

<sup>1</sup>Crucial to any notion of constitutional balance between [Māori](#) and the [Crown](#) is the idea that within their own spheres of influence, each has jurisdictional choice to exercise their [rangatiratanga](#) and [kāwanatanga](#) in different ways, subject only to their respective [tikanga](#) and laws and the need to honour the authority of the other.



The right to be self-determining has always meant that people are free to chart their destiny in their own way and it has always taken different forms in different cultures. The very difference in form is also the very ideal of democracy.

The [Westminster](#) form of democracy for example is as culture-bound as was the original Greek “[demos](#)” from which it traces its history. In Ancient Greece the rules about who could participate in political decisionmaking were distinctively shaped by the culture of the time and never allowed for the inclusion of women or the lower classes known as “the mob,” or those non-Athenians who were regarded as “natural born slaves”.

For Māori, the [site of power](#) ([arikitanga](#) or [rangatiratanga](#)) and the [concept of power](#) ([mana](#)) that facilitate how we make decisions and exercise our power, are different to those in Athens and Westminster because they grew from our culture and our understanding of our relationships with each other and with [Papatūānuku](#). But the legitimacy of our power, like theirs, lies in its cultural distinctiveness.

In a [Tiriti](#)-based constitution that kind of difference would allow Māori and the Crown to make law within their own spheres by following their own processes.

*“The idea of doing things our way is crucial otherwise it’s not mana we’re talking about...it will probably lead to arguments about what our way is but that’s part of who we are...we always do things differently anyway...it’s what the [kawa](#) on the [marae](#) is all about...it’s what being [Ngāti Porou](#) or [Apanui](#) is all about...it’s not new”.*

*“I know that in the [Māori Parliament](#) they decided to have voting which was not our way but they also worked on a consensus and used other kawa that was quite different...I don’t see why that can’t be done now if it’s tika and I don’t see why we couldn’t figure out how we’d work together either”.*

*“If we can agree that we will do things differently to the Crown...that’s all we’d have to know when we’re in our whare or whatever and the Crown’s in theirs...trust each other to do what’s right...and then meet regularly with the Crown to negotiate what we need to do together”.*

When [John Rangihau](#) described rangatiratanga as being “people-bestowed” he actually accentuated something very democratic – that legitimate power is always from and for the people, and that it is for the people to determine how and when it will be exercised.

<sup>11</sup> Thirty-ninth edited extract from pp. 87 – 88 of [He Whakaaro Here Whakaumu Mō Aotearoa – The Report of Matike Mai o Aotearoa](#)