

MOVING ON FROM COLONISATION¹ - by Anahera Herbert-Graves



There is a distinct Māori constitutionalism. It was clearly defined and understood prior to 1840, and it ensured the survival of our people for hundreds of years. [Tikanga](#) was essential to its evolution and practice, and both [He Whakaputanga](#) and [Te Tiriti](#) were adaptive expressions of it.

The actual institutions of Māori constitutionalism (its effective sites of power, [ariki and rangatira](#)) may have been suppressed in colonisation, but its founding ideal (its concept of power, [mana](#)) has remained, as has the belief in the right to express it once again.

Any present day talk about [tino rangatiratanga](#) is, at its base, a talk about constitutionalism and all that it implies. It is also a talk about the [colonisation experiences after 1840](#) that diminished or took away the effective exercise of that constitutionalism.

“We wouldn’t be having this discussion if it wasn’t for colonisation ... in practical terms we can’t revert to what we were in 1840, but rangatiratanga hasn’t disappeared, and we just need to begin what will be a long [kōrero](#) among ourselves and with others about what that might mean today ... what it really means to move on from colonisation.”

“Colonisation was about taking power more than anything else. We just need to listen to the old people or read a [\(Waitangi\) Tribunal Report](#) to know that ... The [Settlements Act](#) that led to the [raupatu](#), that’s about power and not just about land.”

“... The grievances are real and still aren’t getting properly settled. But the things our old people went through should make us think about what steps we have to take to go somewhere else in the future.”

“Sometimes we get caught in the trap of just accepting what colonisation has done, like setting up its own government and saying that it’s right or can’t be changed because it’s too hard ... but as [rangatahi](#) we think we should try, because that’s what the treaty talked about.”

As we reclaim our right and authority to make our own decisions once again we must also reconcile the relationship between rangatiratanga (Māori) and kāwanatanga (Crown).

To that end our discussions have already brought forward the notion of different spheres of influence, with particular reference made to the efforts of the [Anglican Church](#) and other organisations to find different ways of modelling those different spheres. They have also brought forward the notion of a relational sphere where Māori and the Crown might make decisions together.

In spite of all that has happened in the last 176 years to the effective practice of our constitutionalism, the right to it has been retained and the tikanga and mana of it have remained. So too have Te Tiriti and He Whakaputanga. We take those as givens in moving on from colonisation.

¹ Seventh edited extract from pp. 36 – 38 of [He Whakaaro Here Whakaumu Mō Aotearoa – The Report of Matike Mai Aotearoa – The Independent Working Group on Constitutional Transformation](#).