

Treaty Application Case Study: Caritas

The Catholic Church's present commitment to the Treaty of Waitangi is based on three things: Catholic social teaching, particularly in relation to the rights and dignity of indigenous peoples; the Church's pastoral work among Māori; and the historic involvement of Bishop Pompallier at the signing of the Treaty. Caritas is the Church's national agency for social issues and was formed in 1992 out of the previous National Catholic Commissions for Evangelisation, Justice and Development (EJD, 1978-88) and Justice, Peace and Development (JPD, 1988-92).

From the late 1970s some of the Church's justice and peace agencies were getting involved in Treaty-related matters. Some agencies supported the families of Ngāti Whatua through the Bastion Point protests and at around the same time the Wellington Archdiocesan Commission researched the 1860 confiscations of Taranaki lands.

The New Zealand Catholic Overseas Aid Committee formed a task group, including Rob Cooper, George Kuru and Manuka Henare, who organised meetings with various Māori Catholic organisations and church groups. This process produced two reports for the Commission, *Whakamarama One* and *Whakamarama Two*.

These reports highlighted evidence for a distinctive Catholic view of the Treaty based on the writings of the first Catholic bishop of New Zealand, Jean-Baptiste Pompallier (1836-58). Pompallier had been present at Waitangi in February 1840 and had discussed the proposed Treaty with some of the chiefs who signed the it. He himself had argued for religious freedom in New Zealand, and Hobson had conceded and recorded this ('Article Four' of the Treaty). In 1845-46, at the time of the uprising of Hone Heke, Kawiti and others against the British, who had broken the Treaty from their point of view, Pompallier observed that, '*According to the New Zealanders, New Zealand is like a ship which they own. All they've asked the British to do is help sail it*'. For the Commission this was a clear indication that cession of sovereignty in perpetuity was not part of the Māori agenda. It became a very important

historical perspective for the Catholic hierarchy and leadership.

Around 1981 Manuka Henare led a symposium in Wellington to discuss the place of the Treaty in New Zealand Church life. The question that came out of this was, 'What does the Treaty mean for us?' Up until then the understanding about the Treaty was often expressed as 'the Treaty is a fraud,' or, 'You haven't honoured the Treaty', but there was a new understanding that the Treaty needed to be honoured.

An avenue for raising the consciousness of many Pākehā Catholics was through considering racism in South Africa during the 1981 Springbok tour. The Bishops were outspoken about the issue. For many people it was a natural progression to begin asking similar questions about racism and colonisation in Aotearoa-New Zealand.

In 1984, Church leaders sponsored a major hui called Te Rūnanga Waitangi, at Ngaruawahia. The Māori Council of Churches, Te Rūnanga Whakawhanaunga I Nga Hahi, responded to the Commission research by focussing on the so-called Article Four. There were two things in the fourth clause: that Māori were free to choose a religion, and that customs and values would be protected by the Crown. This became an element in the Catholic discourse in combination with an emerging Catholic theology of evangelisation. This theology held that the gospel cannot be used in a frontal attack on another people's culture. These two notions — that maybe Māori didn't cede sovereignty after all, and that Church theology and the Bible cannot be used to denigrate another culture — came together.

This reflection led the Catholic Church to a huge project, the Hui Whānau, sponsored by the New Zealand Catholic Bishop's Conference, and organised by the Catholic Commission for Justice Peace and Development (CCJPD) and the Catholic Communications Office in 1989-90. All

The Māori people have maintained their identity in this land. The peoples coming from Europe, and more recently from Asia, have not come to a desert. They have come to a land marked by a rich and ancient heritage, and they are called to respect and foster that heritage as a unique and essential element of the identity of this country.

parishes sent representatives to Greenmeadows Seminary in Napier where they undertook two weeks intensive study on the Treaty and culture-related evangelisation.

Many churches considered processes of internal reviews on their own history, especially in light of an insight from Te Rūnanga Whakawhanaunga I Nga Hahi - the Māori Council of Churches. The Council observed that as representatives of the churches were involved in the making of the Treaty and witnessing its signing, then the churches should see themselves as custodians of the spirituality of the Treaty as well as its intentions and its specifics. Manuka Henare notes that for the most part the Churches have accepted that role,

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With the tradition and teaching of the Church, we affirm: that the right of the first occupants to land, and a social and political organisation which would allow them to preserve their cultural identity, while remaining open to others, must be guaranteed.

basically to counter the power of the State. When Pope John Paul II visited New Zealand in 1986, he was asked to appoint a Māori Bishop, who would be a pastoral leader for all Māori. In both New Zealand and Australia the Pope made strong statements about the place of Māori and Aboriginal people. In Christchurch he said: Eventually Bishop Takuiria Mariu was appointed as Associate Bishop of the

The Church was present in 1840, and is still present in 1995. Through its social teachings, the Church seeks to ensure that the dignity of persons, and the common good of all, are reflected within the economic, social and political structures of society. Where there exist situations of conflict the Church seeks that social and economic life be directed toward just and peaceful solutions.

Hamilton Diocese in 1988, until his death in 2005.

In the 1980s JPD Commissions were very active, with many people involved at parish, diocesan and national level. Race issues were among their concerns, but there was

also a lot of attention given to the economic restructuring that was going on, and groups didn't necessarily see the connections between these issues. There were other issues also grabbing people's attention during that time, including the nuclear-free legislation.

For the 1990 Treaty of Waitangi sesquicentennial the bishops made a statement of the church's commitment to the Treaty. Their statement was *He Tau Whakamaharatanga Mo Aotearoa-Nui Tireni: A Commemoration Year for Aotearoa - New Zealand*. The statement acknowledged the anniversary of the Treaty signing as a year of Jubilee. This biblical concept involved a putting right of injustices, and the Bishops called on people to experience renewal and reconciliation in relation to injustices resulting from the failure of the State to protect Māori people.

Along with the statement by the bishops in 1990, Ruth Smithies of Wellington prepared two sets of ten-week discussion programmes. One was called *Our Common Ground*, a general introduction to the Treaty and the other was more specifically on bicultural relationships. They were used quite extensively in the early 1990s.

A second bishops' statement on the Treaty was issued in 1995, calling on politicians, Māori and members of the general public to keep working together to resolve issues of historic injustice.

In 2000, Caritas, with the support of the New Zealand Catholic Bishops' Conference, began a land project to invite parishes to consider their own history, and to work through any issues about acquisition of land that required reconciliation with the tangata whenua. For Caritas this followed the realisation that the rights of indigenous peoples and land issues were becoming a great deal more important in international development work. There was a sense of discomfort about not having faced up to some of those issues in New Zealand, particularly church ownership of land. A project was set up to enable parishes to look into the history of their own land and to seek reconciliation where this uncovered issues.

It was intended that parishes would opt into the project, but Caritas found the progress very slow, in part because of the historical research skills that were necessary to fully research and interpret the written historical record. Caritas also found that

parishes themselves have fewer people and resources, and did not necessarily see it as a priority. Caritas employed a historian for 18 months, and following that, in 2005, the New Zealand Catholic Bishops' Conference decided that responsibility for dealing with historic land issues should rest at a Diocesan rather than a national level.

One of the parishes that was able to see this through to a good outcome was Sacred Heart Parish in Petone, where there was an issue that needed resolution over the nearby Korokoro Cemetery. This land had been gifted to the Catholic Church by Wi Tako Ngatata, who himself was later buried in the cemetery. In the 1950s the cemetery had fallen into disrepair, and had been handed to the City Council, who had removed the headstones and replaced them with a large stone cross. This had been an upsetting experience for both local Māori people, and for elderly parishioners. After several years of research and dialogue, between Parish and Iwi, there was a joint service of 'reconciliation, healing and commitment' in April 2004. Since that time, Parish and Iwi have joined together to protect the cemetery from further encroachment by the City Council and Transit New Zealand, and a second joint service is planned at the cemetery in late 2007.

Caritas and other Catholic bodies have made submissions on Treaty-related issues, such as the Foreshore and Seabed legislation in 2004. Caritas tried to show the range of Catholic opinion on the issue by compiling a publication of 37 Catholic submissions on the Bill. Ongoing education is taking place through publications and activities, such as the Social Justice Week focus in 2005 on 'Celebrating Cultural Diversity' and in 2007 on 'Land'.

Caritas and the wider Catholic Church has recognised the responsibility to address historic land injustices, but realise there is a lot further to go. The Catholic Church seeks reconciliation as well as recognition of injustice, which requires dialogue and building relationships.

Lisa Beech and Manuka Henare (Caritas)

NOTE: The views expressed here are the participants' own, at the time of the interview, and do not necessarily represent their current views or those of their agencies.