

20250227 SAoTT Oral submission on Treaty Principles Bill

Fei	<p>Kia ora koutou. Talofa lava.</p> <p>I am the Rev Dr Feiloaiga Taule'ale'ausumai, Minister at St Andrew's on The Terrace and with me is Cameron Smart, a member of our faith community.</p> <p>We are from St Andrew's on The Terrace, Wellington, the oldest Presbyterian congregation in Aotearoa New Zealand. Our first service was held on the beach at Pito-one two weeks after Te Tiriti was signed at Waitangi and two months before it was signed in Wellington. Te Tiriti legitimises our presence in this land. We acknowledge the role of the Church in developing and promoting te Tiriti/The treaty, which gives it the authority of a sacred covenant. It is surely our responsibility to honour that covenant</p>
Cam	<p>Our concern for social justice is long-standing. A biblical foundation for social justice is found in the Hebrew scripture Micah chapter 6 verse 8.</p> <p><i>He has told you, O Mortal, what is good. And what does the Lord require of you? To act justly, and to love mercy and to walk humbly with your God.</i></p>
Fei	<p>We believe this Bill represents a breach of faith which <u>undermines</u> legitimacy and social cohesion – the opposite of its aims as stated in the Explanatory note – by unilaterally re-interpreting the original document.</p> <p>Principle 2, Subclause 2 is the seat of the breach of faith and is the focus of our disagreement. Rights promised by the Treaty were not conditional on someone's interpretation of whether they differed from the rights of others.</p>
Cam	<p>At Waitangi the missionary Henry Williams spoke of the spirit and tenor of the treaty. Our own Theologian in Residence, Sir Lloyd Geering, put it this way:</p> <p><i>“ the spirit of the treaty requires of us that we take a more positive and sympathetic interest in our treaty partner.”</i></p>

	This is not reflected in the principles outlined in this Bill.
Fei	Similarly, its stated aim in Paragraph 4 of the Explanatory Note – to “...help reconcile differences between the te reo Māori and English texts and give effect to the spirit and intent of the Treaty...” – is, in our opinion, the opposite of what it actually does. We believe it overwrites the Māori version and rides roughshod over the spirit and intent.
Cam	In the Bill’s Principle 3 the focus is placed on <u>equality</u> , which is based on treating everyone the same, rather than equity, which allows for different actions tailored to different needs. We acknowledge Māori – as tangata whenua – have claim to some rights which are not universal – rights which prevailed before the treaty and were guaranteed by its signing. This has not resulted in a system skewed in favour of Māori. We believe that equity of outcome should be at the heart of this discussion, taking account of difference and recognising that one person’s satisfactory outcome may not be the same as another’s. Equity lies at the heart of justice, which is one of the foundation stones of our Christian faith.
Fei	The present Bill seeks unilaterally to define the principles of the treaty, failing to acknowledge the other party to the Treaty and their contractual rights under international law, and does not deliver a just outcome.
Cam	<p>The relationship between the Government and Māori under the Treaty of Waitangi is interpreted today as a special partnership between constitutional equals where we are committed to ensuring the best for each other.</p> <p>The Principles of the Treaty of Waitangi Bill is a unilateral proposal from one party (the Crown), without input or support from the other party (te iwi Māori). It is manifestly wrong – both legally and morally – for one party to a Treaty to change the terms on their own, as well as violating Article 37 of the United Nations Declaration of the Rights of Indigenous Peoples..</p>
Fei	We, the congregation of St Andrew’s on The Terrace, oppose the Bill becoming law.