

# Iwi leaders feeling heat against co-governance

By Mike Butler

A comprehensive rant from a spokesman for the National Iwi Chairs Forum is a rare display of a privileged and powerful elite apparently feeling the heat of public criticism.

In a piece titled “Co-governance is good for us”, published in E-Tangata on August 27, 2023, Te Huia Bill Hamilton tries to counter Julian Batchelor’s Stop Co-Governance campaign. (1)

Hamilton, who declares that his ancestry is “Ngati Kahungunu, Ngati Raukawa, Nga Rauru, Scotland”, is described as “a Treaty of Waitangi and human rights specialist and a lead adviser for the National Iwi Chairs Forum, who has spent 25 years educating Pakeha and tauwiwi about Te Tiriti through his company Treaty Solutions”.

His LinkedIn page adds that he had been a branch manager for the Ministry of Maori Development, was a treaty settlements negotiator for Nga Rauru, was chair of the Maori Education Trust Board, and represented the Human Rights Commission.

Before I begin, it should go without saying that grouping any racial group under a racial title is itself racist. It therefore follows that the analysis below is racist, Hamilton’s analysis is racist, as is the government’s long-standing determination to categorise every individual in New Zealand according to race.

Hamilton capitalises on the reality that “New Zealanders have little knowledge of the Treaty of Waitangi” by using the Waitangi Tribunal’s redefined treaty as the basis of his treaty views and does so without informing his readers.

Those who have read the actual treaty, in Maori, as signed in 1840, know that the 512 chiefs agreed to cede sovereignty as stated in Article 1, understood that they owned what they owned and could sell land to an agent of the Queen if they so wished, according to Article 2, and that they and all Maori people of New Zealand, gained the rights as British subjects and were to be protected via Article 3.

Without disclosing that there are two hotly contested views on the Treaty of Waitangi says, this “treaty educator” asserts without evidence that “Maori never ceded our authority over our lands, territories and resources, but instead of respecting the offer to share, the Crown took everything through the process of colonisation”.

Hamilton tries to debunk “myths about co-governance”, by summarizing each myth in a subhead and providing a counter. I have used his myth subheads and written a counter to Hamilton’s assertions, as follows:

## **What is co-governance?**

Hamilton soft-sells co-governance as “sharing decision-making over assets, resources, or issues where the government and whanau have shared interests based on the Treaty of Waitangi”. He does not mention the *He Puapua* blueprint for a co-governed New Zealand, which was commissioned by the Ardern government, which envisages two governments,

one “by Maori for Maori”, the other, a fully bicultural version of what we already have, with both subject to a monitoring committee consisting of iwi elite. (2)

This plan is being imposed by stealth. The dual health systems, the Three Waters mechanism giving the tribal elite control over water, the open gate for Maori wards on local councils, the propagation of Maori language and culture in government, road signs, place names, and through the mainstream media show that the *He Puapua* plan serve as evidence of a radical constitutional change by stealth.

### **Why is co-governance good for us?**

“Co-governance is inclusive,” Hamilton wrote. No, it is exclusive, as is shown in the dual health authorities, with Maori on one side and everyone else on the other. “Co-governance saves the government money,” Hamilton asserts. No. Two health systems means duplication, extra staff, extra admin, extra costs.

### **‘Iwi and hapu are private tribal companies’**

The iwi elite targeted by Stop Co-governance refers to Hamilton’s National Iwi Chairs Forum. This is a political-economic alliance that has grown from groups of claimants who have received multi-million-dollar compensation payouts as well additional political rights through the treaty settlement process. This group is different from members of the Maori middle class who have prospered either by developing or working in businesses or in professions. National Iwi Chairs Forum is also different from the iwi and hapu members who lived in New Zealand in 1840.

### **‘Maori are privileged because of the Treaty’**

Hamilton appears oblivious to the reality that the claim that “Maori” are treaty partners in itself is an assertion of a privileged status. The fact that “Maori” could claim compensation for alleged poor treatment by governments back to 1840 while non-Maori cannot claim is another example of privilege. Any policy or funding that is earmarked as being “for Maori” is evidence of privilege because it excludes non-Maori citizens living in the same circumstances.

### **‘Maori decision-makers are appointed’**

Hamilton’s argument is undermined by the existence of the Canterbury Regional Council (Ngai Tahu Representation) Act 2022 which allows Ngai Tahu to appoint up to two members of the council, with full decision-making powers. The Hastings District Council is one of a number of local authorities that has tribal appointees voting on its main committees.

To be fair, Hamilton was talking about “Maori governance entities” that he says “are democratically elected”. However, voting for Maori entities is less robust than Hamilton suggests. Information on mandate votes for treaty settlements provided under the Official Information Act in 2015 showed that surprisingly few actually voted. For instance, Heretaunga Tamatea in Hastings had 97 percent in favour with just 101 valid votes, with no number provided for people on the register. But the Ngati Kahungunu ki Heretaunga

Tamatea population was listed at around 10,000 in the 2013 census. That is not a majority and hardly a mandate yet the settlement entity claims to speak for their people. (3)

### **‘Co-governance reduces the power of the “majority”’**

Decision-making in the Three Waters set-up which is now law undermines Hamilton’s contention that co-governance does not “reduce the power of most of the population”. The Water Services Entities Act 2022 confiscates local water services assets and puts them into four mega-entities with 50:50 co-governance that gives extraordinary powers to mana whenua through Te Mana o te Wai statements to control those entities. Note, the so-called “mana whenua” in an area is not made up of Maori that area. The “mana whenua” is a much smaller group of claimants that have benefited from treaty settlements in that area. How many other iwi groups have mandates as laughable as the Ngati Kahungunu ki Heretaunga Tamatea mandate?

### **‘The majority will be disadvantaged including ordinary Maori’**

Hamilton simply asserts that the majority will not be disadvantaged and says that is so because Professor Margaret Mutu says so. He does not say that Mutu is an iwi leader who on September 4, 2011, achieved the main story on the front page of the Sunday Star-Times under the headline “Curb White Immigrants – Academic.” (4) In case you didn’t spot it. Was that an outright anti-white statement?

Tuhoe destroying huts and blocking access to the Ureweras is one example of non-Maori trappers and hunters being disadvantaged by co-governance. (5) Tuhoe signed a \$170-million treaty settlement 2013. The settlement set up a co-governance board with equal numbers of four Crown and four Tuhoe appointees and chaired by one of the Tuhoe appointees. Board members were required to act in the interests of Te Urewera itself, as set out in legislation. (5) Former Treaty Negotiations Minister Chris Finlayson said that his settlement would not impede public access.

In 2016, Tuhoe demolished a visitor centre near Lake Waikaremoana, designed by the luminary Maori architect John Scott as a connection with the spirit of Urewera, as part of a “colonial purge”. ( 5) By November last year, 29 huts had been destroyed with a further 19 tagged for destruction. The issue came to light only after complaints by iwi members disadvantaged in their hunting by the lack of huts. (6)

The Water Services Entities Act 2022, mentioned above, disadvantages everyone big time. The Te Mana o te Wai statements in the Water Services Entities Act, also mentioned above, may only be made by mana whenua and everyone else in the water governance regime in the mana whenua’s area MUST give effect to those statements. For instance, if mana whenua says water meters must be installed and 50 percent of water charges must be paid to mana whenua, that is exactly what must happen.

### **‘We are not two groups. We are all New Zealanders’**

Hamilton appears unsure of what he is arguing. He says that the “treaty unites us all as one people” then complains that “colonisation has ensured that we are monocultural”, and then

says if we can get biculturalism right, we could truly become multicultural". He's all over the place. Did he re-read the gobbledegook that he wrote?

### **'Co-governance is apartheid'**

Apartheid was a system of institutionalised racial segregation that existed in South Africa and South West Africa (now Namibia) from 1948 to the early 1990s. A by-Maori-for-Maori health department, for instance, is segregation of services without the physical segregation of people. The great opponent of apartheid, the former President of South Africa, Nelson Mandela, if he was alive today, would recognise the Maori Health Authority as a form of apartheid.

### **'Maori ceded sovereignty to Queen Victoria'**

That Maori ceded sovereignty in 1840 is clearly the words of the first article of Te Tiriti which says "Ko nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu – te Kawanatanga katoa o o ratou wenua". Treaty twisting started with the Third Labour Government which imposed the Treaty of Waitangi Act 1975 which, in turn, set up the Waitangi Tribunal with the sole authority to say what the treaty meant.

Soon, a tribunal member retranslated the treaty and said that "kawanatanga" in Article 1, which translated "sovereignty" in the English draft meant "government", and "rangatiratanga" in Article 2, which translated "possession" mean "chiefly authority" and as if by magic there was a treaty in which chiefs agreed to a governor to protect Maori from unruly Brits living here while chiefs could carry on being chiefs. Since then, the term "rangatiratanga" has grown to mean Maori self-determination or Maori sovereignty. Treaty principles, first put into written form in 1987, included a principle of partnership. It wasn't long before those with "rangatiratanga" morphed themselves into treaty partners.

If your head is spinning at this stage, don't be alarmed. Ask anyone who has been through a treaty seminar what articles one and two of the treaty say and they most likely will need some prompting, just like Jacinda Ardern did when asked by a reporter around Waitangi Day in 2019. The whole issue has become so complicated and self-serving that beneficiaries of the process, like Hamilton's group, are never challenged.

### **'The English language will be lost as our "main" language if te reo is used'**

Hamilton says that "Te reo Māori was almost lost because of colonisation". The fact remains that with only 4 percent of the New Zealand population being able to hold a conversation in Maori about everyday things, the Maori language continues to be lost because it has little actual usefulness other than for getting a job in a government department. That is despite spending nearly \$140-million a year, every year, to promote the use of Maori language.

### **'There is a war led by tribal representatives to take over New Zealand'**

"The claims of war are destructive, divisive and wrong," Hamilton writes. War is generally understood as a state of armed conflict. We don't have that in New Zealand now, but we do have an ideological war and Hamilton has just fired off a series of shots on behalf of the

National Iwi Chairs Forum. As we head to an election when there is likely to be a change of government, the National Iwi Chairs Forum appears very concerned about future income and political power.

### **Who is a racist?**

Hamilton has no hesitation about branding those he disagrees with as racist. Under a subhead declaring that “the racists have got it wrong”, he lambastes David Seymour and the ACT Party. Seymour is a target because one of the three key issues ACT is campaigning on is co-governance. He is also campaigning on a referendum on the treaty, to give the public a chance to have a say of treaty policy, something that the public has never been allowed to have a say in.

Hamilton does not mention that there are real Maoris in the ACT party. Seymour descends in part from Ngapuhi and there are two other ACT MPs with Maori ancestry currently in Parliament. Maori politicians not on the “rangatiratanga” bandwagon is a bit inconvenient for someone like Hamilton who claims to represent “Maori” when Maori people are just as diverse in views as everyone else.

The racist smear is used when some event, book, meeting, or comment, hits a nerve. The smear is used to shut down debate and isolate the target from everyone who does not like to be called racist. It looks like Hamilton, as mouthpiece for the National Iwi Chairs Forum, is yelping because Julian Batchelor and Stop Co-Governance are bold enough to call out the lies and deception behind the racist grab for power and money and is building a movement.

The bully boys and girls sent to shout down Julian Batchelor at his co-governance meetings recently in Hastings were sent by the local iwi. The link between Hastings’ iwi boss Bayden Barber and the disruption was clearly and unapologetically documented by the Hawke’s Bay Today. The fact that shout-downs occurred all over the country certainly give the impression that it is a campaign co-ordinated by Hamilton’s group, the National Iwi Chairs Forum.

### **Sources**

1. Co-governance is good for us, Te Huia Bill Hamilton, E-Tangata, August 27, 2023. <https://e-tangata.co.nz/comment-and-analysis/co-governance-is-good-for-us/>
2. See <https://www.nzcp.com/he-puapua/>.
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4. Curb white immigrants: Academic. Stuff, September 4, 2011, <https://www.stuff.co.nz/auckland/5561230/Curb-white-immigrants-academic>
5. Tuhoë, co-governance, and colonial purge. [https://breakingviewsnz.blogspot.com/2016/09/mike-butler-tuhoe-co-governance\\_11.html](https://breakingviewsnz.blogspot.com/2016/09/mike-butler-tuhoe-co-governance_11.html)
6. Destruction of huts adds to historical trauma, New Zealand Herald, November 23, 2022. <https://www.nzherald.co.nz/nz/destruction-of-huts-adds-to-historical-trauma-for-te-urewera-tuhoe/LBYAR65V7RAYTJYMUVWJ12PDVQ/>

Mike Butler wrote *The Treaty: Basic Facts, Tribes Treaty Money Power, The First Colonist, 24 Years: The Trials of Allan Titford*, and *Innocent Nil Debit*. His research on treaty settlements may be viewed at <https://www.nzcpr.com/treaty-transparency-settlements-1989-to-2013-revised-and-updated/>