

Government Breaches of Te Tiriti o Waitangi (health)

Provision was made for Māori education as part of the process of “civilizing” people of iwi descent – “which object may best be attained by assimilating as speedily as possible the habits and usages of the Native to those of the European populations”. (1844)

British Parliament passed the New Zealand Constitution Act, conceding to the settlers the administration of all matters relating to land in Aotearoa. The parliament of New Zealand was established without iwi representation because voting was restricted to men who owned land on a single title and since people of iwi descent held land communally, they did not have the vote. (1852)

The Māori Representation Act was set up with four Māori seats in Parliament in response to settler concern that, with individualization of land titles, voters of iwi descent might outnumber Pākehā in some electorates.

Native Schools Act provides for the setting up of schools in Māori villages so long as the hapu provide the land, half the cost of the buildings and 25% of the teacher’s salary. English is to be the only language of instruction of Māori in schools. Later this policy of “English only” was rigorously enforced. (1867)

The Suppression of Tohunga Act outlawed the spiritual and educational role of the tohunga. It was partly a response in particular to the success of the prophet Rua Kenana in convincing his people to remove their children from the debilitating influences of European schools. It was also intended to try to shift Māori health care from a Māori paradigm to one based on Western concepts and methods. This forced Māori healers and their treatments (including rongoā and karakia) underground. (1907)

The Public Works Act authorised the taking of land for public works. Europeans had rights to object and were entitled to compensation, but neither applied in the case of Māori land (until 1974). (1908)

The positions of Māori health inspectors and officers (the first generation of Māori community workers established in 1903 by the Māori Councils at their first conference to improve housing, sanitation and water supplies) were disestablished. (1909)

People of iwi descent were deemed eligible for only half the unemployment benefit available to Europeans (amended 1936). (1928)

The Division of Māori Hygiene was abolished, removing the likelihood of a Māori Health workforce closely linked to Māori communities, skilled in Māori approaches to health and able to offer effective leadership. (1930)

During the survey by the NZ Council for Educational Research of Māori usage, “in many rural areas, half or more of the adult informants interviewed...reported having been punished at school for speaking Māori”. (Benton) (1970’s)

Of those sitting School C Māori, only 38% were allowed to pass, because of the way the scaling system operated. Of those sitting Latin, German or French, 80% were allowed to pass. (1983)

“Judged by the system’s own standards, Māori children are not being successfully taught, and for that reason alone, quite apart from a duty to protect the Māori language, the education system is being operated in breach of the Treaty.” (Waitangi Tribunal) (1986)

The United Nations Committee on the Elimination of Racial Discrimination determined that “... the [2004 Foreshore and Seabed] legislation appears to the Committee, on balance, to contain discriminatory aspects against ... Māori customary titles over the foreshore and seabed”. (2005)

