero as a Iwi ... say o.k. ... here's what the Government is saying about you ... take the opportunity while things are changing ... let's work out what we want to do ... that's very important as well ... so now the Government will jump on the any van wagon that it makes _____ spend (expand) his money ... (muffled) ... that is why all this devolution is carrying on as well ... you know ... money _____ ... devolution _____ responsibility ... the other thing with Maori Affairs is that ... the problem before was every Government Dept ... if they received a letter or anything vaguely resenting maori they think Maoris Affairs ... they think Maori Affairs ... so you can ... Maori Affairs been swapped with things from other depts because they denied the responsibility oh Maori Affairs will set on that one that's a maori one over and over it went ... so it's (muffled) to um ... reading large animals that really couldn't cope ... expect it to be ... an expert in say housing ... expect to be expert in labour ... education ... all those sorts of things ... have a problem with that well that ... other Government Dept would have taken the responsibility ... (muffled) punch line ... now ... Government Dept have to take the responsibility so ... so a health dept now have to look at maori issues on how _____ Maori Affairs ... so it's same time as this devolution period Government Dept are told that they have to ... some away work out how they can respond to maori people ... so that that's how I feel in terms that um ...

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Speaker: Arahia Tuoro

... now I've got _____ ... you know and _____ that's
that's _____ we could do out of all this ... um
_____ very weary _____ Government saying kia ora ...

(Kia ora kia ora)

Speaker: Graham Reisterer

If there's no further questions ... we now get Claude to come up
... and speak to us on on the criteria of the Iwi Iwi Authorities
and Treaty of Waitangi

Speaker: Claude Edwards

(mumbles) ... (laughter) ... (talking) ... (more talking) ... yes
um ... I like you bear with me for awhile ... while I try and
give you a story on the Treaty not my story ... but actual facts
of the Treaty ... and um where it plays a role ... finally it
gets to play a role ... for maoridom ... signed in 1840 ... and
continually violated ... it's finally going to play a role for
us ... so um ... I just want to talk abit here which I'll read
from ... and the story that even I think that the children might
be interested in ... Treaty of Waitangi symbol of life together
as a nation ... and on the front page here we have four leaves
... _____ ... 150 years ago something happened ... the Treaty
of Waitangi was signed ... and that all it says ... cause on the
little thing we have ... Dame Te Aata-rangi-kaahu ... _____ says
and they were probably a _____ size with a group and true
intent and that was the beginning of a nation called New Zealand
... now we'll have a little bit of history about that Treaty ...
won't take too long ... I'm sure you would find it interest- ...

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... -ing (cough) ... on a beautiful day _____ blue sky _____ in 1840 ... over 400 maori together with a ... two dozen British settlers ... gathered together at Waitangi with our maoris they were there for a very pacific purpose ... to establish an agreement between the maori people and the British Crown ... they were there to witness and take part in a birth of an Iwi Crown colony ... under the protection of Queen Victoria ... a nation called New Zealand ... but why did they need an agreement in the first place ... _____ who understand why the Treaty of Waitangi exists ... and what makes it our founding document ... we must first understand the nature of the country it was signed in ... what was our country like in 1840 ... it was essentially a maori country ... the maori population was estimated to be a hundred and fifteen thousand ... scattered around the coast for european settlers ... only about two thousand ... _____ ... but there was also a large change (transist) in population of whalers and traders ... they were the population that came and went on the boats ... we as a country that was then increasingly affected by contact with the outside world ... not just by people coming into the country ... but alside also by maori going out the maori were great travellers ... many have reached England ... as a result some maori people spoke english ... and seen what was happening in the world ... also a very strong British Empire ... an a Britian that ruled waves ... and which had to _____ Neopoleon fast ... so the _____ is the major mari-time _____ of the period ... _____ feelings in New Zealand had by that stage established an understanding and relationship with each ...

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... other ... based on trade and mutual interests ... _____
relationship and the desire for more harmonist country set for
scene for Treaty ... the known inhabitant ... the known
habitation of New Zealand ... by jo's ... _____ in maori
... _____ just fall off ... unless my head small ... something
wrong ... but through out the years _____ through the arrivals
of the great canoes ... _____ Abel Tasman and Captain James Cook
New Zealand remained all much an Independent country ... Abel
Tasman or Captain Cook did not find us ... we were never aware
... that we were lost ... you our history told us that they found
us ... but we were never lost ... I _____ just here ... it was not
until 1840 New Zealand was established as a colony under the
British Crown ... such official British involvement came about
because it was requested ... now this is interesting ... by both
settlers and maori ... that's very significant ... the maori
asked for the Treaty ... because ... we ... me tu _____ nga pakeke
... if we think of the ways ... we controlled our our existence
... with our tapu and our various methods ... they were no good
at controlling in pakeha activities against us ... we couldn't
control them ... that's why ... it was requested to bring the
Queen and her rules ... not deal to us ... deal to the pakeha ...
in reality that's why they asked for it ... see our our tapu and
all that _____ they just _____ ... didn't work ... so ...
the two differ ... two two different races with very different
cultures ... moving side by side ... had little idea how relate
to each other there was no one set of formal laws ...
particularly for the Europeans ... and they settlement ...

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... increased rules and guide lines where needed ... maori lands were being sold in a disorganised way ... some people fearing that New Zealand might be taken over by _____ ... look and I'm talking about maori people ... look to Britian for protection ... in fact 1831 ... 13 maori chiefs ... chiefs afraid of a possible French invasion ... petitioned ... King William IV ... for protection ... so both maori and pakeha groups asked Britian provide some sort of protection and law and order ... response to quest request ... Britian upon James Busby a British resident in New Zealand ... arrived in 1833 ... would the aim of curtailing law breakers ... reassuring settlers and traders ... _____ of the maori people that peace be perserved ... Busby believed that Britain could enter into a more _____ relationship ... that would further his country interests in this part of the world ... in 1835 in the hope of discouraging _____ including a Frenchman plan ... to set up his own independent state in Hokianga ... Busby organised 34 northern chiefs into signing a declaration of Independence of New Zealand ... it's not that well known by we maori people ... that the happened before the Traety of Waitangi ... our our chiefs already accepted forms of protection ... against those other cultures ... that were beginning totally break down our own method of living ... however Busby had means of enforcing his authority ... and was replaced by William Hobson ... naval captain ... _____ pacifically negotiate with a maori ... for the sovereignty of this country ... now why have a Treaty at all ... in 1835 Britian had accepted the maori chiefs request ... to recognise their ...

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Speaker: Claude Edwards

... independence ... it was already acknowledge internationally that NZ was an independent country ... Britain _____ chiefs requests ... to extend crime protection to NZ ... _____ the British Columbian office was perceiving wide spread reports ... of NZ been troubled by maori _____ subjects ... disagreement between maori and pakeha ... and _____ lives and _____ all this was happening at a time more _____ immigrants than ever ... where planning to head for NZ ... as a result the British Govt decided it was imperative to cure maori acceptance and co-operation in establishing NZ ... as a British colony ... so Hobson was instructed to get the _____ and intelligent ... hear it is clearly ... concept of chiefs ... the Treaty and to deal with them open his instruction was explained why Britain had decided to make a colony of NZ ... not because of the 2000 settlers already ... there but to control the thousands of expectant immigrants and to protect the rights of the maori people ... On January 29 1840 Lieutenant Governor Hobson arrived in NZ ... a leading of chiefs was organised ... for a week later ... before then Hobson had decide on the works wording ... opportunity ... he had been instructed to make with the chiefs ... missionary and others offered advice ... and Busby helped ... draft the Treaty on the evening of _____ ... the missionary Henry Williams and his sons translated the English text ... into maori ... the following morning Wednesday 6 February over 400 maori attended a meeting in front of Busby house at Waitangi ... to hear the Treaty read in English by Hobson and in Maori by Williams ... _____ ...

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Speaker: Claude Edwards

... did they follow ... some chiefs made it plain they were not prepared to share power ... they criticized the way in which Busby and missionaries had obtained land ... they sort regulation ... of middle man ... coming between a direct chain of the maori _____ they were only prepared to accept the extension of British power in NZ ... on certain terms ... for an example ... equal ranks of chiefs with the Govt. ... the legal end ____ and the maori withdrew to the other side of the Waitangi river ... to debate through out the night ... they sought the advice of Henry Williams who told them that it would be probably be in their interest to sign the Treaty ... it was also a very important cause ... that Busby is certain to guaranteed maori position of their lands forest fisheries and other prized possessions ... Busby believed that without that promise ... the chiefs would not support the Treaty ... on Williams advice chiefs decided to sign the Treaty on the following day ... on February 6 1840 ... over 40 signatories ____ were obtained maori ____ of the Treaty ... most were from chiefs around the Bay of Islands ... over next seven months missionaries and official carried the Treaty around the country ... finally more than 500 chiefs signed the Treaty of Waitangi but a consonantly 50 ____ with the exception of only 39 Waikato chiefs all signed the maori version of the Treaty ... now I know that's not quite correct because I know Tuhoe resisted to sign the Treaty ... now I it's just interesting to know that ... that even then some of our ... rangatira didn't trust that Treaty ... now we won't be official english version ... her ...

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Speaker: Claude Edwards

majesty Victoria of the United Kingdom Great Britain and Ireland regarded with her royal favour the native chiefs and tribes of NZ are anxious to protected their just rights and property ... and to secure them the enjoyment of peace and good order and then if necessary ... inconsequence of a great number of her majesty subject ...we've already _____ NZ ... and a right of extension of immigration both from Europe and Australia which is still in focus ... constitute and agree of functioning properly authorized ... appoint a functionary ... probably authorized a _____ with aboriginies or maori ... word aboriginies means native _____ maori of NZ (muffled by someone coughing) ... of her majesty soledom authority over a whole or any part of those islands ... her majesty therefore been desirous ... to establish a separate form of civil government would _____ _____ bought the evil consequences which must result from the absence of the necessary laws ... and institution alone to the native population and her subjects have been graciously pleased to empower and authorize ... William Hobson a captain of her Majesty Royal Navy ... Console and Lieutenant Governor of such parts of NZ that maybe or here after _____ Her Majesty ... invite the confederated and independence chief of NZ to contraire in the following article and conditions ... well I'll read ... is this interesting or is it boring ... (ka pai ka pai ka pai) ... I'll read you the english version ... article ... the first article the chiefs of the confederation of the United parts of NZ and the separate and independent chiefs ... who have not become the members of the ...

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Speaker: Claude Edwards

Confederation ... seek to Her Majesty the Queen of England absolutely and without reservations ... all the rights and power of sovereignty ... which is said confederation or individual chiefs respectively exercise or persist ... or maybe suppose to exercise or persist over their respected territories as the sole sovereigns thereof ... second article now this is the article ... of great interest to us ... Her Majesty the Queen of England confirms and gaurantees to the Chiefs and Tribes of NZ and to the respective families and individuals thereof the full exclusive and undistriturbed possesion of their land ... estates Forests ... fisheries and other properties which they may collectively or individually possess ... so long as it is their wish and desire to retain the same in their possition but the chiefs of the United Tribes and the individual Chiefs yield to to Her Majesty the exclusive right of preemption over such lands as the proprietors thereof may be disposed to alienate ... (later to dispose to sell) ... at such prices as may be agreed upon between the respective proprietors another word maori and Her Majesty appointed ... agent ... the third article ... in consideration of this Her Majesty the Queen of England extends to the natives of NZ ... her royal protection ... and imparts to them all the rights of British subjects ... devolution is the enjoyment of those rights ... that's really what devolution is ... now I've I've ... you fella's want the maori version ... it's alright ... oh well I'll leave maori version now ... what was in it for the maori ... dispite concerns both maori and european settlers ...

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Speaker: Claude Edwards

... were in favour of some of the benefits ... they believed with result from the Treaty these included ... proper control of the trading growth ... control of how new image immigrants that settled a legal system common to both maori and settlers and control of land sales ... for the maori people ... the Treaty recognised ... that the exchange for settlement rights ... their actual rights tangata whenua ... will be expected and upheld ... when european settlers ... the treaty allowed them immigrant peacefully to NZ ... under the British crown ... now I ____ that there's enough of that ... now I'll read something else for you now ... start with of the signing of treaty of April 26 1840 ... the treaty was as never properly honoured ... the major intact of that dishonour ... has been the shifting of maori economic power ... or his control of his assets to the european and if we really want to know the real cause ... of why we sit as people ... ____ money from Govt Dept ... is it because ... our ____ has been quietly pushed away from us ... and if anybody knows about this ... should be Whakatohea ... so the fact is ... it has been continuing violated the shown patient downs the years in a remark to a remarkable degree ... and that's generation after generation ... relied on lawful means of protection ... and to protest about matters that means we dress ... the most of our history that had little that have had little success ... but recently the establishment of the Waitangi Tribunal and the ____ of jurisdiction ... had provided a forum for them to make their claims they've lodged many applications before everybody ...

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Speaker: Claude Edwards

... probability that many more yet to be filed now we get to the point where while the treat all of sudden after so long we've begun to recognised ... and this again is critical with everything that has happening today ... in 18 in 1987 ... the court of appeal was required to address the treaty now this is the first time ever that the treaty was addressed in law ... the case arose because the Government had passed a State Owned Enterprises Act another words the Act under which they can sell the Govt. state assets peoples assets we can look at it that way ... right ____ and we're beginning to sell ____ assets ... now the Dominion Maori Council filed an injunction on the sale of State Owned assets because some of those assets were on the claim in the confiscation issue ... and some were forests ... um ... injunction claimed that the Treat of Waitangi was been violated with the sale some State Owned Assets they acquired high court judges not ordinary judges high court judges all european each deliver separate judgement ... and there are two of them here which I'll read ... Judge T Cook said our responsibility is ... to state clearly the Act restricts the Crown in to acting in

accordance with principles of the Treaty ... now that is the first time that in fact ever it has been legally proven ... Judge T Cook said oh Judge Richardson touched on the same matter ... of the pre nature of the Treaty ... and he says ... there is one over ruling principle it is that ... considered in the context of the State Owned Enterprises the Treaty of Waitangi must be viewed as a solemn com____ between ...

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Speaker: Claude Edwards

... two identified parties ... the Crown and the Maori's in which the colonization of use NZ was to become cons_____ ... which part the Crown sort _____ legitimacy from the indigenous people for it's _____ acquisition of sovereignty and in return gave certain guarantees ... that bases for the compact requires ... each act reasonably and in good faith towards the other ... that was the unaminously decision made by the judges ... _____ question come fronting us how to spell out this concept of partnership between maori and pakeha ... so we get _____ recognition to maori New Zealanders _____ under the Treaty ... legal status of the Treaty is not clear results but it must now be assest in the light of recent legislation ... and I'll read some of it ... the Treaty of Act ... the Waitangi Day Act ... S.O.E Act ... Conservation and Enviroment Act ... now all those Acts has taken recognition of the Treaty ... the Waitangi Tribunal report ... reports have thrown a spot light on to some of the dark cases of our history by exposing ... the relevant acts it has exposed the underline causes ... of existing

THE END OF RT90:7 SIDE ONE

RT90:7 SIDE TWO

Waiata koroua sung by Te Kahautu and Mereaira Hata

E PA TO REO (SEE WAIATA FOLDER)

KA TU AU KA KORIKORI (SEE WAIATA FOLDER)

REST OF TAPE BLANK

THE END OF RT90:7 SIDE TWO