

Independent Iwi Constitutional Working Group

Aotearoa Matike Mai



Constitutional issues have always been on the Maori agenda. At a meeting of Iwi Leaders at Hopu Hopu in 2009, the matter was discussed further and a decision was made in 2010 to convene an Independent Working Group on the matter.

Its brief is:

1. To work on developing a model for a constitution for our country based on our tikanga and fundamental values, He Whakaputanga o te Rangatiratanga o Niu Tirenī and Te Tiriti o Waitangi and the work already carried out in this area. This includes the debates in the 1995/6 hui convened by Sir Hepi te Heuheu.
2. To give consideration to the United Nations Declaration of the Rights of Indigenous Peoples, the Bolivian constitution and the international context.
3. To ensure that whanau and Hapu are fully informed and participate fully in the development of the model.
4. To discuss the model with government once Maori are satisfied with it.

The Working Group is convened by Professor Margaret Mutu (Ngati Kahu) and its Chairperson is Moana Jackson (Ngati Kahungunu/Ngati Porou).

Members of the Working Group have been nominated by Iwi and also include members co-opted for their expertise or to represent particular interests such as the Urban Maori Authorities.

It works quite independently of the Constitutional Review proposed by the Crown and will attempt to initially promote widespread discussion among all Maori over the next twelve months followed by wider community sector discussion.

The baseline for its work is that if Te Tiriti is the “founding document” as so many say it is then we will need to consider what sort of constitution might be founded upon it. The issue then is not how the Treaty might fit into a constitution but how a constitution might be based upon the Treaty.

As a starting point, the Working Group has developed the following discussion points:

1. A constitution is simply the values, rules, and institutions through which people govern themselves.
2. Every culture develops its own constitution and then implements it through a concept and site of power that are also unique to it.
3. Prior to 1840 Maori people were no different and lived in a society where the kawa of each Iwi and Hapu was the constitution that encapsulated the values, rules and institutions through we governed ourselves.
4. Mana (and later rangatiratanga) were the generic terms we used to define the concept of power that gave effect to the constitution.
5. Rangatira entrusted with that concept of power made up the site of power through which the mana was meant to be exercised in a constitutionally appropriate way.
6. Te Tiriti o Waitangi reaffirmed mana which means that any constitution that is founded upon it has to be based upon the values and tikanga that mana expressed as well as recognising the place of kawanatanga.

- **More information**

Web page: <http://www.converge.org.nz/pma/iwi.htm>

Facebook page: <http://www.facebook.com/groups/255626237800835>

Email: catherinedavis@hotmail.co.nz