**Justice, Equality and Respect for Differences**

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**A 2014 Update**:

This paper was written over 25 years ago and documents my experiences as a social worker with IHC in the Eastern Bay of Plenty in the 1980’s. During that time I was exploring, in my work, the relevance of the Treaty of Waitangi in the field of disability.

This is an edited version of an article published in Network in 1992, which was based on a presentation to the NZ Mental Retardation conference in Dunedin in 1988.

In 1990 I began to deliver training on the relevance of the Treaty of Waitangi in the field of disability, and also co-authored a chapter on cultural safety in a book edited by Keith Ballard (also now on this website).

* Ruth Gerzon

People working in the field of learning disability believe strongly in human rights, for we have with us daily evidence of people who are devalued. In this article we shift our focus to another group asking for justice, equality and respect. We have ignored their voices for too long.

I am Pakeha, I would not presume to speak on behalf of Maori. I am here because the Treaty of Waitangi had two signatories. The British Crown signed for the others: Tangata Tiriti, people here by right of Te Tiriti. The message of the Treaty of Waitangi is for all New Zealanders.

I am here because in my work, in the field of learning disability in a part of the country with a high Maori population, I have discussed this issue many times with Maori, and have formed an idea of a Tangata Tiriti response, which I wish to share with you.

We start then with the Treaty of Waitangi. The Treaty was, and is, an invitation to share this land with Maori. A recognition by two people in one country of one another’s rights. But soon one party ignored the Treaty and took complete control. Pakeha became dominant. The fighting, the confiscations, the injustices of the past 150 years began.

And still most Tangata Tiriti remain ignorant of this. Little is taught in our schools, even today. Yet without acknowledging out past, how can we begin to understand the present?

How then can we repair the damage of the past? How can we move back and re-establish a relationship with Maori based on mutual trust and rest and equality?

What is required of us? The answer is simple. We must stop making decisions for Maori and respect and honour the decisions they make for themselves. Once we stop making decisions for Maori we will find ourselves at the beginning of a bicultural journey.

The guide to this journey is the Treaty of Waitangi. We do not set out to trample it into the ground, rewrite it, make it into a document of law, but rather let it be a guide to us as we journey together, Maori and Tangata Tiriti, not one people but many. On a pilgrimage of discovery.

Maori are asking for the same rights as we ask for people with disabilities – to have access to resources denied them, and to make decisions for their own people.

But remember decisions are not just ours to make. If we honour the Treaty we must listen to what Maori are saying about the time for change. They have been asking for the Treaty to be honoured since it was first signed, we have only just begun to listen.

**Parallel development**

Since the 1980’s there has been talk of ‘bicultural change’. In existing organisations this requires major rethinking on the part of decision makers and few organisations have been successful. Some Maori do not wish to wait and hope for that change. Some have set up their own services for their own people.

This is not apartheid, which is an iniquitous system which ensures one group holds power and resources in ever tighter reins. Apartheid is the direct opposite of parallel development, which is the sharing of power and resources.

Parallel development is freedom of choice and diversity. Just as, for example, Catholics are enabled to set up their own schools with their own ethos. For people with learning disabilities it means they will be able to choose facilities or live in residents run in different ways. Increasing choice for clients has always been the aim of those working in an advocacy role of people with learning disabilities.

Parallel development is being practised in this country in Kohanga Reo – the preschool movement for Maori. Back in the 1970’s it was said that Maori did not care about education as they often did not send their children to preschools? That was the old ‘blame the victim’ approach. We never thought to look at the culture of our preschools too closely. Now thousands flock to Kohanga Reo, set up by Maori under Maori control, with hundreds of adults spending an enormous amount of energy to ensure their children could access an education appropriate to their culture and needs.

I am reminded of this when I hear some people in the field of learning disability saying bicultural moves are not necessary in their area since there are no Maori using their services. Yet statistically there must be some Maori with disabilities there. How many are not receiving any kind of help because the help we provide is inappropriate?

Few people recognise how pervasive cultural difference is. To justify our monocultural services we have articulated the ‘we are one people’ myth. This is one of a classic mechanism for blocking change.

Not many Maori believe this myth. There are major differences in ways of working, playing, making decisions, sharing and living.

This is not to deny the wonderful work done by individual Maori and some staff of other cultures, to affirm the culture of their Maori clients, but they are constrained by our system. It is the system, the institutions, the organisations we run which need to be changed to acknowledge the Treaty.

**Opening Doors and Closing Doors**

Ensuring Maori make decisions for Maori. It all sounds too easy. In truth the journey ahead is a difficult one, full of traps. I will list ways to facilitate change and ways to block change. You need to recognise the blocks – there are many traps we can fall into, even when we have the best of intentions.

**Tokenism**

Tokenism delays real change and wastes an enormous amount of time. An example is having one Maori on the board or committee. I remember one woman being lauded by the chair after re-election. “*How good it is to see the Maori community well represented once again,”* the chair said. Yet that same woman said to me, with pain, “*The chair has never listened to a word I’ve said in all these years*.” Maori at the forefront of change have much work to do. Don’t waste their time with tokenism. Instead set up a Maori committee or board to work alongside your own and given them the same power as yours.

Another common example of tokenism is giving a facility or programme a Maori name, or putting a carved waka in the foyer. Nothing wrong with these actions – but they should come after you share decision making with Maori, not before. They should come when Maori request them. Then they’ll be indicators of real change, not tokens.

**Maori Adviser**

Appointing a Maori adviser has been another common blocking mechanism. You keep the power of veto. You know the scenario, common in our area of work. A person with a learning disability is given the chance to decide how to spend her money. She wastes some. We take the reins again. We forget that we are guilty of wasting money at times.

Maori are given some decision making power over resources. Some small part is not well used. We threaten to take the power away. We forget incidents in the mainstream economy such as the $380 million of tax payers money used to bail out the BNZ in 1990.

Maori also need to be accountable, but not to us. To their own people. If others in their iwi do not like the way they spend funds, they can challenge it. We don’t need to keep the reins. There is a real freedom in letting go.

Don’t both appointing Maori unless you intend to give them the power to make and carry out decisions. Make them accountable to their own committee, not to you.

**Ignoring Advice**

Asking Maori for advice and then ignoring it is really part of the same. It is very common - similar to what we sometimes do when consulting people with a learning disability. It takes a lot of time for Maori to consult their community and present their ideas, and with luck they won’t have the energy to pursue the issue when we shelve the report

**Time**

Failing to recognise that Maori processes need time. Too often we take years to consider changes ourselves, with plenty of paid staff working on proposals. Then, with a few months to go before implementation we begin consulting, Maori and people with a learning disability spending their ‘free’ time considering these issues. Why don’t we offer Maori the same resources we have: paid staff and time to consult and develop their ideas, if that is what they wish.

**But…**

*But there are hardly any Maori in our city so this doesn’t concern us.*

Even if there is just one child with a learning disability in a school we would insist this child is not ignored – her needs must be catered for. So we must advocate that even one Maori person a learning disability in a town must be supported in a way that affirms their culture.

**Total agreement**

*Expecting Maori to all agree.* The differing views of parents on normalisation and deinstitutionalisation do not stop us pursuing these policies when we feel they are right. Tangata Tiriti don’t all agree on everything, why should Maori?

**False sensitivity**

*Choosing the Maori viewpoint that makes us feel good*. It is not difficult to use the right bicultural vocabulary, give some Maori a superficial idea of what you are doing, and be congratulated for showing sensitivity to things Maori. It is easy to put down the views you dislike, the ones that mean real change, as being those of a few city radicals. If you find yourself falling into that trap, go back to the Treaty as your guide.

**Hui**

*Calling another hui or holding your conference on a marae* – another time waster. Don’t do either until your organisation is ready to decide how to share decision making and power. Then go to Maori with this proposal so they can meet and decide how to move ahead.

The calling of more hui, without any real attempt on the part of our organisations to implement the clear recommendations which come from the documents already before us, beginning with the Treaty itself, can be seen as a delaying tactic and evidence of our lack of real intent to change.

**Maori professionals**

*But there are no Maori psychologists.*  I might remind you that people with learning disabilities are not new in Maori communities. There is a wealth of Maori indigenous expertise and an established pattern of caring for people with learning disabilities which can be brought into play, and I can assure you that Maori never developed institutionalised services, developed and staffed by our professionals (although I acknowledge that we have now seen the error of our past). It could be that we have much to learn from Maori expertise.

**Other cultures**

*What about the Samoans, the Dutch and other minority groups?* No one would deny them access to their cultures. But change must come first for tangata whenua, the people of this land. It is with them we signed the Treaty. If they cannot be Maori here, they cannot be Maori anywhere in the world. Other groups have chosen to come here. Adaptation to the majority culture has not been forced upon them as it has to Maori.

**Guilt**

*Being paralysed by guilt* – a common problem when Tangata Tiriti first take an honest look at the past. We must acknowledge the mistakes of our past but not feel guilt. We did not know what we were doing – just as our ancestors did not know the true effect of building institutions, or treating adults with learning disabilities as children.

Yet we have benefited from the resources taken, from a culture shaped to suit our own needs. Once we have begun the journey to understand and honour the Treaty, we must carry on and make the changes needed.

People who hold the power and the resources have a responsibility to initiate change. Let us take the initiative, not sit back and wait until change is forced upon us.

Some projects we are working on today are fundamentally different from anything we have done before – people in the field of learning disability have shown they are capable of enormous changes in a few short decades. We have the ability to honour the Treaty in our work. We need only the will to do so, the ability to see the path clearly. Let today be the beginning of a journey for us all, with the Treaty of Waitangi as our guide.

Kia ora koutou katoa.