

THE MAORI BLOOD QUANTUM QUESTION?

As we are in the process of writing a Constitution based on one document and more than likely to include the Treaty of Waitangi, which will automatically include the United Nations Declaration on the Rights of Indigenous People and that Maori are the Indigenous People of New Zealand, we must also decide on who can legally claim to be Maori under our Constitution.

A legal definition that is fair to all New Zealanders.

The Treaty of Waitangi was never intended to allow a person with '*tangata maori*' ancestry to have preferences, privileges or advantage through legislation over their fellow New Zealanders who cannot claim '*tangata maori*' ancestry – **BUT** over the last 148 years, Government's breached the Treaty by allowing this to happen, but no more so than through the introduction of the 1975 Treaty of Waitangi Act, which created the Waitangi Tribunal, the "Five Principles" and the Treaty as "a Partnership between Maori and the Crown".

The Waitangi Tribunal defines a Maori as, "*a person of the Maori race of New Zealand; and includes any descendant of such a person*" (less than 1% of '*tangata maori*' ancestry). Nothing in the Act states that people who are not Maori may submit claims. Consequently, the Tribunal does not have jurisdiction to inquire into claims by non-Maori.

The Treaty of Waitangi made us all one people under the law and therefore, does not allow for one race or group of people to have legal preference, privilege or advantage over their fellow New Zealanders. Under Te Tiriti O Waitangi, we all became one people under the law – "**He iwi tahi tatou – We are now one people**" - **BUT** Prime Minister John Key, without mandate from the people or Parliament agreed to the *United Nations Declaration on the Rights of the Indigenous People* and Co-Leader of the Maori Party, Pita Sharples told the United Nations, without any evidence, that *Maori are the tangata whenua or Indigenous People of New Zealand*.

Maori lawyer Moana Jackson stated, "*New Zealand's sleight of hand over the Declaration on the Rights of Indigenous Peoples has been noticed by indigenous people overseas. They (Government) ignore the fact that it is an international human rights document, that human rights are a minimums set of standards they are supposed to aspire to, so to sign it and say it makes no difference is really just a nonsense*".

Maori now have rights under the United Nations, supported by the world's Indigenous People, unavailable to all other New Zealanders.

No one can dictate what a person wants to be, Maori, Pacific Islander, English, Dutch, Indian or New Zealander etc, it is their right, their whakapapa, their genealogy - **BUT** if it means it will give preference, privilege or advantage through legislation, then that is a different matter. It breaches the Treaty of Waitangi and discriminates against people that cannot claim a minute trace of '*tangata maori*' ancestry/blood quantum.

As the majority of the world's people, Maori were not a pure breed race when they arrived in New Zealand in the 14th century, their DNA consisting of Polynesian and Melanesian. "*The traditions are quite clear on one point, whenever crew disembarked there were already tangata whenua (prior inhabitants). The canoe ancestors of the 14 century merged with these tangata whenua tribes*", Leading Maori historian Dr Ranginui Walker. Ngapuhi

Chief David Rankin endorsed this when he said, “*Maori are not indigenous to Aotearoa New Zealand*”. These people intermarried with the ‘*tangata whenua*’ and became known as ‘*tangata maori*’ when the Treaty of Waitangi was signed in 1840 - **BUT** Maori have continued to intermarry until most are **not** the race of people they were when they signed the Treaty of Waitangi in 1840. Most have more of the ancestry they claim created the injustices than their ‘*tangata maori*’ ancestry.

Maori today have mixed ancestry of varying degree through intermarriage over the last 200 to 300 years by their ancestors own freewill and is now a fact of life, which cannot be changed. This cannot be blamed on the Government or the Pakeha - **BUT** on their ancestor’s decision to intermarry with races other than their own. The majority of a person’s ancestry/blood quantum must dictate a person’s race, for legislation purposes - **BUT** for personal preference, they can belong to whatever race or group they wish.

Blood quantum is something your parents decided for you and can never be changed!

If Maori are to be given special rights over all other New Zealanders in our Constitution, then we must decided who can claim to be “*legally*” Maori today. **Surely to claim ‘*indigenous privilege/rights*’, Maori must prove they have 50% or more of ‘*tangata maori*’ ancestry/blood quantum in their veins.**

The One New Zealand Foundation Inc believes it would be fair to all New Zealanders if the definition in our Constitution stated, “***To be legally Maori under our Constitution, Maori must prove they have 50% or more of tangata maori ancestry/blood quantum***”.

When making your submission to the Constitution Advisory Panel, we ask that you include this Blood Quantum issue in your submission – why should a New Zealand Citizen with less than 50% of ‘*tangata maori*’ ancestry have privilege, advantage or extra rights over any other New Zealander?

See ONZF article, “**Maori – as one sees in legislation**”, www.onenzfoundation.co.nz.

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P.S. The closing date for Submissions, 5pm on the 1 July 2013.

The address for Submissions, **Submissions,
Secretariat, Constitution Advisory Panel,
C/o Ministry of Justice,
DX SX10088,
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