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TE RUNANGA O TE RARAWA
28 South Rd, P.O. Box 361, KAITAIA

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Minister of Education

By email: maryanne.mills@minedu.govt.nz
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**SUBMISSION: MINISTRY OF EDUCATION NEW ZEALAND CURRICULUM -
DRAFT FOR CONSULTATION 2006**

OUR ORGANISATION

1. Te Runanga O Te Rarawa (the Runanga) is the iwi authority for the region from North Hokianga through to Kaitaia, up to Hukatere and bound by Te Oneroa a Tohe (Ninety Mile Beach) to the West. We represent twenty-seven marae in sixteen communities, which in turn service approximately 12,000¹ descendants. Our neighbouring iwi are Ngapuhi to the south, Ngati Kahu to the east and Ngaitakoto, Te Aupouri and Ngati Kuri to the north. As the principal point of contact the Runanga makes these comments on behalf of the whanau, hapu and iwi of Te Rarawa: past, present, and those future generations to come.
2. Our contact details:

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¹ Based on the 2001 Census iwi population count. However, on our own iwi estimations our iwi population is nearer to 30,000.

INTRODUCTION

3. Our Rūnanga is concerned with the overall impression regarding the importance of the Treaty and Māori culture given by the "New Zealand Curriculum: Draft for consultation 2006" (the Draft).
4. In both obvious and subtle ways the Draft (and by association, the Ministry of Education and the Crown) devalues the significance of Te Tiriti o Waitangi/ the Treaty of Waitangi (the Treaty) as the founding document of this nation not only in constitutional terms but also in terms of our social, cultural and historical heritage. When questioned about the removal of the Treaty from the Curriculum, the Minister of Education Steve Maharey (despite the obvious evidence to the contrary) denied it had been removed, and said "*it will be embodied in a Maori version of the curriculum next year.*"² In this way the Crown is conveying its view that the Treaty is only of interest to Māori, further diminishing the Treaty's value in the eyes of the public. In so devaluing the Treaty the Draft becomes an insidious tool employed through our schools to shape and manipulate the hearts and minds of our children to their and their country's detriment. This is a breach of good faith by the Crown towards its Treaty partner, and will ultimately contribute to an exacerbation of racial tensions in Aotearoa.

TREATY CONSPICUOUS BY ITS ABSENCE

5. This diminution of the Treaty's value is revealed upon a simple comparison of the current and Draft Curriculum Frameworks. The principles of the current curriculum states:

*"The New Zealand Curriculum recognises the significance of the Treaty of Waitangi. The school curriculum will recognise and value the unique position of Maori in New Zealand society. All students will have the opportunity to acquire some knowledge of Maori language and culture. Students will also have the opportunity to learn through te reo and nga tikanga Maori. The school curriculum will acknowledge the importance to all New Zealanders of both Maori and Pakeha traditions, histories, and values."*³

² Hansard uncorrected transcript, Tuesday, 12 September 2006, Question by Dr Pita Sharples to Steve Maharey, Minister of Education, re Democracy—Participation.

³ http://www.tki.org.nz/r/governance/nzcf/principles_e.php .

6. On the other hand, the Draft principles omits any mention of the Treaty at all, a point which has not been lost on the New Zealand Educational Institute (with whom we agree):⁴

"The area of greatest difference between the curriculum framework and the curriculum draft documents relates to the statements about New Zealand's identity. New Zealand's genesis as a country in its present form relates to a country forged on an agreed relationship between two sovereign peoples. The nature of this relationship is spelled out in the Treaty of Waitangi. While there is debate about versions and interpretation of the Treaty, the essence of the Treaty, as the document in which the ongoing nature of that relationship is articulated, has been broadly acknowledged in New Zealand. It is also widely recognised as having an important place in the development of pathways forward for our country."

DAMAGE WHERE TREATY IS INCLUDED - SOCIAL SCIENCES ACHIEVEMENT OUTCOMES

7. The one place where the Treaty does get a mention in the Draft is the Social Sciences Achievement Outcomes document under Social Studies, Level five. This is an important part of the Draft as it covers "civics" issues, which the United Nations Educational, Scientific and Cultural Organization (UNESCO) considers must be included in "quality" education to ensure learning about "*human rights and democracy, peace, and universally shared values such as citizenship, tolerance, non-violence, and dialogue among cultures and civilisations*".⁵
8. However, all the Social Sciences section in the Draft mentions regarding the Treaty is:⁶

"the Treaty of Waitangi is responded to differently by people in different times and places".

9. This statement says nothing about the significance of the Treaty. It is in stark contrast to the current curriculum where learning about New Zealand society is to include "*an understanding of the Treaty of Waitangi*".
10. While the statement in the Draft may be factually correct, it avoids the very important point that there are also aspects about the Treaty which are enduring, unchanging, applicable and relevant to all citizens and to this

⁴ NZEI Special Circular 2006/27, p14
http://www.nzei.org.nz/archive/special_circulars/documents/2006SpecialCircular27.doc.

⁵ Hansard uncorrected transcript, Tuesday, 12 September 2006, Question by Metiria Turei to Steve Maharey, Minister of Education, re Democracy—Participation.
http://www.hansard.parliament.govt.nz/Documents/20060912.htm#_Toc145844531.

⁶ <http://www.tki.org.nz/r/nzcurriculum/pdfs/table-social-sciences.pdf>.

country regardless of who may hold a personal opinion, time or place. For example: Māori do have particular Treaty rights; the Crown does have particular Treaty obligations; and the Treaty does secure a rightful place for 'all British subjects' in Aotearoa. Since Don Brash's Orewa speech however an increasing number of 'different people' in "different times and places" have held the view that the Treaty implies special or preferential treatment of Māori and/ or prejudice for non-Māori. The Crown has a responsibility to encourage educators to teach, and provide opportunity for our children to learn about, the constitutional, historical, cultural and social importance and relevance of the Treaty in the modern day context. This learning should including information about the legitimate place of Māori as the First Nations peoples of this country, taught in such a way as to be non-threatening and to encourage acceptance of this fact by all. It seems that the inclusion of the Treaty in the Social Sciences Achievement Outcomes document in the Draft is not simply a 'missed opportunity' by the Crown to properly educate all children on this matter, but that the Crown is going out of its way to avoid its responsibility in this regard.

MĀORI CULTURE

11. The Principles⁷ section in the Draft states: "*Students who identify as Maori have the opportunity to experience a curriculum that reflects and values te ao Maori.*" While on the face of it this statements appears positive, our Rūnanga makes the following disturbing observations:
- a. Why is it that the Draft implies only Māori students should have the opportunity to experience a curriculum that "*reflects and values te ao Maori*"? Has it not occurred to the Ministry that it is in the interests of harmonious race relations that all students have this opportunity?
 - b. The Treaty is also conspicuous by its absence in the key area of the Language and Languages section⁸ (where te reo was previously referred to as a taonga under the terms of the Treaty).
 - c. While the Learning Languages section in the Draft states: "*Te reo Maori is unique to new Zealand and is a source of our nation's self-knowledge and identity*", the significance of te reo is negated by establishing English as a new learning area thereby consigning te reo to the status of just some other language. This sends mixed messages about what the value of te reo (in the eyes of the Ministry of Education) actually is.
 - d. Simultaneously, the "unique value of Māori arts" and "non-racism" has also been deleted from the Draft.

⁷ The New Zealand Curriculum: Draft for consultation 2006, p9,
<http://www.tki.org.nz/r/nzcurriculum/pdfs/curriculum-framework-draft.pdf>

⁸ The New Zealand Curriculum: Draft for consultation 2006, p18,
<http://www.tki.org.nz/r/nzcurriculum/pdfs/curriculum-framework-draft.pdf>

12. The culmination of these changes in the Draft in terms of respect and value for Māori culture is the same as for the Treaty: the Draft marginalises the place of Maori perspectives and values implying that they only hold importance for Maori, and that is rightfully how it should remain. However, given its significance to the country, the Treaty and Māori culture and values are clearly not things of importance only to Maori. Te reo Maori is not only an officially recognised, but is indeed the first, language of this country. All students must have access to a curriculum that reflects and values te ao Maori. It is also difficult to understand how the Crown could consider that reducing mention of the Treaty and Māori perspectives would enhance our children's awareness and understanding of the Treaty, our shared history and Māori culture. In fact, when questioned in the House on how students could "*respect and understand Te Tiriti o Waitangi as a basis of our modern democracy if it is not discussed as a key feature of the school curriculum?*", the Minister of Education himself admitted: "*They cannot.*"⁹
13. The Crown must recognise the official status of te reo and the importance of the Treaty by providing meaningful signals in the Draft, rather than making a feeble attempt at dodging its good governance responsibilities to Māori and all citizens.

INTERNATIONAL CONSIDERATIONS

14. In addition to the view of UNESCO mentioned above, the Draft ignores specific UN recommendations to the Crown, for example that:
 - a. "The Māori cultural revival involving language, customs, knowledge systems, philosophy, values and arts should continue to be recognised and respected as part of the bicultural heritage of all New Zealanders through the appropriate cultural and educational channels" ;¹⁰ and
 - b. "Recalling the State party's obligations under article 2(1)(d) and article 4 of the Convention on the Elimination of Racial Discrimination, it hopes that all actors in New Zealand will refrain from exploiting racial tensions for their own political advantage."¹¹
15. In producing this Draft, the Crown is demonstrating bad faith to its Treaty Partner, doing a huge disservice to the general public, and has damaged not only its relationship with Māori but also New Zealand's human rights reputation among the global community (hot on the heels of, and consistent with, its opposition to the United Nations Draft Declaration on the Rights of Indigenous Peoples).

⁹ Hansard uncorrected transcript, Tuesday, 12 September 2006, Question by Metiria Turei to Steve Maharey, Minister of Education, re Democracy—Participation.

http://www.hansard.parliament.govt.nz/Documents/20060912.htm#_Toc145844531 .

¹⁰ Special Rapporteur report, n 1 above, para 100, p 21.

¹¹ CERD decision 1(66): n 23 above, para 3.

FINAL THOUGHTS

16. We note the comment by the Minister of Education that “schools these days with this style of curriculum have the ability to make use of those areas of learning through a whole range of curriculum areas”. We take this to mean that the Draft, while not prescriptive is permissive and gives flexibility to schools to respond practically to the concerns we have raised in this submission. However, our Rūnanga does not share the Minister’s confidence. Rather we agree with the comments of Dr Pita Sharples, that “Our experience tells us that unless a commitment to the Treaty is explicitly written into policy, regulation or legislation, commitments are not followed through”.¹² We too believe that the right mix of ‘sticks and carrots’ is required, and therefore also support the Human Rights Commission’s Review of the Draft, in particular its “Summary of Key Points” and agrees that the Treaty must be incorporated throughout. As an absolute minimum, the statement from the existing Curriculum Framework must be included in the Draft.

Oral Submissions

17. We would like the opportunity to be heard in support of this submission, at a location as close as possible to the Far North.

Heoi anō,

Catherine Davis
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¹² Media release, Dr Pita Sharples, Co-leader, Maori Party, “When will they get it? Treaty Slashed from Machinery of Government (Again)”, Wednesday 22 November 2006.