

Panel discussion: Te Tiriti o Waitangi and Te Ao Māori approaches

Kia tau mai Te aroha Nga manaakitanga o te Atua.

Tēnā koutou

Ko Maukatere tōku maunga.

Ko Rakahuri tōku awa.

Ko Takitimu tōku waka.

Ko Kāi Tahu tōku iwi.

Ko Ngāi Tūāhuriri tōku hapū.

Ko Maahunui rua tōku marae.

Nō Ōtautahi au.

Kei Waimakariri tōku kāinga i nāianei.

Ko Lindsey Te Ata o Tu MacDonald tōku ingoa.

Tēnā koutou folks,

First, aroha mai to the community from the mosques here. I hope my words do not continue your objectification. Instead, may my talk help your voices be heard, since I see, you are without a platform for your own voices at this hui. We at Tuahiwi have struggled too not to be subsumed by northerners who wish to speak for us. My thoughts and prayers with you...

To my whanaunga from Tuahiwi, tēnā koutou.

To the Prime Minister, tēnā koe. To the Ministers here today, tēnā koutou. And to all officials here who worked on the COVID-19 response (& from what I heard, it was all hands on deck), a heartfelt thank you.

With that, let me turn to the Treaty, Māori and Counterterrorism.

I have searched through my study of political theory and te Tiriti for a helpful message to this hui. Beyond all else, that message, to the Crown, to the Kāwana, is this: ask questions, and listen. I was even taught this as a young public servant; we have two ears and one mouth, use them in that proportion with the communities that you seek to protect, to work with, and from which you require help.

Listening is the vital lesson taught by the anglo-liberal political theory that crafts your duties as agents of the Crown. More fundamentally, listening is the message from Te Ao Māori that arose from this land on which you attempt to provide kāwanatanga. You have to listen much more. This is the start and end of building trust with communities.

The Kāwana is always acting, always talking and often - it feels like - yelling at the marginalised of society. Research tells us that listening is much harder for the state, for the government - around 95% of communication budgets go on talking at the public. So we need to stop and listen. We need to - the Kāwana needs to - listen to the communities before asking them for help.

A change in the Kāwana's actions that demonstrates it is listening will take, as all social change does, a million little acts.

So what I ask of you today is that you start taking those little acts; the act of listening, the act of deciding to listening first. You listen to learn, not rebut. You listen, and show empathy, to your fellow citizen.

That is what te Tiriti relationship demands - to re-imagine yourselves as sitting down to listen so you can learn how to help.

Around New Zealand today, the Kāwana consults, according to the laws' demands. You, as individuals, can instead listen with empathy. You can have the courage and vulnerability to listen without a plan, and if enough of you do that, eventually, Kāwana will listen, or as I call it, to empathetically engage.

This change in the heart requires the imaginative leap of letting go of your platonic vision, your idea that the right Kāwana policy, arising from evidence-based research, with outputs and outcomes that dot the 'i's' and cross the 't's, will make us safe. Safety will come to Aotearoa because you are listening first and acting second. This is not news: our whole state sector is based on the idea of devolution, on Hayek's critical insight that a centrally planned policy will be wrong. Why do we imagine a centrally planned policy in security will be any less flawed than a centrally planned economy?

A change of heart will enable you to listen with humility to people and their communities: not for what they can do to help with your agency's security strategy, but

for what you can do as an agent of the Kāwana to make their communities feel safe and protected by the Kāwana.

Because while you ask for help in creating security, I have to ask: why would communities like Māori and other communities marginalised by the state's security forces have confidence that you will help them? Māori signed the Treaty with the greatest geopolitical superpower at the time, expecting protection of their rangatiratanga. They received the opposite. Can you, as agents of the Crown, promise to do differently?

So all that listening needs to confront the history of the settler terror state - to accept our history. You can't work around it. The history of the dispossession of land and victimisation of Māori by the state is so gob-smacking awful that glossing it, ignoring it, is psychological violence in its own right.

The settler state acted to marginalise Māori throughout the nineteenth century, and then from early in the twentieth century, it locked in the structural marginalisation with legislation. The settler state apparatus was built on violence towards Māori. Initially, British appointees had held back the worst of settler sentiment, but by late 1859 it was unleashed in its ugliest face, as the settlers insisted the governor let loose the dogs of war. When Maori turned to peaceful protest in the face of such ultra-violence, the state turned to confiscation and rendition, gobbling up land and sending its male inhabitants down south to Ōtako and Waitaha. The settler state's monopoly of violence was used, and still is used, to privilege settler property rights, from Taranaki in 1860 to Bastion Point in 1978 and on to Ihumatou.

Even when we managed to get just a tiny recognition of customary title in the foreshore and seabed, The Kāwana rose from its privileged position at the top of the system and pushed our taniwhas back into the 'un-owned water', hurling 'haters and wreckers' at us as we watched our last remaining land be taken by Parliament. That is the type of violence that the settler state was established by and perpetuates today.

And so, in terms of the topic today, of terrorism, and specifically the evil that generated this hui, it is obvious that when we face the settler state's history, it is a history of white nationalism. White nationalism is built in every nook and cranny of the settler state, whether it is Parihaka, the Chinese Poll Tax, the Dawn Raids, the structural racism of the health system, or the everyday racism encountered by the Islamic community on the buses of local government's buses.

Given that history, the colonial structures of the state that it inhabits, and the societal culture that the colonial state supports and breeds, if the Kāwana is sincere about countering terrorism, then the kind of change I suggest needs to occur is massive.

We know what breeds terrorism is the conscious and deliberate misuse of the state, together with structural injustice (for instance of racism) that is in turn compounded by the rising inequality (particularly because inequality segregates the community). I am not sure the Treaty, as a piece of paper or even as a partly constitutional document, is up to that. The Treaty, like hundreds of other Treaties signed in the nineteenth century, creates commercial possibilities for settlers. English expansion was done via trade, and when settler and indigenous property rights clashed, as they inevitably did, British military force was used to protect the settler's property interests. That is not a platform

for listening to marginalised groups. It is not a platform for the restructuring of society (indeed, it reifies the traditional oppressive structures). Restructuring society, recognising each other as citizens (in the republican sense of political equals) and shaping the polity in that radical image of political equality, that is the work of relationships, of Manaaki - of sitting down, and listening, without judgement, and then supporting an individual or community's self-determination, wherever they come from and whatever they are.

Are you, as agents of the Kāwana, ready to do that listening, ready to support communities self-determination, and in this way lead the government, and eventually the Kāwana, in making us all feel more secure?