Lessons of the Treaty of Waitangi in New Zealand for the Australian working class

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The Australian Labor government will hold a referendum later this year on amending the constitution to create a new Aboriginal and Torres Strait Islander Voice, a body that will make recommendations to the federal parliament. The government and its allies are campaigning for a "Yes" vote, presenting the Voice as a major step towards redressing the crimes perpetrated against Indigenous peoples since colonisation and lifting them out of poverty.

As the WSWS has explained, this campaign is utterly fraudulent. The Voice is being advanced amid an historic assault on the working class, including Indigenous people who are its most oppressed layer. Faced with the deepest crisis of capitalism in decades, the Australian ruling class is slashing jobs, wages and public services, while the government is simultaneously funnelling hundreds of billions of dollars into the military in preparation for world war.

As this onslaught deepens, the Voice will represent the interests, not of the Indigenous working class and rural poor, but of a small handful of Indigenous business and tribal leaders.

Some members of this elite layer oppose the Voice on the basis that the government can easily choose to ignore its advice. Independent MP Lidia Thorpe, who split from the Green Party over its support for the Voice, has called instead for "a treaty [that] will negotiate real power through shared sovereignty."

Anyone who believes that either the Voice or a treaty will alleviate the extreme conditions of poverty facing Indigenous people should consider the experience of New Zealand. The Albanese government, as well as Thorpe, have praised the New Zealand state's relationship with indigenous M?ori, which is based on the Treaty of Waitangi, signed in 1840 to establish New Zealand as a colony of the British empire.

During a recent visit to Wellington, Australia's deputy prime minister Richard Marles declared that "the relationship that New Zealand has with its First Nations people, with the M?ori people, stands as an example, not just for us, but I actually think for the whole world."

Last October, New Zealand's minister for Treaty of Waitangi negotiations, Andrew Little, met with state and federal politicians in Australia to "discuss how New Zealand's treaty settlement process works, how we have carried it out, and what policies and approaches have been beneficial to the M?ori-Crown relationship."

Such statements must be taken as a warning of the pro-capitalist agenda behind the Voice, as well as various treaties being negotiated between Indigenous groups and the Australian state governments.

Over the past three decades, successive Labour and National Party governments in New Zealand have distributed hundreds of millions of dollars in public funds, as well as land and resources, to M?ori tribal corporations. This has fostered a wealthy layer of M?ori entrepreneurs, politicians, lawyers, academics and bureaucrats who have been integrated into the capitalist establishment.

None of this has benefited ordinary M?ori, who make up about 15 percent of the population, and remain one of the most impoverished sections of the New Zealand working class.

The mechanism for these ongoing transfers of wealth is the Waitangi Tribunal, established in 1975 to examine breaches of the Treaty of Waitangi and make recommendations for redress.

The Treaty was signed by about 540 M?ori chiefs in 1840, representing most but not all of the tribes, known as iwi. The English version stated that the chiefs ceded their "sovereignty" to the British Crown (the M?ori translation used the word *kawanatanga*, meaning governance, instead of sovereignty). In return, the tribes would retain "the full exclusive and undisturbed possession" of their land, forests, fisheries and other possessions, and M?ori would have the same rights as British subjects. The treaty also gave the Crown the exclusive right to buy land that M?ori wished to sell.

The media, academics and politicians routinely glorify the Treaty of Waitangi as a national founding document that established the basis for peaceful and harmonious relations between M?ori and European settlers (*P?keh?*).

In reality, it was the prelude to decades of war, lasting from about 1845 to 1872. Like hundreds of treaties signed with indigenous tribes in Canada and the United States, the Treaty of Waitangi was used by the British to deceive and divide the M?ori tribes, and to buy time to prepare to take the land by force.

The establishment of capitalist relations in New Zealand was an extremely brutal process. Some tribes had significant armed forces of their own, and put up heroic resistance, but were eventually outnumbered by the British forces and M?ori groups allied with the Crown.

According to one estimate, those killed in the fighting included 2,000 "hostile" M?ori, 560 British-led troops plus 250 "friendly" M?ori. More than 3,000 others were wounded on both sides. Entire communities were destroyed, with people left destitute and driven from their homes, and there was an additional burden of diseases brought from Europe. [1] The M?ori population fell precipitously from about 59,000 in 1858 to a low point of 44,177 in 1891 before beginning to recover.

The primitive communism of pre-colonial M?ori society, in which land and resources were not privately owned, could not coexist alongside the more productive capitalist property forms. In areas such as the South Island, where there was little or no fighting, land was purchased by the government at extremely low prices, or seized on one or another pretext. [2] In 1860, about 80 percent of the country was considered M?ori land; by 1910, this had shrunk to 3.1 million hectares, 11 percent of the total.

Efforts by M?ori tribes to stop the loss of land by appealing to the articles of the Treaty were fruitless. In one case that made it to trial in 1877, Chief Justice Sir James Prendergast ruled that the Treaty was "worthless" and a "simple nullity" because it had been signed "between a civilised nation and a group of savages."

This remained, essentially, the position of the state throughout most of the 20th century, even as the treaty was glorified by the government. A school textbook in the 1920s and 1930s proclaimed it "the fairest treaty

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ever made by Europeans with a native race."

The oppression of the M?ori people was not alleviated one iota by having four designated M?ori seats in parliament since 1867—something Thorpe and other proponents of Indigenous "sovereignty" have advocated in Australia.

The occupants of the M?ori seats (which are now seven) have always been right-wing and pro-imperialist. Apirana Ngata, the best-known M?ori politician of the early twentieth century, played a key role in encouraging thousands of young M?ori to enlist to fight in the First and Second World Wars. M?ori suffered disproportionately high casualties: in WWII, out of more than 3600 who served in the M?ori Battalion, 649 were killed and 1,712 wounded.

Following the land wars, M?ori continued to endure systemic discrimination and racism, low wages and extremely poor healthcare and living conditions that contributed to shorter lifespans. During the 1918 influenza pandemic, for instance, the overall death rate for M?ori "was nearly 50 per thousand people, more than eight times that of Europeans." [3] The welfare state reforms implemented by the first Labour government following the riots and strikes of the Great Depression largely excluded M?ori. By 1949, out of 30,000 state houses, only 100 were allocated to M?ori. [4]

WWII marked the start of a mass migration of M?ori to the cities: by the mid-1960s, about 60 percent of M?ori lived in urban areas, compared with just 10 percent before the war. M?ori became integrated into the working class: already in 1960, for example, 42 percent of all M?ori marriages were to Europeans. [4]

With the collapse of the post-war economic boom, New Zealand went into recession in 1967?68, inflation surged during the 1970s and living standards came under attack. Real income per capita fell by over 11 percent from 1973–77, and unemployment more than quadrupled from 7,000 people in 1967 to nearly 25,000 by 1979.

These conditions spurred a resurgence of strikes: working days lost through strikes rose from 99,095 in 1966 to 488,441 in 1976. M?ori, who were over-represented in manufacturing, transport and labouring jobs, played a significant role.

For the first time, the ruling class faced the threat of a unified movement of M?ori, *P?keh?* (white people) and Pacific Island migrant workers. Splitting up and derailing this movement became an urgent question.

One response by the state was to launch a racist campaign to scapegoat Pacific migrants for the lack of jobs and the social crisis. From 1974–76 police carried out a wave of brutal early morning raids targeting the homes of alleged "overstayers."

Meanwhile, the 1972–75 Labour Party government and the union bureaucracy supported a push by the M?ori tribal leadership to elevate the status of the Treaty of Waitangi and present it as the means for resolving the dire situation facing M?ori. February 6, which marked the signing of the Treaty, was made a public holiday in 1974.

In 1975, Whina Cooper, a prominent tribal figure, small business owner, and leader of the M?ori Women's Welfare League, led a highly-publicised protest march from top of the North Island to parliament, demanding action to restore land unjustly taken by the state. The march was backed by the unions, the Stalinist Socialist Unity Party and numerous M?ori activist and community organisations.

Prime Minister Bill Rowling told the protesters that their march had not been in vain. At the end of 1975 the Labour government created the Waitangi Tribunal, a permanent commission of inquiry tasked with investigating any new alleged breaches of the Treaty.

The tribunal remained largely inactive until 1985, when the Labour government led by David Lange vastly increased its resources and jurisdiction, giving it the authority to investigate claims going back to 1840. While the tribunal could only make recommendations to the government, its decisions laid the basis for tribes to take further legal action in the courts, if necessary, to secure redress and compensation.

The Lange government carried out in New Zealand the same right-wing program as Margaret Thatcher's government in Britain, the Reagan administration in the United States, and the Hawke-Keating Labor government in Australia. Labour ditched its previous social reformist program; it slashed taxes for the rich, cut spending on social programs and reorganised the economy to give free rein to the capitalist market.

State-owned assets, including forestry, mining, telecommunications, and railways, were transformed into for-profit corporations and prepared for privatisation, with tens of thousands of redundancies. In response to the globalisation of production, the Labour government stripped away subsidies and national protections, leading to more job losses in agriculture, meat processing, auto manufacturing and other industries.

The trade unions collaborated in forcing through these cuts and prevented any unified movement against the Labour government. Union leaders declared that workers had no alternative but to accept the restructuring as inevitable for the sake of the economy, i.e., the profits of New Zealand businesses.

The social impact was devastating. Between 1984 and 1989, 68,700 manufacturing jobs disappeared, roughly one in five. M?ori were hit particularly hard: by 1990, M?ori unemployment was 18.1 percent, compared with 7.1 percent for the population as a whole. [6]

It is no accident that the Treaty of Waitangi was brought to the centre of political life during the most sweeping assault on the working class and upward redistribution of wealth in the post-war period.

The aims were twofold: firstly, racial identity politics was used to disguise the reactionary character of the Labour government. In a 1990 speech on Waitangi Day, then Prime Minister Geoffrey Palmer stated: "I want this generation of New Zealanders to be able to say that it put in the hard work, it saw what was needed to be done to address injustice and inequality, it sought settlements acceptable to all and it helped produce a land fit for our grandchildren to inherit."

A government TV advertisement produced for the 150th anniversary of the treaty signing declared it was time "for the Treaty of Waitangi to once again be a symbol of unity, trust, understanding and good will amongst all the many peoples of Aotearoa (NZ)."

Such nationalist propaganda was repeated ad nauseum at a time when the division between rich and poor was becoming wider than ever, with M?ori workers among those most severely impacted.

Secondly, the Labour government began negotiations to compensate the tribes for treaty breaches in order to create a wealthy layer of M?ori business leaders and an affluent middle class, that would assist in the suppression of the working class. New M?ori leadership positions were created in government departments, businesses and the judicial system.

While hundreds of thousands of workers abandoned the trade unions, as a result of their collaboration with mass layoffs in the 1980s and 1990s, these pro-capitalist organisations found the resources to create new, well-paid positions specifically for M?ori officials. The Council of Trade Unions joined in the promotion of the treaty, with its Stalinist leader Ken Douglas stating in 1995 that "the process of its recognition can only be good for New Zealand." [7]

The treaty settlements proceeded with bipartisan support from the conservative National Party. The 1990–1999 National government distributed more than $346 million to tribal corporations, even as it slashed welfare payments and attacked workers' conditions.

This reflected broad support from New Zealand's business elite for the promotion of M?ori capitalism—just as the major banks and businesses in Australia have declared their support for the Indigenous Voice to Parliament.

Hugh Fletcher, chair of New Zealand's biggest company Fletcher Challenge, which had interests in forestry, construction and energy, told an interviewer in 1995: "I think there is recognition all around the world

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that the indigenous people are going to get bigger settlements of their claims." He advocated handing over state-owned forestry land and other assets to the tribes, including "royalty rights over use of water" from rivers. [8]

The aspirations of the tribal leadership were spelled out by Robert Mahuta, chief negotiator for the Waikato-Tainui tribe, which received a settlement in 1995 worth $170 million. Mahuta, the father of the current Labour government's foreign minister Nanaia Mahuta, said at the time that the tribal corporation's goals were "no different from others in the business environment. The only difference is that we are M?ori."

He continued: "The main thing about a capitalist system is that you have to have capital to produce the profit in order to be able to utilise it… We lack influence in this society. Politicians respond, not to voters but to capital. Poor people don't have any influence—as opposed to [multi-millionaire business leaders] Doug Myers, Ron Brierley and the rest of them." [9]

In recent years, Waikato-Tainui has received a further $220 million from the state and secured co-governance over the Waikato River, which supplies much of Auckland's water. The tribe now has $1.97 billion in assets, mostly property, and significant political influence.

Since 1995, a total of $2.6 billion has been paid out in 86 settlements. The total assets controlled by the 10 wealthiest tribes was recently estimated at $8.1 billion. Last year, M?ori-owned businesses across the NZ economy were estimated to be worth a total of $70 billion, up from $16 billion 20 years ago, having benefited from ultra-low taxes, pro-corporate deregulation and government handouts.

In addition to the individual tribal settlements, a major pan-tribal agreement was reached in 1992 under which the government allocated $170 million for the tribes to purchase 50 percent of the major fishing company Sealord, in partnership with the finance company Brierley Investments. As a result, the tribes now control 40 percent of New Zealand's commercial fisheries.

The Labour government, the unions and middle class activists falsely claimed that these settlements would benefit all M?ori. In fact, class divisions within the M?ori population have never been more pronounced.

After more than 30 years of settlements, most M?ori still live in poverty. In 2018, median income for M?ori was $24,300, about 29 percent below the full-time minimum wage at the time (Europeans had a median income close to the minimum wage). M?ori and Pacific islanders have lower life expectancy than Europeans, as well as higher rates of incarceration, lower educational attainment and more severe illnesses such as diabetes and respiratory problems.

Meanwhile, in 2018, the richest 3.5 percent of the M?ori population had an annual income of more than $100,000 and the top 1.1 percent made more than $150,000. The wealth gap between rich and poor M?ori was more than twice as wide as for Europeans, according to inequality researcher Max Rashbrooke.

The major tribal corporations created by the treaty settlements are as ruthless and exploitative as any big business. The fishing industry is a striking example. In 2011, investigative journalists and researchers exposed widespread underpayment and physical and sexual abuse of Asian and East European workers on foreign charter vessels (FCVs) fishing in New Zealand waters, including on behalf of M?ori-owned companies.

Sonny Tau, chair of the commercial arm of the northern Ngapuhi tribe, told journalist Michael Field that without the FCVs, New Zealand's fishing industry would lose $300 million. As Field observed, "the iwi had taken no notice of the abuses at sea until others had made it an issue. They had gambled that the world would not notice the terrible treatment and conditions endured by men fishing for their quota." [10]

The M?ori Party, which then held five of the M?ori seats in parliament and was a coalition partner in the National-led government, defended the use of the FCVs. Its leader, M?ori Affairs Minister Pita Sharples, said it "would not be appropriate for the government to interfere in iwi [tribal] decision-making."

The M?ori Party, which represents the tribal elite, was deeply discredited for collaborating with National's brutal austerity measures in the wake of the 2008 global financial crisis, including a decision in 2010 to increase consumption tax. The 2008–2017 National government passed 46 treaty settlements into law, worth $1.23 billion.

Over the last five years, the Labour government has overseen 13 new treaty settlements, worth $690 million, plus top-up payments of $104.2 million for Waikato-Tainui and $99.1 million for Ngai Tahu. The latter is New Zealand's wealthiest tribe, with $2.28 billion in assets. At the start of the COVID-19 pandemic in 2020, Ngai Tahu joined the wave of redundancies, slashing more than 300 jobs from its tourism companies.

Most of these latest payouts were made in the past two years, despite the historic economic crisis triggered by the pandemic, which has had a devastating impact on the working class, including most M?ori. The government has provided tens of billions of dollars in bailouts and subsidies to big business, while claiming it has no money to offer decent pay rises to healthcare workers, teachers and others, or to resolve the catastrophic working conditions in hospitals and schools.

Historic real wage cuts are being inflicted on workers, enforced by the unions. Inflation has soared by 6.7 percent and the cost of food by 12.1 percent in the past year, while wages in the private sector rose by just 4.3 percent. According to Kiwibank, someone making the average income of $71,000 in 2021 is now nearly $5,000 worse off in real terms than at the beginning of 2021, when living costs began to rise sharply.

Meanwhile, in addition to the treaty settlements, the Labour Party government recently legislated to give the tribes an equal say in the management of the country's water infrastructure. Labour is seeking to entrench so-called M?ori "co-governance" across numerous other areas, through the devolution of public services and government contracts to tribal businesses, including social welfare services and a new M?ori Health Authority that will deliver services "by M?ori, for M?ori."

The M?ori Party is pushing for more. It wants tribal "ownership" of the country's water to be recognised and for tribes to be compensated accordingly. Its "mana motuhake" (self-government) policy platform calls for a M?ori parliament that would establish a parallel system of government based on race.

There are already 25 M?ori MPs in parliament, which is more than one in five seats, including the seven special M?ori seats. The Labour government has appointed M?ori ministers to key portfolios including the police, defence and foreign affairs, which reflects the prominent role played by the M?ori elite in the promotion of New Zealand's interests as a minor imperialist power.

Waitangi Day has taken on an increasingly militarist character, with the navy playing a central part in commemorations at the Waitangi Treaty Grounds alongside tribal leaders and politicians. In 2020 the Labour government opened a new museum at the site dedicated to glorifying M?ori who fought in World War II.

As the government moves to integrate New Zealand into US imperialist war preparations, aimed against China, the recruitment of young and impoverished M?ori is seen as essential to build up the armed forces.

At the same time, the elevation of the Treaty of Waitangi has played directly into the hands of the extreme right, which is stoking racial animosity by falsely portraying all M?ori as "privileged" due to payouts and other policies that in fact benefit only a tiny fraction at the top. The far-right ACT Party is campaigning against co-governance while posturing as supporters of equal rights for all. ACT stands for ultra-low corporate taxes and the privatisation of public services, along with increased spending on the military and police.

Similarly, Australia's opposition parties are campaigning for a No vote

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in the Indigenous Voice referendum on the basis of racialist claims that it will give Aboriginal people “special rights.” Liberal Party leader Peter Dutton is seeking to smear Indigenous people with lurid claims of widespread child abuse and other criminality, demanding a “law and order” crackdown.

The infighting within the political establishment over the Treaty of Waitangi and the Voice reflects divisions over the distribution of wealth and power among the richest layers of society. At the same time, the toxic “debate,” with each side accusing the other of racism, is intended to divide the working class and prevent a unified movement against austerity and war.

The attacks from the right do not change the fact that attempts by pseudo-left organisations to dress up the Treaty of Waitangi, and similar proposed policies in Australia, as “progressive” are a complete fraud.

In New Zealand, the pseudo-lefts, representing sections of the upper middle class in and around the trade unions, flocked to join the M?ori nationalist Mana Party—a splinter from the M?ori Party—and campaigned for it in the 2011 and 2014 elections. These groups, the International Socialist Organisation, Socialist Aotearoa and Fightback, along with leaders of the Unite union, hailed Mana as “left wing” and “anti-capitalist.”

Mana had no principled differences with the M?ori Party; it called for larger treaty settlements, and discrimination against immigrants. The party lost its only seat in parliament in the 2014 election after it formed an alliance with the pro-business Internet Party led by multi-millionaire libertarian Kim Dotcom.

In the lead-up to the 2017 election, Mana leader Hone Harawira attempted a comeback with a campaign based on anti-Asian racism, including a demand for the death penalty to be restored specifically for “Chinese drug dealers.” The party collapsed, with Harawira supporting the M?ori Party in the 2020 election.

The record of the M?ori “sovereignty” movement in New Zealand over the last three decades contains important lessons for working people in Australia and internationally. Such race-based identity politics, including demands for “reparations” for the crimes of colonisation, serves to divide the working class along racial lines and to enrich a narrow, privileged layer dedicated to upholding the capitalist system that exploits the entire working class.

The oppression of M?ori and Indigenous workers will be ended, not by creating new capitalist enterprises, but by uniting working people of every ethnicity and nationality in an international struggle to overthrow capitalism and reorganise society along socialist lines. This will end the division of the world into competing capitalist nation states, which is the source of militarism and war, and place society’s wealth in the hands of the working class, so it can be used to put an end to poverty and social inequality.

Notes:

[1] Vincent O’Malley, *The New Zealand Wars*, 2019, pages 235-236

[2] Claudia Orange, in *The Story of a Treaty* (2023) writes that tribal leaders “were often persuaded to accept ridiculously low purchase prices by government promises of schools, hospitals and generous land reserves,” which were not kept (page 66)

[3] https://nzhistory.govt.nz/culture/1918-influenza-pandemic/death-rates

[4] Jenny Carlyon and Diana Morrow, *Changing Times: New Zealand since 1945*, 2013, page 36

[5] ibid, page 258

[6] ibid, page 296

[7] *M?ori Sovereignty: The Pakeha Perspective*, 1995, page 67

[8] ibid, page 21

[9] *M?ori Sovereignty: The M?ori Perspective*, 1995, pages 147, 149, 151

[10] Michael Field, *The Catch: How fishing companies reinvented slavery and plunder the oceans*, 2014, page 202

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