

New Zealand government's racially divisive Treaty Principles Bill passes first reading

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19 November 2024

New Zealand's National Party-led coalition government, which includes the far-right ACT Party and New Zealand First, is continuing its efforts to inflame racial divisions through an ongoing public "debate" over the interpretation of the Treaty of Waitangi.

The Principles of the Treaty of Waitangi Bill, or Treaty Principles Bill, introduced by the ACT Party, passed its first reading in parliament on November 14 amid nationwide protests denouncing the proposed law as racist. For the next six months the bill will undergo further discussion in a parliamentary select committee.

The government's main aim is to divert public attention from its devastating austerity measures, soaring living costs and rising unemployment, and to divide the working class. ACT's proposed legislation scapegoats indigenous Māori by falsely painting them as having received a privileged or special status because of how the treaty has been interpreted by successive governments.

The debate received international media attention after MP Hana-Rōwhiti Maipi-Clarke, from the Māori nationalist Te Pahi Māori, tore up the bill and led several opposition MPs in a haka—a war dance and chant—directed against ACT. Her performance, delivered in defence of the treaty, served to obscure the class issues involved in ACT's proposal.

The treaty was drawn up in 1840 by representatives of the British Empire and signed by hundreds of indigenous Māori chiefs. It made false promises that, in return for allowing the Crown to govern, Māori would have the same rights as British citizens and the tribes could keep all their lands, fisheries and other possessions. The treaty was soon brushed aside by Britain, which waged a series of devastating wars to conquer the land by force.

Over the past 50 years, successive governments have elevated the treaty, presenting it as a national founding document and the basis for harmonious relations between Māori and Europeans. The Waitangi Tribunal was established in 1975 to investigate breaches of the treaty. This was part of a strategy to defend capitalist rule, amid a wave of militant strikes involving workers of all races, by co-opting the Māori tribal leadership and by persuading Māori workers that the poverty and inequality they faced could be alleviated within the system by

"honouring the treaty."

From the late 1980s, Labour and National governments began making multi-million dollar "treaty settlements" with the major tribes, which were transformed into wealthy corporations. Meanwhile, social inequality soared as the ruling class slashed taxes for the rich, privatised state-owned assets, destroyed thousands of jobs and cut welfare payments, plunging many Māori and non-Māori families into poverty. Most Māori gained nothing from the treaty settlements and remain among the poorest layers of the working class.

The Treaty Principles Bill specifically defends the treaty settlements, which ACT Party leader David Seymour says are consistent with private property relations. On this point, all the parliamentary parties are in agreement.

The ACT Party, however, has made provocative and false claims that the way in which the treaty has been interpreted by successive governments as a "partnership between races" gave Māori a privileged status based on ancestry. Seymour complained in parliament that "New Zealanders have come to regard themselves as based on ancestry or one side of a partnership instead of as New Zealanders." He declared that his bill would restore "equal rights to all."

ACT's proposed legislation defines the "principles" of the treaty as: 1) that the government has the power to govern; 2) that everyone is equal before the law and has "the same fundamental human rights"; and 3) that the rights of Māori differ from those of non-Māori "only when they are specified in legislation, Treaty settlements, or other agreement with the Crown."

ACT represents sections of big business that are seeking to curtail the political power of the tribal leaders and businesses. Introducing his bill, Seymour said the treaty had been misused to require that tribes be consulted "on resource management decisions"—such as the allocation of water resources and mining rights—and to give tribal representatives "seats reserved at the table of public entities." ACT wants to abolish the seven reserved Māori seats in parliament and similar seats on numerous local councils.

The ACT leader also criticised the previous Labour government's creation of a Māori healthcare authority. The ACT Party views separate Māori bureaucracies as an

impediment to its own agenda of privatising large parts of the health system and other public services.

The Treaty Principles Bill is unlikely to pass into law. The National Party and NZ First agreed to vote for it in the first parliamentary reading as part of their coalition deal with ACT, but have pledged to oppose the bill on its second reading, calling it “divisive” and “simplistic.” NZ First, however, has proposed the deletion of references to the Treaty of Waitangi principles in numerous pieces of legislation. It has also sought to remove Māori names from government agencies.

By voting for the bill and allowing it to proceed to the select committee, the coalition parties are enabling ACT—an extremely unpopular party that received just 8.6 percent in the 2023 election—to dominate political discourse, posturing as the party of “equal rights.”

In a full-page newspaper ad published in September, the ACT Party asked: “Are there two classes of New Zealanders, each with different rights? Or are we a modern democracy with equal rights for all?”

The truth is that New Zealand is deeply divided, but the fundamental division is not race or ancestry: it is the vast class gulf between the super-rich and working people of every background. The corporate and financial elite enjoy access to the best healthcare, education and housing money can buy, and pay far lower taxes than everyone else. Meanwhile, approximately 100,000 people are homeless, and an estimated 600,000 families—more than one in 10—are reliant on food banks.

Far from being privileged, Māori workers are over-represented in all the statistics relating to poverty, including lower life expectancy, worse health outcomes, poor housing. Māori face discrimination in the justice system and Māori children are more likely to be taken into state care. The Treaty Principles Bill was introduced to parliament in the same week that the government delivered a hollow apology for decades of abuse of children, including many Māori, in state-run facilities.

At the same time as it slashes social spending, the government—with Labour’s support—is pouring money into the military and strengthening New Zealand’s alliance with the US in preparation for war against China. The hypocrisy of ACT’s talk about “human rights” and “democracy” is underscored by the government’s embrace of the fascist Donald Trump and by Seymour’s vocal defence of the US-Israeli genocide in Gaza.

The social disaster facing working people is the product of attacks by successive governments, including the previous Labour Party government and its allies, the Greens and Te Pāti Māori (TPM). The Labour-Greens government suffered a crushing defeat in the October 2023 election after presiding over soaring social inequality, rampant inflation and worsening child poverty. Abstention from voting was especially high in areas with large working class Māori and Pacific Island populations.

These opposition parties railed against the Treaty Principles

Bill in parliament: Labour MP Willie Jackson called Seymour a “liar” and accused him of wanting to “rewrite the treaty” and of fuelling “hatred and misinformation.” TPM co-leader Rawiri Waititi compared ACT to the KKK.

The Greens’ co-leader Chlöe Swarbrick glorified the Treaty of Waitangi as a “blueprint of an Aotearoa [New Zealand] that respects people and planets.” She presented it as an anti-colonial document and even as a means to counter “capitalism.”

In fact, the treaty enshrined capitalist property relations in New Zealand by giving the Crown the ability to buy tribal lands and distribute them to settlers. For British imperialism, the treaty was also a mechanism to divide the Māori tribes into “loyal” and “hostile,” and to buy time to amass soldiers to take the land by force when tribes refused to sell.

Since the 1970s, the treaty has been used to create a thin layer of Māori capitalists and to promote divisive racial identity politics. The last Labour government supported various forms of affirmative action and “co-governance,” including to allow unelected tribal representatives to have a greater say in the allocation of water resources; the creation of parallel “by Māori, for Māori” healthcare services; places set aside for Māori in university programs; and the expansion of Māori seats on local councils.

Te Pāti Māori (TPM), which is leading protests against ACT’s bill, is not a progressive alternative. It speaks for tribal capitalist interests and spent nine years supporting a coalition government led by National, including the ACT Party, from 2008 to 2017. TPM has campaigned for a separate Māori parliament and parallel race-based public services—including a separate Māori justice system with control over half the budget for police, courts and prisons—as well as larger treaty settlements.

All of this is grist for ACT and NZ First, and other extreme right wing organisations, which falsely claim that the policies promoted by Labour and TPM are benefiting all Māori at the expense of non-Māori.

The racism of the far-right cannot be combated through the nationalist glorification of the Treaty of Waitangi and the identity politics of Labour and company. Genuine equality and an end to all forms of discrimination cannot be achieved by having a more “equitable” number of Māori in positions of economic or political power. Racism and oppression will only be eliminated by uniting workers of all countries to abolish their root cause, the capitalist profit system, and to build a society based on socialism, enabling the world’s resources to be used to meet all human needs.



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