I TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

WAI 3327
WAI 3077

KEI RARO I TE MANA O te ture o te Tiriti o Waitangi 1975

I TE TAKE O te ruku tātari ohotata mō te Reo Māori i te rāngai tūmatanui (Wai 3327)

Ā

I TE TAKE O tētahi kēreme nā Nora Rameka hei māngai mō Te Rūnanga o Ngāti Rēhia mā Ngāti Rēhia (Wai 3077)

KŌRERO TAUNAKI A RUKUWAI ALLEN

Brief of Evidence of Rukuwai Allen

I tēnei rā, i te 15 o Mei 2024

RECEIVED
Waitangi Tribunal
15 May 24
Ministry of Justice
WELLINGTON

KAUPARE
MĀORI RIGHTS LAWYERS

P O Box 133102
Auckland 1146
(09) 9484774
kauparelaw.co.nz
ihipera.peters@kaupare.co.nz
aroha.herewini @kaupare.co.nz
amber.evans@kaupare.co.nz
Counsel Acting:
I Peters / A Herewini / A Evans

KO ahau tēnei, ko RUKUWAI ALLEN, o Pōneke, e oati ana i konei he tika, he pono ngā kupu katoa o tēnei tuhinga:

KUPU WHAKATAKI

He hekenga ahau nā ōku tūpuna
He Ngāti Rēhia ahau
He Ngāpuhi ahau
Ko Rukuwai Allen tōku ingoa

"ko hau ko taku reo, ko taku reo ko hau" – I am my language, and my language is me.

1. Ko Rukuwai Allen tōku ingoa. He kōrero Māori ahau, he mea tupu ahau i te kōhanga reo, i te ara ako Māori, tae ana ki te Kura Kaupapa, Te Panekiretanga me ngā wānanga. He mea noho mātāmua taku reo Māori ki roto i aku mahi katoa, pēnei i aku mahi hei kaipāpāho, hei kairīpoata, hei kaiwhakataki, hei kaiako i ngā kura reo Māori, hei kaitohutohu Māori i ētahi tari kāwanatanga nōki. I tēnei wā, he kaiako whakawhanake mōhio Māori ahau.

2. Kua tupu ahau me te aroha, te tautoko o ōku hapū e mārama ai ahau ko wai ahau, nō hea ahau. Ko taku mātau ki taku reo te take e pēnei ana. Pēnā i ngā kōrero tukuiho o aku mātua o te kāinga, “ko hau ko taku reo, ko taku reo ko hau.” He mea haere tahi māua; ko taku māia, ko taku tuakiri, he hua nā taku mōhio ki te reo Māori.

3. E pēnā ana te kakare i tohu mai ana i ngā mātāpono o Te Ture mō Te Reo 2016 e mōhiohio ana, ko ngā iwi me ngāi Māori ngā kaitiaki o te reo Māori, e tūtohu ana ko te reo Māori te tūāpapa o te ahurea Māori, o te tuakiri Māori hoki, e whakaū ana i te kōrero ka ukaukatia te mōhiotanga me te whakamahinga o te reo Māori mā te tuku ihotanga o te reo mai i tētahi whakatipuranga ki tētahi whakatipuranga o te whānau, mā te whitiwhiti kōrero hoki i ia rā, i ia rā, i roto i te hapori. [1]

[1] Tirohia te wehenga 8 o *Te Ture mō te Reo Māori, 2016*. Tirohia hoki ngā wehenga 4 me te 5.

4. E mōhio ana ahau, ko aku wheako he hua nā te pakanga mō te oranga tonutanga o tō tātou reo. Mai i te pētihana reo Māori 1972 ki te tūnga mai o te Kōhanga Reo me te Kura Kaupapa Māori i eke panuku i ia whakatutukitanga i te pakanga ki te whakahoki, ki te whakarauora, ki te whakahaumanu i tō tātou reo.

5. Anei rā aku wheako, he wheako nā taku reanga. Ko mātou ngā mea i poipoia, i ākina ki te kōrero i te reo o ō mātou karani.

6. He iti ahau nā tētahi reanga māia, kōrero māori e tū mārohirohi ana i ngā tapuwae o rātou mā. Ano ki a mātou, e kore e taea te whakawehe i te reo Māori me te iwi Māori, he kotahi kē - ki te takahi i tētahi, ka takahia ko tō mātou māuri.

7. He kaiwhiwhi mātou i te koha nui i kohaina e ngā reanga i mua rā, ka mutu, kua ngākau titikaha mātou kia kaua ērā utu nui e paraurehe. Kua niwha, kua mārō: ka kore mātou e whakaae ki te tuku noa i ngā whakatutukinga hei puhinga mā ngā hau porotiki.

Te Kirimana Mahi Tahi

8. Mea nei te take e whakapono ana ahau e tika ana ki te tū atu me te kōrero mō tēnei kaupapa. He taunu te kirimana mahi tahi i tō tātou reo, i tō tātou iwi, i tō tātou ahurea.

9. He koromāungaunga kino te kirimana mahi tahi ki waenga i Aotearoa Tuatahi me Nāhinara. Hei tā tēnei kirimana mahi tahi, kua whakaaetia kia:[2]

    (a) "Ensure all public service departments have their primary name in English, except for those specifically related to Māori"; and

[2] Te Kirimana Mahi Taki ki waenga i Aotearoa Tuatahi me Nāhinara, ki te whārangi 9, kei raro i te taitara "Strengthening Democracy and Freedom".

(b) “Require the public service departments and Crown Entities to communicate primarily in English - except those entities specifically related to Māori”.

10. Waihoki, ko te whakakore i ngā utu ki ngā kaimahi reo Māori i te rāngai tūmatanui,[3] me ngā kōrero whakahahani i te reo Māori a ētahi Minita o te kāwanatanga e tūkinotia nei tō tātou reo Māori.[4] He riponga wai ka kitea, nā ēnei momo kaupapa here, kōrero whakaparahako nōki.

11. E mārama ana te rongo ki te karere, he iti iho te mana o tō tātou reo, o tātou tonu ki te hunga kōrero Pākehā, e tuki ana me ngā mātāpono i whakaūngia ki roto i Te Ture mō Te Reo. Tēnei hokinga whakamuri e kaioraora ana i te nui o ngā mahi kua oti kē i a tātou, he takahi hoki tō tātou tuakiri Māori.

12. Ko te mea whakamataku, whakapōuri hoki i ahau ko te mōhi kua tae kē tātou ki konei. Kua tohea kētia te tohe e tō tātou iwi i roto tonu i ēnei tūwāhi tā te mea i pērā ngā kāwanatanga o mua i tā tēnei, he taunu, he whakakahore i a tātou mā te whakaiti i tō tātou reo. Ko tā ngā mea e whakaaengia ana i roto i te kirimana mahi tahi e mea ana, ”e te Māori, kāore he wāhi o tō reo ki roto i te rāngai tūmatanui, kāore ōna wāhi i ngā take tōrangapū, kāore hoki ōna wāhi i waenga i ngā mana whakahaere.”

He taonga te reo Māori

13. He 38 tau nō te whakaūnga anōnga o te Taraipiunara e mea ana, he taonga te reo Māori hei tiaki mā te karauna, mā te Iwi Māori anō hoki. Ko konei anō tātou pakanga ana ki ngā kapatau ki tō tātou reo, tō tātou ahurea, tō tātou mauri. Kīhai ahau i tangata mai i te tau 1986, kīhai ahau i hoatu kupu taunaki, i tuku kereme raini. Kīhai ahau i patu mō te kōrero Māori, i rāwahotia i te kura mō te kōrero Māori. Ka mutu koia pū te

[3] Tirohia a Wai 3077, #1.1.1(b) - Whakaraupapa Hou nā Ngāti Rēhia, 22 o Tīhema 2023, ki tana kōwae [35].
[4] At [35].

whāinga, kia kaua mātou e rongo i taua mamae. Hakoa kīhai ahau i tangata i taua wā, i whakaarohia ahau, i whakaarohia mātou ko taku reanga me ngā whakareanga e haere tonu mai ana. Ko mātou te take mō rātou i pakanga nui kia tiakina, kia whakarauoratia te reo Māori.

14. I au e whakaaroaro ana ki ngā ritenga o te onamata me te inamata e maumahara ana ahau ki a rātou i whawhai mō te ora o te reo. E kite ana i ngā raruraru e puta ana nā te toihara ki te reo e taunakitia ana i ngā māeatanga ake a te Taraipiunara i te kereme WAI11, te take, he whāwhai kōhukihuki te tiaki i tō tātou taonga mā ngā reanga e haere tonu mai ana.

15. E hoki ana ngā whakaaro ki te rīpoata WAI11 i puta i te Āperira o te tau 1986. He taukī kei roto, anō ki au, he whakakitenga, he whakatūpato nōki mō te katoa, tae rawa atu ki te kāwanatanga. E mea ana tēnei rīpoata ki tana kōwae 6.3.3:

> *The days of looking down on Maori values as being inferior or even worthless must be put behind us if we want peace and harmony. It is possible. It is necessary. It is urgent. And with goodwill from the community and good leadership from the highest levels in the Government and its administration it can be done to the great benefit of us all now and in the years ahead.*

16. I mārama te kite ki ērā i noho i ngā tūru Taraipiunara ki te hirahiratanga o te reo Māori e mauri tau ai a Aotearoa. I mōhio rātou, ehara ngā mahi whakatairanga i te reo, tiaki i te reo, i te mahi mā ngā hapori nahe nei, erangi mā te pirimia, te kāpeneti me te rāngai tūmatanui nōki. Mā whero, mā pango, ka oti ai ngā mahi.

17. E māharahara ana ahau, hakoa kua hurō nui tātou i ngā take maha, tā te mea aini ka hoki whakamuri tātou i a tātou e mātakitaki atu ana i ngā tino mana o te kāwanatanga me a rātou haere kōaro i te whakaaro pai, kua kōwhiri kē kia toutou i te kaikiri kaua i te mauri tau. E pāorooro ana te hoihoi o te toihara, aini ka turi i te kino o te turituri.

Te Ture mō Te Reo Māori 2016 me te Maihi Karauna Reo Māori

18. Ko tā Te Ture mō Te Reo Māori 2016 he tūtohu i te mōhio, he taonga te reo Māori, he whāki nā te karauna mō ana hē nui ki te reo Māori. He oati ki te mahi tahi me te Māori ki te tiaki me te whakatairanga i tēnei taonga mā ngā uri whakaheke.

19. Ko ngā hua o tēnei ture nei, ka pūmau tonu te reo Māori ki tōna taumata hei reo whai mana ā-ture mō Aotearoa, hei reo kawe i roto i ngā Kōti, kātahi ka whakaūngia te reo Māori:[5]

    (a) hei taonga mō te iwi Māori;
    (b) hei reo e kaingākautia ana e te motu whānui; ka mutu
    (c) hei reo taketake ake o Aotearoa.

20. Koinei ngā mātāpono e hāngai ana ki te whakamāramatanga o te Ture Reo Māori 2016. Hāunga te Ture mō te Reo Māori pū, ko te Rautaki Maihi Karauna tērā i ahu mai i te ture nei, e whakatakotohia ana ngā whāinga me ngā kaupapa a te kāwanatanga mō te reo Māori me tana whakarauora.[6] Māku e kī ake i konei, e mārama ana te kite, e takahi ana hoki te Karauna i tōna ake rautaki reo Māori, me te āhua nei, kāhore he aha ki a rātou.

21. Hakoa te rima tekau mā rua tau nō te whakatakotoranga o te pētihana ki mua i te Whare Pāremata, ka mutu, te toru tekau mā whitu tau nō te whakaturetanga o te reo Māori hei reo whai mana ki Aotearoa, kāhore rawa ngā mahi i rārangi mai i te kirimana mahi tahi i te tiaki i te reo hei taonga. Ko te whakamātāmuri i te reo kia mātāmua ko te reo Pākehā te tauaro o te tiaki, he whakamōrea kē.

22. Horekau te Karauna me ā rātou hātepe e aro tūturu nei ki te te Tiriti o Waitangi me ōna mātāpono, ki te Ture mō te Reo Māori me ōna

[5] Tirohia te wehenga 8 o *Te Ture mō te Reo Māori, 2016*. Tirohia hoki ngā wehenga 4 me te 5.
[6] Maihi Karauna: *The Crown's Strategy for Māori Language Revitalisation 2019–2023*. Tirohia https://www.tpk.govt.nz/docs/tpk-maihi-karauna-mi-2018-v2.pdf (te reo Māori) me https://www.tpk.govt.nz/docs/tpk-maihi-karauna-en-2018-v2.pdf (te reo Pākehā).

mātāpono, ka mutu, ki ngā kaupapa here me ngā rautaki ake a te Karauna.

23. He whakahīhī, he ihu tū. Anō nei ko runga ake ō rātou mana i te ture. Kua whakamōreareatia tō tātou reo me tō tātou ahurea mō te poroteke te take.

Ētahi whakahāweatanga ka pā ki te reo Māori me te Iwi Māori

24. Nā ngā kōrero tūkino e putaputa mai ana, kua tupu te mataku me te pōnānātanga i ngā hapori, e nanati ana i te whakamahinga o te reo, e whakatupu ana i te māharahara i ngā kaimahi o te tūmatanui nōki.

25. Kua kite au i te huri kaweka ki te reo Māori i aku haerenga i ngā hapori Māori me te rāngai tūmatanui nō te putanga o ēnei kōrero i ngā kōwhiringa pōti, ko te huringa he mea whakatere e te mataku i ērā taha e rua. Ki tētahi ko te mataku ki te kāwanatanga me te hua o te whakamahi tonu i te reo, e mārama ana ahau ki tēnei mataku kua mutu tā ētahi whakamahi i te reo Māori. Ko te tuarua he mataku i te kuare ki ngā āhua ki mua ki te kore e ū tonu. Ka mataku tērā pea ka hoki whakamuri tātou ki te wā i whakataurekarekatia te reo me tōna iwi Māori.

26. Kua pātai mai ētahi kaimahi i te rāngai tūmatanui pēnā raini e tika ana kia whakamahi tonu i te reo. Ētahi kua tae mai, kua pakarū mai te tangi, ka aha rātou nā te whakaaetanga o te kāwanatanga ki ēnei whakahaere. Kua noho ahau ki ētahi e mea ana kua rongo rātou i te pōuri, i te toihara, i te takarure i a rātou e whakaaro ake ana ki ngā hiahia o tēnei kāwanatanga. Ētahi o ēnei he Māori kua tupu i te reo, ētahi nō taku reanga, ētahi atu kua kaumātua ake i a au. Heoi, hakoa te māharahara, ko reira tonu ētahi o te rāngai e mea ana kaua e āwangawanga, he tai timu, he tai pari nō ngā kāwanatanga. He teka! Ka pēhea te Māori e noho noa me te kore e whai whakaaro ake ki ēnei

tūāhua. Ki tāku e rongo nei, he takahi i te wairua o te tangata te mahi a te kāwanatanga nei.

27. E mārama ana ki ērā taha e rua, heoi, anō ki au, pēnā i tautīnei te kāwanatanga i te ture e mea ana me whakahaumaru i te reo, ka mutu, he taonga te reo Māori i te atikara tuarua o Te Tiriti o Waitangi, ka kore tātou e rongo i ēnei taimaha, ka kore tātou e whakahāweatia. Ko tētahi māharahara i roto i a au ko te kaimahi Māori (ētahi pākeha hoki) wehe i a rātou wāhi mahi nā runga i te nui o te taimaha ka pā ki a rātou. Kore kore ka pēnei ki te haere tonu te kāwanatanga kapatau i te reo Māori me tōna whakamahinga i te rāngai tūmatanui.

28. E mārama ana te kite i ēnei mahi kia tāmi anō i a tātou. Ko tā te kirimara mahi tahi he takahi i te reo Māori me tōna iwi Māori mā te whakamātāmuri i a ia. Hakoa pēnā e pēhea, he aumangea mārohirohi e tupu ana – ka kore e tuohu ki ngā uruhi poroteke, ka whawhai mō te reo mō te hemo tonu atu.

29. Ēnei whakatuma katoa ki tō tātou reo me tō tātou iwi i te kirimana mahi tahi e tata mea ana hāparaparangia te arero Māori i ō koutou māngai. Anō nei ka whakaae noa tātou kia tukuna te reo ki te rua i keria e tēnei kāwanatanga me ngā kāwanatanga i mua rā. Hakoa ngā pakanga nui kia ora tō tātou reo, anō ki au ko tā tēnei kāwanatanga he tuku i te reo kia mate atu.

30. Me hāpai ake te kāwanatanga i ngā ture me ngā rautaki e tūtohu ana te reo hei taonga, ka mutu, me kaua rātou e takahi i tana tapu. Koinei ngā takohanga a te kāwanatanga ki te reo Māori ki raro i te Tiriti o Waitangi. Horekau tō tātou reo i te kurumetometo hei tākaro mā ngā pāti; nō mātou, ka kore mātou e whakaae kia whanawhanangia hei whutupōro poroteke.

"ko hau ko taku reo, ko taku reo ko hau"

I tēnei rā: 15 o Mei 2024

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Rukuwai Allen