

1396

**From:** Mike McVicker  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 17/06/2013 3:23 p.m.  
**Subject:** CAP Submission  
**Attachments:** Submission to Constitutional Review.doc

Dear Sirs,

Please find attached my submission to the Constitution Review.

Cheers,

Mike Mcvicker



## SUBMISSION TO CONSTITUTIONAL REVIEW PANEL

## 1) Need for Constitution Review

In the first place one has to question the requirement for any change to our current Constitution. The current unwritten one provides for democracy in New Zealand at the moment and does not need to be changed. Given the Maori Parties desires to in the first place promote this review, one must strongly protest at their whole intention to further divide our Country in this manner.

Lets face it, no one is marching in the streets demanding change.

Quite simply the pre-eminent principal of justice that citizens should be treated equally without regard to race, religion or creed must be maintained.

## 2) Maori Representation in Parliament

There should be no role for seats based on the colour of ones skin, or ancestry in Parliament. Further-more, the whole thrust of the Maori Party of increasing the Maori role, and hence seats, is a totally divisive for our Country. It must also be remembered that there are 23 Maori MP ;s in Parliament (7 Maori), which confirms that people can become MP's through there own efforts, and not because of the colour of their skin. Finally, New Zealand is increasingly becomming a multi-cultural society, and not the bi-cultural one that Maori continue to promote.

## 3) Maori Representation in Local Government

As with the above comments, there should be no Maori Wards on Local Government. In my personal case, I am a Councillor on the Rotorua District and I can report that there are three Maori Councillors (of the 12) who have become Councillors as a result of their own efforts, not because of the colour of their skin.

## 4) The Treaty of Waitangi in our Constitution.

I remain convinced that there is absolutely no place for the Treaty in our Constitution. Whilst this may be one of the major planks that the Maori Party is promoting with this Constitution Review, I see it as a totally divisive and at the end of the day would be a very sad day for our Country if it ever was implemented.

In the first place, the Treaty of Waitangi has been twisted and maligned by Iwi over recent years to such an extent that it is completely out of context in today's world – some 173 years later. Further-more, the so-called “principals” and the

“partnerships” quoted today by the Iwi elite are words that have been created to sell the Iwi story.

5) The Waitangi Tribunal

The Waitangi Tribunal is supposed to be an Independent commission of inquiry. It is patently not independent with largely Maori commissioners making decisions for Maori. It must be disbanded ASAP as it only continues to make decisions for Maori, on behalf of Maori.

6) Treaty Settlements

Treaty Settlements remain a joke! When will they ever become full and final must be asked. The average Kiwi has become increasingly fed up with the ongoing claims – all with the support of the Waitangi Tribunal.

7) Consulting the Public

This whole Review process has been a total jack-up by the Maori Party to promote their pre-determined view of the Constitution. Take the case here in Rotorua where-by a PUBLIC meeting was promoted in early April in the local paper, the day before it was going to occur. On enquiring as to why the short notice, I was advised Oh no it is not for the general public, but a Maori hui. Another hui was held this month, again for Maori.

At least we in Local Government do correctly consult the community, unlike the whole process of this rigged “conversation”

8) Summary

In conclusion I would have to say that this review is a total waste of \$4m and will serve no purpose at all as far as the future of race relations in NZ is concerned. The Constitution of our Country must be retained as it is at the moment, where elected members of our Government are the backstop of democracy.



1517

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 22/06/2013 11:38 a.m.  
**Subject:** Submission re constitution

From Mrs Allison Mead  
Tauranga

My submission regarding the NZ Constitutional Review is that I want no change to New Zealand's unwritten Constitution. Based on New Zealand's NZ Constitutional Act 1852 our system has worked well. Listen to all people not a chosen few. Equality for all. One people One Nation.

1024

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 4/06/2013 11:22 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Paul Mead Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal  
City: Auckland Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: 1. Fewer MPs, same proportions, lower costs

2. 4 years. 3 wastes too much transition time.

3. Same as currently

4. (no view)

5. List MP - should no longer be MP, choose next on list. Elected MP - should stay an MP and vote as independent.

Sent on the 4 June 2013 at 11:22

5190

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 8/08/2013 8:47 a.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Richard Gilbert MEAD Email: Phone: Postal  
AddressA: Postal AddressB: Postal City: Tauranga Postal  
Region: BOP Postal Post Code: Postal Country: New Zealand Submission: We wish  
to tell you that we reject any reference to the Treaty of Waitangi or its principles in any written  
constitutional documents. We oppose any form of separatism in our country's Laws. We wish to  
abolish all RACE based legislation written into our

Acts of parliament. We further oppose any RACE based representation at Local Body or National  
level of Government.

Submitted on the 11 June 2013 at 06:05

S190a

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 8/08/2013 8:47 a.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Richard Gilbert MEAD Email: Phone: Postal  
AddressA: Postal AddressB: Postal City: Tauranga Postal  
Region: BOP Postal Post Code: Postal Country: New Zealand Submission: As a  
Returned Services Veteran I wish to submit the following against the proposed Written constitution. I  
oppose all references to the Treaty of Waitangi in any of our Laws. I consider this proposed new  
constitutional legislation to be a brazen BETRAYAL

of the sacrifices made by many thousands of New Zealanders in various wars in the past one hundred  
years. Those who propose these changes should be DEEPLY ASHAMED of this betrayal.

Submitted on the 11 June 2013 at 06:22

2552

**From:** Brian Mearns  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 4/07/2013 12:37 p.m.  
**Subject:** CAP Submission

Dear Sir/madame,

Please simply note my opposition to any seats based on a racial group. I believe that the time for such race based government is over now that education and opportunity have produced competent well versed leaders for all cultures who are quite capable of earning the respect and support of us all. Maori are not inferior and to be nursed like infants which is what the race based seats convey but rather are honourable, competent and able to be treated like any other new Zealand citizen including all the Asian cultures now outnumbering Maori.

The time for Maori seats is past. It served a purpose once but the rise of the Maori party proves the obsolescence of this racist system.

Please choose to allow Maori to stand tall and be full citizens by abolishing the Maori seats.

Regards,

Brian Mearns.

4275

**From:** "msmeaton"  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 30/07/2013 9:26 p.m.  
**Subject:** My views

Ms. Meaton.

1.. What are your aspirations for Aotearoa New Zealand?

I want this country to be a place which is a meritocracy. People are valued because of what they do and who they are - rather than to who their parents are, what race they are, how much money they have etc. I want needy people to get a hand up (not a hand out) - again based on need - not race. I want a country based on the values of the founders - a "fair go" for all, "Jack's as good as his master," people before profit, and the love of the land.

1.. How do you want our country to be run in the future?

I'm pretty happy with the way the country is being run now -although MMP could do with a few tweaks and things could be more open. We could eventually ditch the monarchy - but there's no hurry and I'd have to be convinced of the alternative (we have a small "talent pool" of potential Presidents). I think that the "Maori seats" should go - being a colonial hang-on that are no longer justified.

The Treaty of Waitangi? Mostly irrelevant. As Hobson said "we are now one people" (he wasn't immediately lynched by angry Maori for saying it - so I assume that they agreed). One people - with the same rights and duties - Maori with basic property rights assured (land, treasures, etc) - just as the settlers had. Everyone subject to the rule of (British) law.



329

**From:**  
**To:** constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 14/04/2013 6:00 p.m.  
**Subject:** my thoughts

if we are to make out own constitution then first and foremost the treaty needs to be strapped

Maori should not be given special things like they are now if we are truly want our own we all should be seen the same no matter the races sex or income the treaty was good for the time but is way out of date and not needed Mario need to get of there high horse and stop using the fact that they are the first recorded race in the country that's disgraceful

when we no other where here first

Sent from Windows Mail

329a

**From:**  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 14/04/2013 6:02 p.m.  
**Subject:** hey

waist of time you only need to look at whats going on in Christchurch no amount of law will change  
the fact that people are treated differently braised on income jobs and race until people are taking to  
court which never happens

Sent from Windows Mail

3296

**From:**  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.govt.nz>  
**Date:** 14/04/2013 6:08 p.m.  
**Subject:** hey

sick of governments using benefits as way off getting into offices to main laws like drug testing in places of people who need help yet there no accountabilities to people in cabinets making the laws to main adds on tv for gabling and drinking yet dose more harm than smoking governments shouldn't dictate to its people about what is good and bad they where free to chose for themselves so should others stop using smoking to blame every cancer on it yet there more and more proof that dna is part of the cause

stop alluding small groups of people tell every other person what she or he should do or not do we are not a dictatorship like china

Sent from Windows Mail

329c

**From:**  
**To:** "constitutionalreview@justice.govt.nz" <constitutionalreview@justice.gov...  
**Date:** 14/04/2013 6:20 p.m.  
**Subject:** treaty

Mario need to stop using the treaty when they don't get there way this country cant afford to kept paying out on past there where 2 different treaty's signed yet only one seams to be used shit happened over 100 years ago GET OVER IT stop hold this country to ransom

Sent from Windows Mail

166

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 9/04/2013 12:36 p.m.  
**Subject:** The form on your contact page has just been submitted

Sent from Constitutional Advisory Panel #link:<http://www.cap.govt.nz/>.

Contact Name: James R. K. Megson Phone: Email:  
Comment: Reduce and limit the number of MPs to a ratio of 1  
per 55000 of population.

When deciding matters of national concern ie. partial asset sales, charter schools etc. are by way or a binding mandatory referendum.

Perhaps those seeking a seat in parliament should be vetted as are taxi, bus drivers and others dealing with the public. Sign Up For Updates: Yes

Sent on the 9 April 2013 at 12:36

3941

**From:** "nancy meherne" <  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 28/07/2013 2:10 p.m.  
**Subject:** Submission to the Constitutional Advisory Panel  
**Attachments:** constituitonno2.rtf

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Christchurch Phone email <

Submission to the Constitutional Advisory Panel.

My first concern about the processes of this panel, is the lack of information, given to the citizens of this country. I have seen nothing in the newspapers, I hear nothing on the radio or T.V. , nor do I know many people who are informed and yet this is a matter which affects everyone in the country, both now, and in the future. What I do understand is that this bodes ill for the future, with one race benefitting at the cost of conditions which will reduce benefits for all the other races and citizens of this fair land.

I am a fourth generation member and various members of my family and their forebears have played important roles in the progressive history of this country in governing, engineering, scientific and educational fields. Therefore, our future means a lot to me. I am no racist, as we adopted a Maori boy and brought him up alongside our two children. I am in friendship with people from various races, including Maori. I am teaching voluntarily at a Decile 2 school in Christchurch, which includes many racial groups apart from Europeans. I treat everyone as an individual, spending over 8 hours a week, and another 8 hours plus at home preparing music writing parts etc. Moreover I have helped buy keyboards, and recently bought a piano for a gifted Maori family, which was quite a financial strain for me. This is at the age of 84.. However i believe in giving , and sharing what I have for the benefit of the community. This spirit does exist in New Zealand, and I wish it to continue to help maintain equality of opportunity in a UNITED NEW ZEALAND.

Wherever there is disparity, between groups, especially racially, there will be trouble, and when it is discovered that the constitution which we now adhere to is being interfered with, (despite the fact that it is functioning well), with no referendum or widespread discussion, there will be disgust, disbelief that such a thing could happen, and anger that justice has been dealt a serious blow.

It is worrying that this Panel has been allotted . 4\$ million dollars, as proponents, while nothing is given for opponents, such as the N.Z. Centre of Political Research. who are currently pursuing a policy of racial equality. This is what we need to aim for , not a divisive policy of benefits, according to race instead of need. I find it difficult to reconcile the amount of money given to Maoris, yet it is spent on things which don't benefit their poorest members. It is also disturbing to hear that some Maori leaders are amassing great wealth, which in my view should be shared with those of their race who are most in need. Then we might see fewer Maoris in jail, or unemployed, or suffering health problems and poor housing.

Let us consider everyone being of value regardless of race, and make this country proud of equality and justice, where people can enjoy living in harmony, and concern for each other, and able to feel they belong to this country and are free to enjoy every aspect of this land. The members of this Panel have a huge responsibility to show great wisdom and preserve our precious Constitution. Those who are concerned, are thoughtful people who take the time and trouble to be watch dogs, and do our best to conserve all that is good for future generations.

Nancy Meherne 28 July 2013

3863

**From:** "Anton Meier "  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 9:44 a.m.  
**Subject:** CAP Submission

Dear Sir / Madam,

I as a New Zealander struggle to see that any fair decisions can come from the Advisory Panel as there is obviously an unfair representation of race on this Panel.

We are all New Zealanders regardless of race and should all be of the same equality and entitlement under a one only system of governance and representation, and NOT a two tiered system that favours one race with special privileges above any other New Zealander !!!

Maori seats within our Parliament is racism and should be abolished , all seats are there for New Zealanders of any race that they have descended from.

Blatant causing of racial disharmony through laws which establish or promote racial distinction or division will only lead to further dysfunction within New Zealand's society

The only fair and economical way forward for New Zealand as a nation and all its citizens is under a "Declaration of Equality " and all that it stands for.

Thank You.

Best regards

Anton Meier

Cambridge  
New Zealand  
Ph:  
Fax:  
Cell:

3836

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 24/07/2013 7:40 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Hone T W Meihana Organisation Name: Whanau Email:  
Phone: Postal AddressA: Postal AddressB: Postal City:  
Raahiri Pookereka Postal Region: Waikato Postal Post Code: Postal Country: New  
Zealand Submission: Kahore ahau I tautoko I teeneki mea te kaupapature (constitution), na te mea  
kahore ano kua whakapono nga tauwi ki te 'Tiriti O Waitangi'. Ki ahau neki he tinihanga ano teeneki.

Submitted on the 24 July 2013 at 19:39

39

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 4/03/2013 1:06 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Christopher Meikle Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Dunedin  
Postal City: Postal Region: Otago Postal Post Code: Postal Country: New  
Zealand Submission: Question 1: Do you think our constitution should be written in a single  
document? Why?

Yes I do think it should be written in a single document, because it would become a more tangible part of everyday New Zealander's lives. In terms of understanding our basic rights, and being aware of the principles that inform our politics and legal system, the current arrangement is too piecemeal. Having a single constitution would provide a document that could be diffused at different levels for different audiences, and be a statement of the uniqueness of the New Zealand people... something to be both proud of and interested in.

Question 2: Do you think our constitution should have a higher legal status than other laws (supreme law)? Why?

Yes, it should have a higher legal status than other laws. It should be the basic rights and principles which inform those laws. It should be a defence for everyday New Zealanders against the self-interest of our government officials, who have both the willingness and the ability to manipulate the legal system to their own political ends.

Question 3: Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? Why?

The courts should have the power to decide whether legislation is consistent with the constitution. Although judges can be attached to political positions, and be protective of their own interests, the procedures that they adhere to are much stricter and more transparent than those of politicians.

Sent on the 4 March 2013 at 13:04



109

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 8/04/2013 7:40 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Submission: I have 2 questions.

I see no event planned for our 3rd largest ethnic group, Chinese, and their aspirations, ideas, similar like the 4 or 5 events with Maori themes

If there is a new constitution, will we include a statue of limitations, so as to finally cap grievance and compensation claims.

We are one of the only nations left in the world without one. Full Name: Simon meikle Email:

Sent on the 8 April 2013 at 18:38



109a

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 7/06/2013 3:52 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: simon meikle Organisation Name: Email: : Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Postal Region: wellington Postal Post Code: Postal Country: New Zealand  
Submission: i do NOT think the treaty of waitangi should form part of any new constitution.

It is a one sided document, only valid at the time of signing. It is NOT a "living" document as so many maori wish it to be.

At the time we did not have radio, hydro, forests, and things of value.

Any new constitution needs to take into account the value added by the european settlers.

If the europeans had not been successful, maori would have nothing to gain???

also, any new constitution needs to have a STATUTE of LIMITATIONS on future payouts and benefits to Maori.

we should all have the same benefits.

at the moment we are one inch away from being an apparteid nation.

if this is not done, NZ will go broke, as we cannot afford to have continual payments to a non performing, and in most cases, non tax paying, sector of the public.

there needs to be accountability, and if the treaty of waitangi is included, more money will go to Maori without and end game.

As a european taxpayer i find the handouts repugnant.

Sent on the 7 June 2013 at 15:51

4819

**From:** Molly Melhuish  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 31/07/2013 4:31 p.m.  
**Subject:** submission on constitutional review

Friends: herewith my submission. Please beware of Muriel Newman's "Independent Constitutional Review", some unsuspecting people may have submitted to that.

#### WRITTEN CONSTITUTION NEEDED

New Zealand needs a written constitution, not only as a legal document, but as a basis for education, communication, and engagement of individuals and the community with the formation of government policy and regulation. Without a single go-to place, those who wish to invoke constitutional principles have to rely on legal expertise – this is unaffordable to most, and exacerbates the exclusion of the public from government and regulatory decision-making

Government's response in 2009 to the first Universal Periodic Review of Human Rights says that NZ will not ratify international conventions or apply international standards that are inconsistent with NZ's unique legal, constitutional and Treaty of Waitangi arrangements. Yet members of the public will still refer to international law, covenant, and treaties, which appear to be the only available check on abuse of Government powers. Other countries that declare absolute Parliamentary Sovereignty do have written constitutions, Finland for example. And the UK, without a written constitution, has at least a semblance of check-and-balance through the House of Lords

My personal experience with electricity policy, law, and regulation, shows the unfortunate effects of Parliamentary Sovereignty carried to extreme. Two decades of submissions by residential consumers to the various governing or regulatory bodies have yielded essentially nil results. Only the invitation of the Law Foundation to contribute to its project on regulatory reform gave me the impetus to re-examine the legal basis of electricity regulation.

A legal examination by Vector Networks of the purpose of electricity regulation suggests that what Parliament intended was not actually carried out in practice:

233. Had Parliament intended that the Authority should take a public benefit test rather than a consumer benefit test it would have used the term —"long-term benefit to the public", consistent with Part 5 of the Commerce Act, rather than —"long-term benefit of consumers" consistent with sections 1A and 52A of the Commerce Act and section 18 of the Telecommunications Act.

234. The Authority has effectively interpreted —"long-term benefits of consumers" incorrectly as —"benefit to the public". <http://www.ea.govt.nz/dmsdocument/14445>

The electricity industry now complains of regulatory uncertainty, and says this is affecting the value of both SOE and private assets. The underlying cause of this is surely the ambiguity of the purpose of regulation, in which "long-term benefit" has been given a neo-liberal interpretation by industry regulators, which is completely different from that understood by ordinary people, and apparently by Parliament also.

The outcome appears to be a likely entrenchment, through part-privatisation, of the transfers of wealth that resulted from electricity corporatisation. The public is not prepared to tolerate this, and is responding increasingly stridently.

If Parliamentary Sovereignty is supposed to mean that any government can do whatever it likes with the country's natural and built assets, then at the very least any constraints on these powers should be made visible to all the public through a written constitution.

I would appreciate any opportunity to further engage in these matters.

Molly Melhuish (Marian Whitney)  
Eastbourne

5116

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 7/08/2013 3:58 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Mike Mellelieu Email: Phone: Postal  
AddressA: Postal AddressB: Postal City: Tauranga Postal  
Region: Bay of Plenty Postal Post Code: Postal Country: New Zealand Submission:  
1. The Treaty should not be part of our constitution.

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I have no problem with the way the Treaty was originally worded, but the interpretation of the so called "principles" has got out of hand

2. I am utterly opposed to making the Treaty a formal part of the constitution.

Leave the existing constitution exactly as it is, I do not want the courts to over-ride parliament

Submitted on the 16 June 2013 at 10:14

5116a

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 7/08/2013 3:58 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Mike Mellelieu    Email    Phone:    Postal  
AddressA:    Postal AddressB:    Postal City: Tauranga    Postal  
Region: Bay of Plenty    Postal Post Code:    Postal Country: New Zealand    Submission:  
1. In exactly the same way as all new Zealanders irrespective of race. There should be one general  
roll only, and one list of electorates: the current system of a separate Maori roll/electorates is racist  
and has no place in a MULTI- cultural society. There

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was a valid reason for initially setting up the separate TEMPORARY Maori roll/electorate as Maori  
were precluded from voting, however that problem no longer exists

2. As above, remove the separate electoral system

3. In exactly the same way that non-Maori views are represented, by fair and open election without  
special dispensation on the grounds of race

Submitted on the 16 June 2013 at 10:32



3970

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 28/07/2013 5:57 p.m.  
**Attachments:** CONSTITUTION CONVERSATION2.doc

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

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Full Names: David Charles Melmoth Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Postal City:  
Invercargill Postal Region: Postal Post Code: Postal Country: New Zealand  
Submission: Document as below Submission Upload: CONSTITUTION CONVERSATION2.doc

Submitted on the 28 July 2013 at 17:56





## **THE CONSTITUTION CONVERSATION**

### **GENERAL SUBMISSION from David Melmoth, Invercargill.**

Email :

If there is an opportunity to speak to this Submission in Invercargill, I wish to do so.

### **SUBMISSION GENERAL**

I am not convinced that New Zealand needs or wants a 'written' Constitution as a single document along the lines of the US Constitution. Such documents tend to become moribund and historical anachronisms. New Zealand already has an 'unwritten' Constitution, made up of a number of documents & agreed mores, and this serves us well.

However, it could be strengthened:

(a) New Zealanders need to have the full conversation about the central and unique place of the Treaty of Waitangi in NZ's makeup. This needs to include discussion of entrenching the Treaty in our legislation, rather than the current practice where the Treaty or its principles are merely referred to in some pieces of legislation.

(b) Enhanced monitoring and maintenance of the doctrine of the separation of powers (parliament, government and courts) needs to happen.

(c) An enhancement of the Bill of Rights Act 1990 to incorporate economic, social & cultural rights into the Act (e.g. right to work, to accessible health care, to adequate housing & education). This should also include entrenching the Bill of Rights Act in NZ law and setting up a Parliamentary Human Rights Select Committee to consider all proposed legislation against human rights criteria.

### **MAORI REPRESENTATION**

The Maori parliamentary seats should remain in place until Maori themselves decide otherwise.

Local Government must continue to consult Maori on decisions under the Local Govt Act and the RMA.

### **ELECTORAL MATTERS**

(a) Binding Citizens Initiated Referenda should be instituted as part of our NZ electoral system - with a requirement that 10% of the voting population must sign a petition to initiate any such referenda.

(b) Civics Education should be introduced as a compulsory part of the Social Studies Curriculum in all NZ secondary schools. Many children are demonstrating a sad lack of social responsibility (antisocial behaviour) and young people are leaving schools with a lack of knowledge on even the basics of how civil society and political systems work. Democracy ceases to exist, and people are disenfranchised, if a large part of the population are kept in ignorance of the mechanics of civil society.

(c) New Zealand should introduce password-protected electronic voting as a choice in local and general elections. This would go a long way to address the alarming drop-off rate in voter turnout at elections, by assisting people with disabilities, negating the impact of severe weather, and engaging the e-generation.

(d) A 4 year term of parliament, and a 4% Party Vote threshold for a political Party to be entitled to seats in the NZ Parliament would give better continuity & representation in central government.

(e) Any Party that wins an electorate seat should only be entitled to the addition of List MPs if they achieve the 4% threshold.

(f) MMP is the best of a number of possible electoral systems, and far fairer and more representative than the old First Past the Post electoral system. 120 MP's [with a small tolerance for overhang possibilities] is about right for the MMP system to work properly in NZ, and for adequate numbers on Select Committees; and for maintaining the all-important balance between the Executive and government.

(g) The Electoral Integrity legislation should be reinstated that mandates that a List MP who leaves the Party for whom they were elected should also leave parliament. For such people to remain as Independent MP's when they have left the Party that was the sole reason they were elected is absurd, as they never had a personal mandate to be in parliament; it also distorts the proportionality of representation in the NZ parliament.

David Melmoth,  
INVERCARGILL.  
29/7/2013

ConstitutionalReview - <http://www.ourconstitution.org.nz/> form submission

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**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 1/03/2013 9:45 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission  
**Attachments:** SUBMISSION.docx

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Sent from The Constitution Conversation.

**Full Names:** Bruce Melrose

**Organisation Name:**

**Email:**

**Phone:**

**Postal AddressA:**

**Postal AddressB:**

**Postal City:**

**Postal Region:**

**Postal Post Code:**

**Postal Country:** New Zealand

**Submission:**

**Submission Upload:** SUBMISSION.docx

Sent on the 1 March 2013 at 09:44





**SUBMISSION | CONSTITUTIONAL REVIEW**

**Overall Aspiration for New Zealand**

I want to live in a country that is one nation, one people; not differentiated by ethnicity: A nation that acknowledges that while there are different ethnic groups, different faiths that make up the fabric of our blended society, we are governed under a single set of rules and values for all without special treatment of one ethnic group over another.

I want to live in a nation that is proud of itself, and of its uniqueness and place in the world. A country that is unafraid to spread its wings to become totally and completely self determining. I want my children or anyone else's to be able to aspire to being their nation's Head of State, and to hold our highest constitutional office if they have the attributes and desire to do so.

I want to live in a country where everything is possible, and nothing is denied; where people are free to explore the possibilities and their limits and be rewarded richly for their individual endeavours and successes.

I want to live in a country that looks forward rather than backwards.

I want to live in a country where success can be achieved, is celebrated and encouraged. I want to live in a country that wants to, and is unafraid to, prosper.

I want to live in a country where we are safe as individuals and as communities. If you do the crime, I believe that you do serious time and then some. I want to live in a society where the victim is the one supported and who has redress, not the criminal. I want to live in a country where our laws and the enforcement of them make committing crimes against people, property, communities and New Zealand society a very risky business.

I want to live in a country that takes care of its citizens, and where every New Zealander has access to comprehensive medical/health support should they need it. A healthy nation is a productive nation.

I want to live in a country of educated and capable people. That is how we will be internationally competitive, and the key to our future prosperity as a nation.

**A Written Constitution**

New Zealand needs a defining document to lay out how New Zealand is governed, and how we live together as one nation, one people, under one set of rules and values for all.

A written constitution needs to reflect that New Zealand is a modern multicultural, multi-faith society, and that no one is discriminated against or given preferential treatment based on their family, their faith, or their heritage. No one group is promoted over any other ethnic group or any religion over another; to reflect that that we are all New Zealanders of equal standing.

A written constitution must address the anomaly that no New Zealand citizen can aspire to hold their nation's highest constitutional office and aspire to become their nation's Head of State if they wish to. The written constitution must wipe the current discrimination we have against people with different faiths being denied that opportunity to be head of their nation.

A written constitution must reinforce that individual freedoms are treasured, and that people are free to go about their legal business unimpeded.

A written constitution must reinforce that a person is innocent until proven guilty.

A constitution must reinforce there is one law and one treatment of the law for all.

### **The Treaty of Waitangi**

The Treaty of Waitangi should not be represented in our written constitution because it is not reflective of New Zealand as a modern society or a multicultural society in a modern world. It is a relic in contrast to a modern multifaceted society that has changed markedly over the last 40-years, and will continue to further evolve and blend in the coming decades.

Successive governments have negotiated on good faith with various iwi over a long period, and there have been many settlements. Now is the time to draw a final line under endless treaty negotiations that only deflects public funds away from being used for the benefit of all New Zealanders.

We have reached a point of nonsense now where we see claims under the treaty with regards iwi benefiting from modern technological advances passed off as treaty principles. This far exceeds any historical agreement, and is divisive and racist in the context of a modern blended society.

The Treaty has run its course. It only serves to discriminate against a majority of the nation and works actively to divide us as a people, and as a nation by promoting one group over another.

A written constitution would underscore that we are one nation and one people and that we move forward together as one.

### **Parliamentary Representation**

There is no need for separate Maori representation in parliament. The right to vote is no longer based on owning land.

Maori have a political party to represent their needs. Maori candidates have successfully stood and won in general seats for a range of mainstream political parties since the 1970's.

Retention of Maori seats is an act of separatism that works against the notion of entrenching a one nation, one people philosophy that should define New Zealand as a modern forward looking state for the current century and beyond.

### **A Bill of Rights**

New Zealand needs a definitive Bill of Rights for New Zealand that clearly lays out all the protections for New Zealanders in one place, rather than by the current Act supplemented by other statutes and laws from other nations.

Over and above the current Acts, a Bill of Rights needs to reflect that there is a limitation on parliament and any given government via a higher legal authority, or from an empowered Head of State.

A Bill of Rights needs to be consistent with the Constitution and to reinforce that a person is innocent until proven without doubt that they are not.

A Bill of Rights also needs to ensure and safeguard the privacy of information and person's right to privacy where no laws or crimes have been committed.

A Bill of Rights needs to lay out the limitations as to what a government can take from its citizens in order to provide agreed essential core social services for the benefit and well-being of its population.

A Bill of Rights needs to be agreed and endorsed by the people.

**Electoral Matters**

Elected governments should have a 4 year electoral term in office.

A corresponding election/appointment of a Head of State should coincide with a general election, for the same term

Where a politician enters parliament, but subsequently leaves their party, they must also leave parliament. A disenfranchised member of a political party cannot remain in the house given they no longer have a mandate to do so from the electorate who voted them based on their ticket (i.e. party association) or the party that endorsed their presence in the house. They would be required to seek a new mandate to stay in the house.





376

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 15/04/2013 6:49 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Yvonne Jovce Menary Organisation Name: Email:  
Phone Postal AddressA: Postal  
AddressB: Postal City: Postal Region: Norhtland Postal Post Code: Postal  
Country: New Zealand Submission: 1.Do you think our constitution should be written in a single document?

Yes I believe it should be.

Why? 1 document would make it easier for ALL New Zealanders to read, easier access on the <http://legislation.govt.nz/> when trying to find such documents.

2.Do you think our constitution should have a higher legal status than other laws (supreme law)? If it was 1 document Yes.

Why? the fact that the Constitution itself incorporated with the NZ Bill of Rights, Te Tiriti principles, Maori Representation and Electoral matters covers the most important aspects of what rules and runs our country which means that we would need to give this document higher status based on its power within the document.

3.Who should have the power to decide whether legislation is consistent with the constitution: Parliament or the Courts? Courts.

Why? As explained above: if the document encompasses everything being asked in these questions then it would make sense to give that power to the courts based on the fact that it will make consistent judgements, better and fairer rulings and perhaps less manipulation or rushed readings to pass policy without in depth consultation of the general public.

Sent on the 15 April 2013 at 18:48

3878.

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 2:12 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Lois Meneer Organisation Name: Email: Phone:  
Postal Address A: Postal Address B: Postal City: Cambridge

Postal Region: Waipa Postal Post Code: Postal Country: New Zealand Submission:  
1. I would like Maori to continue their representation in Parliament. However I do think there is a limit to how long they can be given a hand to do so. I would like to see a gradual reduction in specific Maori Seats, but encouragement to ensure Maori have an ongoing voice in our nation, as they contribute much to our uniqueness. No-one else gets preferential treatment, so I would ultimately like a more level playing field.

2. Our current Maori leaders have a role to ensure future generations are able to participate in Government. With just a small Maori population in comparison to other ethnic groups, maybe a concession is required to keep say a minimum of 2 seats.

3. At a Local Government level I believe Maori have the same responsibility as the rest of us - We all need to get off our butt and be heard when contentious issues are raised. the information on Strategic Plans is available to all. Maybe a government 'encouragement' to Local Councils to ensure local Maori are taken into consideration when issues particularly effecting them, are considered.

Submitted on the 25 July 2013 at 14:11

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 2:24 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Lois Meneer Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Cambridge  
Postal Region: Waipa Postal Post Code: Postal Country: New Zealand Submission:  
1. Yes our constitution should be one document, with concise, clear statements. If necessary separate definitions of these statements to clarify the exact meaning would ensure we won't find ourselves in the position of people trying to define it different ways.

2. I don't think the constitution should have higher status per se, but should serve as the guiding principles which underline all Law within this country.

3. I think the Law courts should have final say whether legislation is in line with the constitution - parliamentarians would more likely use it to further their own political agendas<sup>1</sup>

Submitted on the 25 July 2013 at 14:22

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 2:38 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Lois Meneer Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Cambridge

Postal Region: Waipa Postal Post Code: Postal Country: New Zealand Submission:  
1. I think the Treaty document has huge historical value, but should not be used as our founding document forever. The values it espouses i.e. partnership and working together, could easily be included in a generic constitution.

2. I do not think the Treaty Document should be formally included in our Constitution. Although that document has ensured the wrongs of the past have been addressed (not necessarily meeting the expectations of all parties, but I think the best under the circumstances).

I do not believe it is a document that takes us into the future in a meaningful way. We are a very different nation now, and continue to evolve. I do think the 'partnership approach' could be a basis for our constitution, but should reflect the multiple partnerships that will evolve as we move forward as a nation.

Submitted on the 25 July 2013 at 14:37

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 1:54 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Lois Meneer Organisation Name: Email: Phone:   
Postal AddressA: Postal AddressB: Postal City: Cambridge  
Postal Region: Waipa Postal Post Code: Postal Country: New Zealand Submission:  
1. I would like to ensure that all NZ'rs regardless of race, wealth, or position in life, are fairly treated.

2. I would like to think we can place considerable emphasis on building the kind of leadership that will see us through national and international issues over the foreseeable future, while maintaining our unique sense of 'Kiwi-ness'.

Lois Meneer

3. I would like our country to be run along similar lines to what we have currently. The benefit in this system is that to pass difficult legislation requires a majority party to listen, and form alliances with other parties; thus providing greater representation of the general public.

Submitted on the 25 July 2013 at 13:53

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 25/07/2013 1:41 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Lois Meneer Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Postal Region: vvaipa Postal Post Code: Postal Country: New Zealand Submission:  
1. The treaty has served it's purpose well, but I do not believe it should be part of our constitution. My understanding of a Constitution is that it outlines how all people within this country will be treated.

2.I believe the Treaty has done much to put right the wrongs of the past, however it is now time to move forward as a multicultural nation and to introduce a Constitution that will protect the rights of all New Zealand people, regardless of race.

Thank you for this opportunity to put my views forward.

Lois Meneer

Submitted on the 25 July 2013 at 13:40



5130

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 7/08/2013 4:08 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Siddhant Menon Email: Postal City: Auckland  
Postal Post Code: Postal Country: New Zealand Submission: New Zealand is a  
multicultural society. However, certain groups feel like they don't have a voice. This could be  
attributed to the fact that they believe they are not treated as equals.

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In a country where we provide freedom of speech and respect the rights of all people, regardless of their race, religion or political views, our society is still segregated by a poverty line and access to a quality education.

For NZ to truly be a place of equal opportunity, the government should provide free education for all New Zealanders, including at the university level. Every person who holds a full time job and pays taxes should be provided free housing, or at least a generous

government subsidy for their first home.

These ideas should become a part of the Constitution.

The Constitution should all be put down on a single piece of paper and it should become supreme law so that it cannot be reformed.

Submitted on the 14 June 2013 at 16:43

3950

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 28/07/2013 2:44 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

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Full Names: Barbara Marv Menzies Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Postal  
City: Auckland Postal Region: Auckland Postal Post Code: Postal Country: New  
Zealand Submission: To whome it mat concern:

Tena koutou katoa.

I make this submission in the hope and conviction that this generation is capable of the vision and moral courage to make this country one in which our children and grandchildren can live safe, happy and healthy lives, contributing from their full potential to a better future for coming generations.

To this end, I believe that we need either a written constitution or a written record of key constitutional conventions which enshrine and safeguard the human and civil rights of all who call this country home, based on Te Tiriti o Waitangi and a genuine partnership with Tangata Whenua, which embraces and builds on the diversity and potential of us all.

We need guaranteed access for all citizens and residents to the courts when our rights are abrogated, and a rein on the powers of parliament to deny such access via legislation, as has happened recently in the case of family caregivers.

I hope that such a consitutional arrangement will demonstrate national and cultural maturity in seeing equitable Maori political representation - as Maori - as essential to a just and honourable future, rather than using the Maori Seats as a political football, as has regrettably been the case far too often.

The constitution by which I hope to live is one which is based on our strengths, and respects our integrity as a sovereign nation, and which ensures that our national sovereignty cannot be traded away in secret negotiations by either unelected officials or our elected representatives away from the oversight of the parliament. This constitution will ensure that our elected representatives understand and fulfil their role as our representatives, not our masters - that democratic rights and freedoms are safeguarded and respected, and that members of parliament and the executive recognise that they are subject to the laws of the land, and behave accordingly.

I have been galvanised into making this submission by the current drive to pass the dangerous, unnecessary and anti-democratic GCSB and related TICS Bills.

I choose not to live in a surveillance society, and I submit that our constitution should protect all citizens from such abuse.

Submitted on the 28 July 2013 at 14:43

4159

**From:** "Suzanne Menzies - Culling"  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 30/07/2013 11:19 a.m.  
**Subject:** CAP submission  
**Attachments:** Submission to CAP.rtf

Kia ora koutou,  
Attached please find my submission to the Constitutional Review.

Nga mihi,

Suzanne Menzies-Culling

## Submission to the Constitutional Advisory Panel

**Name** Suzanne Menzies-Culling

**Organisation**

**Postal Address** Dunedin

**Date** 30th July 2013

We believe that this Constitutional Review has been constrained by its narrow Terms of Reference and the narrow political nature of its origin.

We believe that it is absolutely imperative that there is meaningful engagement with the NZ public on these issues which should underpin any conversation about our Constitution. This must begin with us reaching an understanding and agreement of our values as a nation and as communities. And this process also needs to be resourced so that those people who may not have access to the information can participate. Advertisements in the media are not adequate or meaningful resourcing for something as important as this.

We believe that Te Tiriti o Waitangi needs to be at the centre of any future Constitution and that because the promise of Te Tiriti has yet to be realized, all efforts need to be made to ensure Maori involvement in decision making is protected, not just by protecting the Maori seats in Parliament but by ensuring that hapu and iwi have decision making places in local government.

We believe that because of the level of ignorance in Tauwi communities about the real history of settlement, and dispossession and of the legislative violations of Te Tiriti which have occurred over the last 170 years many New Zealanders are antagonistic to Nga Iwi Maori and to any suggestion that Te Tiriti is important. We consider this to be a very worrying aspect to our nation's culture and needs to be addressed before meaningful conversations on a Constitutional Review can be held.

### Politisisation of the Process

Because this review comes out of the coalition agreement between the National party and the Maori Party, this has become a political process. Both parties have their own agenda and we believe that the narrow terms of reference reflect this. We also believe that important constitutional issues been left off the table because of the political agenda of one or both of these Parties. This is the first time in my lifetime that the public has been invited to have input into our Constitution and unfortunately it seems we are to be fobbed off with this limited consultation around some of the mechanics of the existing system. It may also mean that future attempts at a meaningful review of our constitutional arrangements will be deflected by future governments, because this "Constitutional Conversation " has been carried out.

311

**From:** "Brian Mercer"  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 14/04/2013 2:56 p.m.  
**Subject:** Review Submission

The Panel... My submission is that I want no change to our unwritten constitution in that it has served us well since the passing of the 1852 NZ Constitutional Act. Any amendments felt to be desirable should not result in a race based constitution. We are "One People One Nation" which means equality for all citizens. Thanks. Regards Brian Mercer.



3020

[newzealand.govt.nz](http://newzealand.govt.nz)

Our constitution is the set of rules that determines how this country is governed and how we all live together.



Tell us your aspirations for our country and let us know what's important to you about how this country is run:

*I want to see the NZ Bill of Rights strengthened to include social, cultural and economic rights.*

You can find out more about the Constitution Conversation and make a fuller submission online at [www.ourconstitution.org.nz](http://www.ourconstitution.org.nz)

Secretariat  
Constitutional Advisory Panel  
C/o Ministry of Justice  
DX SX 10088  
Wellington

Name(s): *JOHN DAVID MERBITI*

Email or postal Address: /

☐ Tick box to receive regular updates by email

6088.1

1742'

received 7/6

New Zealand does not need  
a written constitution and I  
strongly oppose any legislation  
on reference to the Treaty of  
Waitangi should one be drafted  
now or in the future.

O.P. & R.J. Merriman

Tauranga.





1743

received 3/6

New Zealand does not need  
a written constitution and I  
strongly oppose any legislation  
on reference to the Treaty of  
Waitangi; should one be drafted  
now or in the future.

O.P. & R.J. Merriman

Tauranga



554

**From:** Dan Mesnage  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 19/04/2013 10:11 a.m.  
**Subject:** CAP Submission  
**Attachments:** Our Constitution.rtf

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**Question:**

Do you think our constitution should have a higher legal status than other laws (supreme law)?

Why?

**Answer:**

Yes.

A constitution is a set of fundamental principles for governance and the protection of rights for people. The constitution should be above other laws – laws should only be allowed if they do not impinge on these principles. Laws should instead be informed by the constitution.

Essentially, the constitution should be a kind of job description and structural description of government and the courts, and a declaration of the rights of individuals.

Additionally:

1.

The constitution should take care to explicitly distinguish between individuals (real people) and legal entities (corporations, governments, the legal status of people, etc). **The constitution should protect the rights of real individuals (not limit them), and limit the powers of legal entities (not protect them).**

As laws would be inferior to the constitution, they would not be allowed to impinge on the rights of real people that are outlined in the constitution. **These rights should also be inalienable and should not be able to be waived unless explicitly waived – i.e. an individual's rights should not be able to be waived in the absence of claiming them.** This important point should help avoid the abuse of legal power and the usurping of the rights of real people in favor of the privileges given to legal entities – a core problem in much of the world today (including New Zealand/Aotearoa).

Legal entities are only given privileges and have no rights. Privileges can be taken away by law. The rights of real individuals should be considered inalienable and unable to be taken away by law.

2.

The constitution should also explicitly ban the creation of money by any legal entity, except the nation's government. The government should not be allowed to designate this power or give it away. All proceeds from interest accrued on debt-based money created by the government, if any, should be public. No legal entity, except the government, should be allowed to make a profit on the creation of the nation's money.

As an aside, to ensure the effectiveness of our constitution, New Zealand/Aotearoa would ideally declare its independence from the British Crown.



1162

**From:** <  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 8/06/2013 11:03 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

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Full Names: Christine Metcalf Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Kaitaia Postal  
Region: Northland Postal Post Code: Postal Country: New Zealand Submission: We  
were all born equal in this country and there was no racial tension back then until the government  
allowed the separation of the voting roll which has separated communities and families and lets be  
totally honest there is no true blooded Maori's now  
we are all a total of mixed blooded NZers and I feel the Treaty no longer qualifies for the handouts  
that the lazy kiwi's are using as a prop. I do however believe if land was taken from the some of the  
Maori families illegally must be either returned or compensated  
for and that the people who are on benefits get their appropriate share and not just lining the pockets  
of the ones higher up in the chain. We do not need or want separate parties for  
Chinese, Islanders, Americans, Arabs, or any other culture that comes to our  
country to make it their home. We are one country and if you choose to live here you abide by our  
laws and constitution you don't get that opportunity if you choose to live anywhere out of NZ.

Sent on the 8 June 2013 at 11:02

3019

25 July 2013

Constitutional Review Secretariat

C/- Ministry of Justice

SX 10088

Wellington

**Submission to the Constitutional Review Panel**

1. My name is Alice Joan Metge. Born in Auckland New Zealand in 1930 I have spent my working life in New Zealand as a social anthropologist with a particular interest in cross cultural communication.
2. Unexpected health problems have prevented my making my intended submission to the Constitutional Review Panel, but I wish to place on record my interest and support for this extremely important enterprise.
3. I set out my views on the constitutional importance of the Treaty of Waitangi in a submission to the Constitutional Arrangements Committee of the House of Representatives dated 13 April 2005. I **enclose** a copy of that submission and fully endorse the ideas and sentiments expressed therein. I also **enclose** a copy of the last two pages of my book The Maoris of New Zealand: Rautahi published in 1976, which makes it clear that my thinking on this issue is longstanding.



4. With regard to the fundamental question of whether New Zealand should have a written or unwritten Constitution, I am aware of cogent arguments on both sides but tend in general to favour a written constitution on the grounds that the written form seems to be more common and is accorded higher status on the international scene.
5. A written constitution raises the issues of the need for great care in the choice of words and in deciding the extent to which allowance should be made for amendment and change. I should like to see New Zealand's leading writers and social scientists involved in the debating of these issues and also in the actual writing of the Constitution. A constitution should be aspirational and inspirational as well as instrumental.
6. On the grounds that it is unique in form and in the position it occupies in our present unwritten Constitution, I should like to see it enshrined in a separate Part of the New Zealand Constitution Act, not on its own but in association with a Preamble which explains its history, its foundational role in the establishment of the New Zealand nation state and its symbolic function as a charter (in the words of Sir Eruera Tirikatene, "*a guiding principle like Magna Charta*"), a model for relations between New Zealand's diverse cultural groups. As regards the text of the Treaty of Waitangi I support the use of the Maori text accompanied by a new translation made by a consultation between at least three experts in the Maori language.
7. I strongly support a greatly increased emphasis on the delivery of educational courses on New Zealand's constitutional arrangements and their development at all levels of education (including adult education).
8. I regret that I do not have the time and energy to write more.

Yours faithfully

  
Alice Joan Metge MA(UNZ) PhD(London) HonD(Auckland) DBE MRSNZ

Auckland





30 (9 a)

SUBMISSION  
TO THE CONSTITUTIONAL ARRANGEMENTS COMMITTEE  
HOUSE OF REPRESENTATIVES

SUMMARY

**4     Introduction**

My name is **Alice Joan Metge** of                      Auckland. I am a social anthropologist who has specialised in research in Maori society and cross-cultural communication. I concentrate my attention on the Treaty of Waitangi.

**5     Defining the Treaty**

I define the Treaty of Waitangi as including both the written texts in Maori and English and the context in which they came into being. Argument over the written texts results in the Treaty being unfairly perceived as a source of uncertainty and division. Viewed in context, the texts can be valued as the formal expression of an unwritten agreement between the representatives of two peoples to live and work together, sharing the land.

**6     The Treaty in our national life**

I see the Treaty of Waitangi as an important element in New Zealand's unwritten constitutional arrangements and an essential part of our identity as a nation. As a founding event it is well-documented, dramatic, unifying and inspiring. It is unique in significant ways and internationally recognised as enhancing New Zealand's reputation. Maori regard it with great respect as a sacred kawenata (covenant). A substantial minority of Pakeha New Zealanders have always valued it. There is a growing number of soundly researched quality books and websites and an increasing demand for lectures and workshops on the Treaty and its relevance.

**7     The Treaty in a multi-cultural society**

I see no necessary opposition between work to improve the relation between Maori and Pakeha and recognising our increasingly multicultural population. Both/and complementarity is both feasible and rewarding. The Treaty of Waitangi establishes the right of those who cannot claim Maori ancestry to put down roots in this country and provides for the inclusion of all New Zealand citizens regardless of ethnicity. Recognising Maori as Tangata Whenua, treating their history and culture with respect, sets a precedent and pattern for recognising the contributions of other ethnic groups.

**8     Waitangi Day**

The news media bear much of the responsibility for the association of Waitangi Day with conflict and division, because they concentrate attention on incidents of protest and conflict and ignore the many other activities that take place at Waitangi on Waitangi Day.

**9     Final comments**

I value the Treaty of Waitangi as the founding agreement of our nation. I want New Zealanders to have access to full, accurate and unbiased information about the Treaty, so that they can make up their minds on the subject of its present and future role from a basis of understanding.

signed:

9.4 Joan Metge  
13 April 2005



## SUBMISSION

3019 b)

### TO THE CONSTITUTIONAL ARRANGEMENTS COMMITTEE HOUSE OF REPRESENTATIVES

#### 1.0 Introduction

1.1 My name is **ALICE JOAN METGE** of Auckland. I write as a private New Zealand citizen passionately committed to the ongoing development of New Zealand as a free, fair and inclusive society with an international good name. Of French, Irish, Scots and English stock, I identify myself in New Zealand as a Pakeha, a term I define as referring to persons of other than Maori descent who have roots and belong here in New Zealand.

1.2 I am by profession a social anthropologist, trained under Professor Raymond Firth (a New Zealander) at the London School of Economics. I was employed as a university lecturer from 1961 to 1988 and have spent fifty two years in research in Maori society and at the interface between Maori and other cultures, sharing the fruits of my research with other New Zealanders in books and articles (short list attached). I have been a member of the Waitangi National Trust Board since February 1996.

1.2 In this Submission, I concentrate my attention on that aspect of New Zealand's existing constitutional arrangements in which I have a particular interest, the Treaty of Waitangi. Apart from reading the many books on the subject, I have conducted workshops and group discussions focused on the Treaty and discussed its implications at length with Maori and Pakeha friends.

#### 2.0 Defining the Treaty of Waitangi

2.1 Despite a widespread assumption that we all know what the Treaty of Waitangi is, the name is in fact used with a range of meanings. Many New Zealanders (including politicians and public servants) assume that it is embodied in the English text of the Treaty held in National Archives, while many others, especially Maori, identify it with the Maori text, which they refer to as "Te Tiriti o Waitangi". Common published references to the Treaty identify it as "New Zealand's founding document", in the singular, leaving the question of which text open to interpretation. The Waitangi Tribunal says that the Treaty of Waitangi has two texts, one in English and one in Maori, acknowledges that the





English text is not an exact translation of the Maori one, but holds that, despite the problems this causes, "both represent an agreement in which Maori gave the Crown rights to govern and to develop British settlement, while the Crown guaranteed Maori full protection of their interest and status, and full citizenship rights."([http://waitangitribunal.govt.nz/about/treatyofwaitangi/treaty\\_meaning.asp](http://waitangitribunal.govt.nz/about/treatyofwaitangi/treaty_meaning.asp)) These usages all focus attention on and effectively limit definition of the Treaty to written documents.

2.2 In examining the Treaty documents, it is important to remember that the English text was formulated within the few days between Lieutenant Governor Hobson's arrival in the Bay of Islands on 29 January 1840 and 4th February, primarily by Hobson, Busby and Henry Williams (none of whom had legal training), on the basis of Colonial Office guidelines and in conformity with British conventions. It was then given to Henry Williams and his son Edward (neither of whom were expert linguists) to translate in one night. Today's legal draughtspersons and translators, however expert, would object strenuously to being required to complete such tasks in such a tight time frame.

2.3 For their part, the Maori signatories, the chiefs, had no input into either text but responded to the Maori text presented to them. They did not read this text before signing it at Waitangi or anywhere else: they listened while it was read to them and debated their response on the basis of recall and their understanding of its general purport. Hobson gave them ample time to debate that response and they did so collectively, according to their own conventions, during the day at Waitangi on 5th February and into the night at their encampment at Te Tii across the river, returning to Waitangi early on 6th February, ready to sign. From William Colenso's detailed account of which chiefs spoke and what they said in the debate at Waitangi on 5th February, and from my own experience of Maori debating procedure, it is evident to me that the chiefs decided collectively to give assent not to the particular wording of the three Articles of the written document on the table in front of Hobson but to the general thrust of the text as a whole and what they perceived as the intentions behind it.

2.4 I personally define the Treaty of Waitangi as including both the written texts and the context in which it came into being:  
the Colonial Office instructions which Hobson brought to New Zealand,



Hobson's contribution and that of those who helped him write and translate the English text, the events which took place at Waitangi on 5th and 6th February 1840, and the political understanding of the Maori chiefs, officials and missionaries involved.

2.5 Reducing the Treaty of Waitangi to the written texts has led to a preoccupation with their wording, arguments over the meaning of key words, and the privileging of particular parts over others: the English text over the Maori text and vice versa, the three Articles over the Preamble, each of the three Articles over the others at different times. As a result, the Treaty is unfairly perceived by many as a source of uncertainty and division, when the parties involved intended it to be quite otherwise.

2.6 Viewed in context, the texts can be seen and valued as the formal expression of an unwritten agreement between the Maori chiefs and the representative of Queen Victoria for their respective peoples to live and work together in the land then known as Niu Tirenī. For me that agreement is as much part of the Treaty of Waitangi as the written texts, and the Treaty as a whole is greater than the sum of its parts.

### 3.0 The Treaty in our national life

4.4 I hold strongly to the belief that the Treaty of Waitangi in this global sense is an important element in New Zealand's present unwritten constitutional arrangements and an essential part of our identity as a nation. I base this belief on the following reasons.

3.2 Every nation needs a beginning point, a founding event that is well-documented, dramatic, unifying and inspiring. I believe that the event which took place at Waitangi on 5th and 6th February 1840, culminating in the first signing of a Treaty document, fulfills these requirements. William Colenso's account of what happened, confirmed as accurate by James Busby, is detailed, dramatic and intensely moving to me as a New Zealander.

3.3 The Treaty of Waitangi is unique in significant ways. Britain entered into it as a result of deliberate policy, departing from what had been and was later reinstituted as standard policy. It is a bilingual treaty, written in the language of





the indigenous people as well as in English. It is the only Treaty Maori signed with a foreign nation. It is internationally recognised as enhancing New Zealand's reputation.

3.4 Within their own communities generations of Maori maintained and passed on a tradition of great respect for the Treaty, regarding it as sacred and referring to it as He Kawenata (a Covenant). When in the late 1970s and early 1980s young Maori radicals adopted the slogan "The Treaty is a Fraud", their elders convinced them to change it to "Honour the Treaty". The events of the last year are evidence that Maori collectively continue to feel strongly about the Treaty.

3.5 Although for well over one hundred years non-Maori New Zealanders generally dismissed the Treaty as irrelevant to national life, a substantial minority have always valued it. When he failed to persuade the government to buy the Waitangi estate, Vernon Reed (MLA for the Bay of Islands) so sparked the interest of the Governor General, Lord Bledisloe, that he and Lady Bledisloe bought it out of their own resources and gave it to the people of New Zealand. For much of the 20th century Northlanders, both Maori and Pakeha, gathered at Waitangi on 6th February every year for low-key, family-centred celebrations. The government itself recognised the Treaty's symbolic significance by marking the centenary of the signing with a ceremonial gathering at Waitangi despite being at war, supporting the building of the Whare Runanga and the waka Ngatokimatawhaorua, and including Waitangi in Royal tours.

3.6 Engagement in serious study on the Treaty of Waitangi is a substantial and growing trend, and one that is increasingly well served. Claudia Orange's The Treaty of Waitangi, published in 1987, continues to sell steadily and has been joined by an ever increasing number of soundly researched, quality books and websites on all aspects of the Treaty. Many are readily accessible to a general audience and targeted to varying levels of prior knowledge.

3.7 There is also an increasing demand for lectures and workshops on the Treaty from ordinary individuals and organisations, quite apart from that stemming from official policy. Despite being retired, I receive invitations to conduct one or the other almost every month. I find that most participants are turned off by arguments over the interpretation of texts but respond positively to





accurate and unbiased information about the personalities and events surrounding the signing of the Treaty, at Waitangi and in their own part of the country.

#### 4.0 The Treaty in a multicultural society

4.1 Advocates of downplaying the role of the Treaty of Waitangi and Waitangi Day in national life commonly base their argument on the increasingly multicultural composition of the national population, setting this in opposition to the concept of biculturalism adopted as policy by many organisations. Along with Maori friends, I consider this opposition to be a false one, evidence of a widespread modern tendency to think in terms of either/or alternatives. It is not, however, the only option: both/and complementarity is in this case both feasible and rewarding.

4.2 The Treaty of Waitangi has relevance to all New Zealanders because it establishes the right of those who cannot claim Maori descent to put down roots in this country. Maori had already established this right for themselves before they signed the Treaty, by virtue of at least six hundred years of occupation and utilisation of this country's resources and the development of cultural forms uniquely located here. In the 1980s, when Maori were pressing their claim to recognition as the indigenous people of New Zealand, nga Tangata Whenua or People of the Land, it was a Maori leader who conferred on non-Maori New Zealanders the title of nga Tangata Tiriti, the People of the Treaty.

4.3 The Treaty of Waitangi was agreed not between "Maori and Pakeha" as is sometimes asserted but between Maori chiefs representing their followers and Lieutenant Governor Hobson representing Queen Victoria, that is, the British Crown. The Queen delegated the ability to extend citizenship rights to selected others first to the Governor and then to succeeding New Zealand governments. The Treaty thus provides for the inclusion of all New Zealand citizens, regardless of their ethnicity. Maori apply the term Pakeha in the first place to those of British stock who have become New Zealand citizens with roots in the country, but on occasion they stretch the meaning of the word to cover all New Zealand citizens, using it as a synonym for and in preference to the negative "non-Maori".



Far from being exclusive, as some assume, the phrase "Maori and Pakeha" is inclusive, expressing a sense of complementarity and belonging together.

4.4 Recognising Maori as Tangata Whenua, treating their history and culture with respect and drawing on it to enrich our common New Zealand culture does not preclude the positive valuation of other ethnic groups. On the contrary, it sets a precedent and pattern for recognising their presence and contributions. At the same time, I would argue Maori merit a special place (not the same as special advantages), as *primus inter pares* - first among equals - by reason of their long occupation of this land, the imprints they have left upon it, the vitality and dynamism of contemporary Maori culture, and the fact that their contributions play a major part in making us unique on the world stage.

4.5 Extended metaphors provide a helpful way of modelling relations between our many ethnic groups. I like the Maori metaphor of the "taura whiri", the plaited rope. Ropes can be woven of strands of different sizes and colours - they do not have to be standardised - and new ones can be woven in at any time. Most importantly, the strands retain their individual identity yet woven together are infinitely stronger than any can be alone. (For a fuller exposition see my Waitangi Rua Rau Tau Lecture 2004 enclosed)

## 5.0 Waitangi Day

5.1 In my view 6th February, the anniversary of the first signing of the Treaty of Waitangi at Waitangi, is the most fitting day on which to celebrate our nationhood. That many New Zealanders see it as a symbol of conflict and division is highly regrettable and partly due to lack of knowledge and/or misunderstandings about the Treaty of Waitangi, but I attribute the main responsibility to the news media who consistently confuse the separate location and roles of the Waitangi Treaty Grounds on the north side of the Waitangi. River and the Te Tii Waitangi marae on its south side, concentrate attention on incidents of protest and conflict, and virtually ignore the many other activities that take place on both sites.

5.2 Apart from powhiri for politicians on their way to the Treaty Grounds on the 5th February, Te Tii Marae accommodates hundreds of Maori visitors on the





5th and the 6th, providing facilities for debate and entertainment on the adjacent camping ground as well as on the marae proper and its meeting house. On 6th February Maori, Pakeha and people of many other ethnicities gather on the Treaty Grounds and adjoining parts of the Waitangi National Trust estate in their thousands (over 20,000 in 2005) for activities which include a dawn karakia, an ecumenical church service, organised children's and sports activities, entertainment by a variety of groups (including kapa haka and the Navy), food and craft stalls, displays by health and education providers, family picnics and waka on the water.

5.3 Of recent years it has become usual for groups from Te Tii Marae to march over the Waitangi bridge to the Treaty Grounds and hold a protest rally around the flagpole that marks the place where it is believed the first signing took place. They rarely stay for more than an hour and while they challenge the police and Maori Wardens ringing the flagpole verbally, physical confrontation or violence is rare. So are arrests: there were none in 2003 and 2005 and only two in 2004. Many times this number typically occur at football and cricket tests without comment.

5.4 This year (2005) for the first time the media devoted reporting space to activities other those of the protesters at Waitangi and commented on the peaceful atmosphere of the gathering as if this was a marked change. In my view the change lay not in the event itself but in media perception of the event. Hopefully, fairer reporting by the media both reflects and encourages a better understanding on the part of the nation as a whole.

## 6.0 Final Comments

6.1 It is my firm belief that the Treaty of Waitangi is and should be an important part of New Zealand's constitutional arrangements as the founding agreement of our nation. I regret that it has become a focus of dispute and resentment and I am concerned that New Zealanders should be given full, accurate and unbiased information about the content and context of the Treaty so that they can discuss its present and future role from a basis of understanding instead of misinformation and prejudice.

Signed:

Joan Metge MA(NZ) PhD(Lond) HonDLitt(Auck) DBE 13 April 2005



SUBMISSION

3019 c)

TO THE CONSTITUTIONAL ARRANGEMENTS COMMITTEE  
HOUSE OF REPRESENTATIVES

Attachment I

**PUBLICATIONS - JOAN METGE**

**BOOKS (complete)**

- 1964      A New Maori Migration: Urban and Rural Relations in Northern Zealand. London School of Economics Monographs in Social Anthropology No. 27. London: Athlone Press. 299 pages.
- 1967      The Maoris of New Zealand. London: Routledge and Kegan Paul. 245 pages.
- 1976      The Maoris of New Zealand: Rautahi. Revised Edition. London: Routledge and Kegan Paul. 382 pages.
- 1978      Talking Past Each Other: Problems of Cross Cultural Communication (with Patricia Kinloch).  
Wellington: Victoria University Press. 56 pages.
- 1984      Learning and Teaching: He Tikanga Maori. Wellington: Department Education (Maori and Islands Division). 15 pages.
- 1986      In and Out of Touch: Whakamaa in Cross Cultural Context.  
Wellington: Victoria University Press. 159 pages.
- 1990      Te Kohao o Te Ngira: Culture and Learning.  
Wellington: Learning Media. 76 pages.
- 1995      New Growth From Old: The Whanau in the Modern World.  
Wellington: Victoria University Press. 342 pages.
- 2001      Korero Tahi - Talking Together. Auckland: Auckland University Press with Te Matahauariki Institute. 52 pages.





SOME PRESS OPINIONS OF THE FIRST EDITION

'The author writes with evident attachment to the Maoris, among whom she has lived for a number of years, and with a tactful apprehension of the difficulties still confronting them in their continuing adjustment to the ways of the dominant *pakeha*. Her writing is clear and sober, factual enough to inform the serious student but also untechnical enough for the general reader. . . . She scrupulously abstains from any personal, political, or theoretical observations such as might have obstructed her purpose of conveying succinctly the maximum reliable knowledge about her subjects. The result is a compact and singularly informative handbook to Maori culture and social organization.' — *The Times Literary Supplement*

'*The Maoris of New Zealand* will provide a much needed resource book for teachers and others seeking an overall view of Maori society today and may do something to stem the flow of pseudo or fake information which at present fills the gap left by an insufficiency of scholarship. I should like to make it compulsory reading for Stipendiary Magistrates, Members of Parliament and all grades of public official.' — *Landfall*

# The Maoris of New Zealand Rautahi



First published in 1967  
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39 Store Street,

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Royalties from the sale of this book are paid into the Joan Metge  
Charitable Trust and disbursed for Maori purposes, especially  
education.

To

Paihana Taua, Reihana Matiu, Rarawa Kerehoma, Miriama Taylor,  
Mika Nathan, Tiki Walters and Waata Te Pania of Te Rarawa  
Sue Te Tai and Ripeka Te Paa of Ngāpuhi

Rangitaua Tāpara of Waikato

Kingi Wētere of Ngāti Maniapoto

Maharaia Winiata and Miria Hōtere of Ngāti Ranginui

Rāniera Kingi and Hōhepa Tāepa of Te Arawa

Pita Tāpene of Ngāti Tūwharetoa

Hirini Tāwhai, Mani Waititi and Hoani Waititi of

Te Whānau-ā-Apanui

Te Oenuku Rēne of Ngāti Toa and Ngāti Raukawa

*Ki a koutou, ki ngā mātua mē ngā whaea*

*e moe mai nā i Tūa-whakarere*

*nā koutou nei ahau i atawhai, i whāngai, i penapena—*

*inā te taonga nei,*

*nāku, otirā nā tātou ngātahi.*

*Nāu te rourou, nāku te rourou,*

*kā kī te kete.*

The work is not mine but ours.





to make to New Zealand as a nation. As yet, however we have only begun to translate this idea into action, and it remains to be seen how effectively we can realize it.

### *The Treaty of Waitangi*

Whatever the objective state of Maori-Pakeha relations, the Treaty of Waitangi provides us with a potent symbol of our nationhood.

The Treaty itself is the focus of considerable uncertainty and academic dispute. There is some doubt over the exact text: the original English text has been lost, there are at least two slightly discrepant Maori versions and the adequacy of the words used in Maori to render (for instance) the highly abstract concept of sovereignty has been questioned (Ross in Victoria University of Wellington, 1972: 16-34). In the past many historians and lawyers held that it was not a valid treaty in international law because the chiefs who signed it were not the rulers of an independent state. Contemporary legal opinion rejects this reasoning and accepts the validity of the Treaty as an international instrument (McKean in Victoria University of Wellington, 1972: 35-48). But international law must be differentiated from domestic or internal law. The Treaty of Waitangi has never been incorporated in New Zealand's internal law. Over the years Maoris have invoked the Treaty on a number of occasions in support of claims especially to land, but their claims have nearly all been rejected none the less. Many Maori leaders and movements, notably Kotahitanga and Ratana, have pressed for its ratification or more precisely enactment as part of the law of the land. Since the Treaty is expressed in very general language, even if it were enacted special provisions in other legislation dealing in detail with the same issues would take effect in preference to the general provisions of the Treaty in the absence of a clear intention to the contrary. Other New Zealanders, both Maori and Pakeha, argue against incorporating the Treaty in state law. As Sir Eruera Tirikatene pointed out this would put it in the way of being amended or repealed: he considered it was 'best left to stand above the law as a guiding principle like Magna Carta' (New Zealand Parliamentary Debates, vol. 309: 1136-8). Many Maoris feel that parts of current law are in fact in clear contravention of the Treaty (Ngata in Victoria University of Wellington, 1972: 49-57), but this can be handled by working for changes in the particular laws concerned.

In an attempt to meet the objections of Maoris and to establish firmly the importance of the Treaty in New Zealand law, the Government passed the Treaty of Waitangi Act 1975 which establishes a Waitangi Tribunal to enquire into and make recommendations upon

claims relating to the practical application of the principles of the Treaty and to report on proposed legislation referred to it by the House or any Minister of the Crown. The Tribunal is to consist of the Chief Judge of the Maori Land Court and two others appointed by the Governor General on the recommendation respectively of the Ministers of Justice and Maori Affairs; it will receive secretarial, recording and any other services it needs from the Department of Maori Affairs. In exercising its functions the Tribunal is to have regard to the English and Maori texts of the Treaty set out in a schedule to the Bill, and is to have exclusive authority to determine the meaning and effect of the Treaty as embodied in the texts and to decide issues raised by the differences between them. The Tribunal has jurisdiction to consider claims from any Maori or group of Maoris who consider that any current legislation, policy or practice or any act done or omitted by or on behalf of the Crown affects them prejudicially and is inconsistent with the principles of the Treaty of Waitangi.

Various objections have been raised to the Act as it stands, not least the fact that it does not provide for claims by non-Maoris.

Whether the Act stands or is amended, it is to be hoped that the Treaty of Waitangi will continue to act as it has in the past and as Sir Eruera Tirikatene suggested, as 'a guiding principle like Magna Carta'. The ideal set out in the Treaty of two races united in friendship and equality as one people is a great national myth which like all myths is concerned less with historical accuracy than with providing a charter for action and a standard of value against which particular actions and situations are to be judged. As such it does not apply only to Maoris and Pakehas but also provides a model for relations between all New Zealand's varied cultural groups, a sound foundation on which to build a truly multi-cultural society.





1234

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 9/06/2013 8:16 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link<http://www.ourconstitution.org.nz/>.

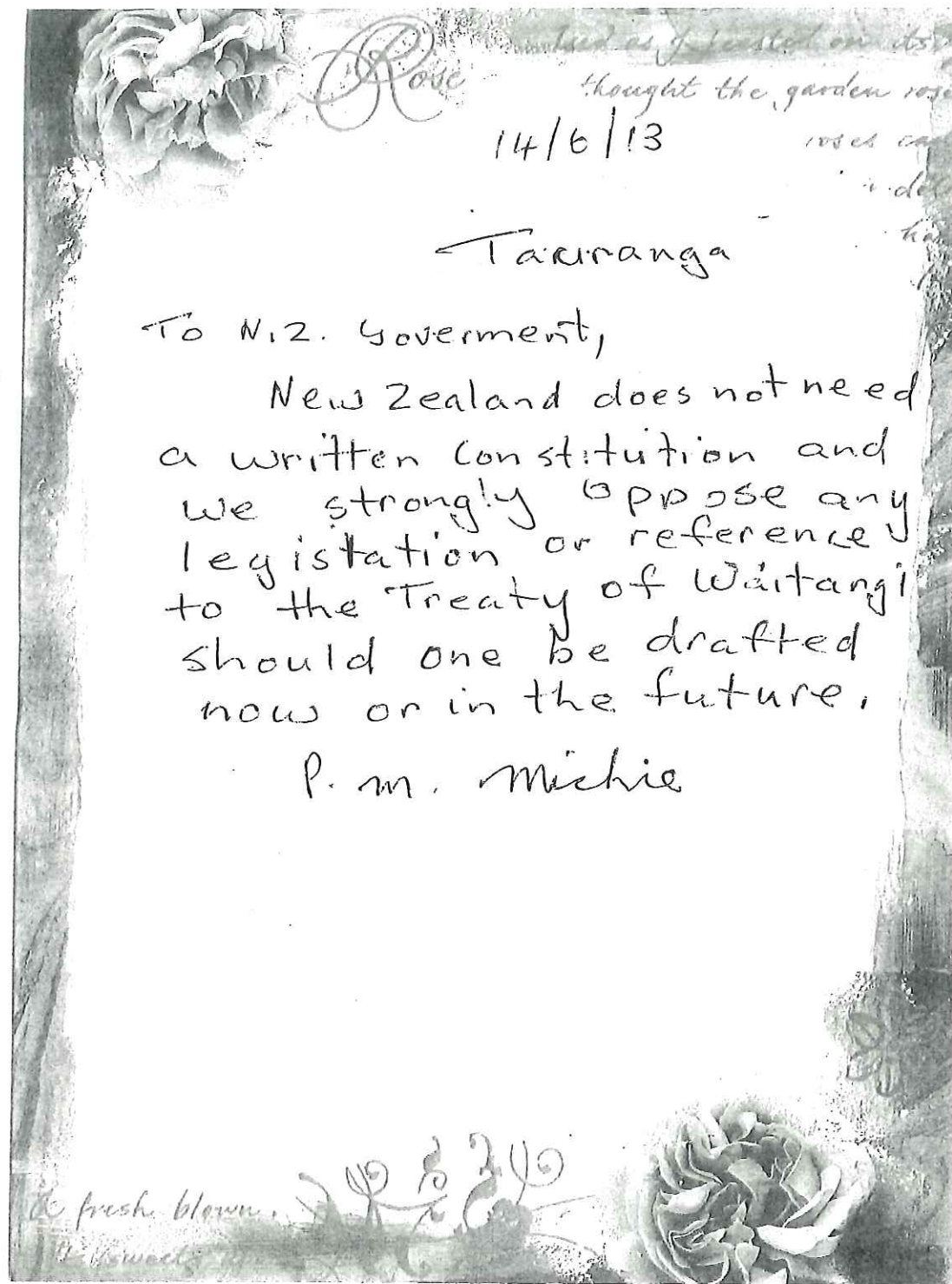
Full Names: Jonathan Brian Michell Organisation Name: Email:  
Phone: Postal AddressA:  
Postal AddressB: Takapuna Postal City: Auckland Postal Region: Auckland Postal Post  
Code: Postal Country: New Zealand Submission: I would like my country to have the  
same rights for all citizens regardless of race, religion e.t.c We are all relatively recent migrants to this  
land and should have equal rights without one group being favoured or having extra input because  
they arrived  
slightly earlier.

I would like compensation to made to settle any greivences in full and to allow Maori agencies/ tribes  
to be wealthy and self funding. If this sum need to be 10billion instead of the 1billion than that is fine...  
the key is that the money is used well to further  
Maori interests and isn't just about compensation but allowing Maori to control and direct their future.  
Following this there will be no extra rights for Maori on the basis of race/ the treaty e.t.c

I am firmly against a racist society where Maori are favoured and their views given greater importance  
than other citizens.

Sent on the 9 June 2013 at 20:15

1827



Rose

14/6/13

Tauranga

To N.Z. Government,

New Zealand does not need  
a written Constitution and  
we strongly oppose any  
legislation or reference  
to the Treaty of Waitangi  
should one be drafted  
now or in the future.

P. M. Michie

fresh blown

flowers

401

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 15/04/2013 9:14 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: John Lesueur Middleton Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB:  
Papamoa Postal City: Postal Region: Bay of Plenty Postal Post Code:  
Postal Country: New Zealand Submission: My aspirations are for a tolerant, law abiding, well educated and hard working society who appreciates our country and what it offers. A country which restricts immigration to those who want to contribute to society and not rely on the generosity of NZ'ers.

Social welfare should continue to be available for those in need but not for those who are fit enough but aren't prepared to work. Parents who have no input into their children's upbringing and where those children become wayward and resort to crime, the parents should also be held liable for those crimes.

We need some stricter rules on law and order and more accountability for the judiciary.

I would like the rule of democracy to prevail and I don't want one member of society to be treated differently from others because of race or religion. I believe members of parliament not be elected on the basis of race. The Maori seats should therefore be abolished. If NZ is to advance, we all have accept one law for all citizens. I do not agree that the Treaty of Waitangi be introduced in to the constitution as this will only prove to be divisive and create discontent. Many NZ'ers of European descent (and other ethnic persuasions) are now 4th & 5th generation who shouldn't feel as though they don't belong to our society and no one should be treated like second class citizens.

I believe increasing the parliamentary term from 3 years to 4 years to be appropriate.

I believe that The Queen remain as our sovereign head and for NZ not to become a republic.

I believe that NZ should re establish our connection with the Privy Council and abolish the Supreme Court.

Sent on the 15 April 2013 at 21:13

321

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 14/04/2013 4:58 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Robert Miedema Organisation Name: private Email:  
Phone: Postal AddressA Postal AddressB: Postal City:  
greymouth Postal Region: west coast Postal Post Code: Postal Country: New Zealand  
Submission: The New Zealand constitution should contain principles that more than 80% of the  
population agree with. This would prevent it from becoming a source of division.

Sent on the 14 April 2013 at 16:57

262

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 12/04/2013 10:26 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Miers Garry John Organisation Name: Email:  
Phone: Postal AddressA: Postal AddressB: Postal City:  
Orewa Postal Region: Auckland Postal Post Code Postal Country: New Zealand  
Submission: 1.How should Māori views be represented in Parliament?

The same as other New Zealanders. One person one vote. We need to be one people. A system where some New Zealanders have more or less privileges will lead to dissatisfaction and disunity.

2.How could Māori electoral participation be improved?

Through improved education for Maori so they can fully participate and contribute to NZ in all levels of society.

3.How should Māori views and perspectives be represented in local government?

Again through improved education for Maori.

Sent on the 12 April 2013 at 22:26

587

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 21/04/2013 7:59 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Peter Migounoff Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Postal Region: Auckland Postal Post Code: Postal Country: New Zealand  
Submission: There should be no maori seats in Parliament or local government, one rule one law for all.

Sent on the 21 April 2013 at 19:58



5879

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 21/04/2013 8:03 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>

Full Names: Peter Migounoff Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Postal Region: Auckland Postal Post Code: Postal Country: New Zealand  
Submission: why are you calling New Zealand, Aotearoa New Zealand this just shows that you are a  
pack of fuck wits

Sent on the 21 April 2013 at 20:02

5876

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 21/04/2013 8:08 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Peter Migounoff Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Pukekohe Postal Region: Auckland Postal Post Code: Postal Country: New Zealand  
Submission: The Treaty of Waitangi should have no role in our constitution or future of New Zealand.  
it gives maori an unfair advantage over other New Zealanders.

Sent on the 21 April 2013 at 20:07

587c

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 21/04/2013 8:12 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

~~Sent from The Constitution Conversation #link(<http://www.ourconstitution.org.nz/>).~~

Full Name: Peter Migounoff Organisation Name: Email: : Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Pukekohe Postal Region: Auckland Postal Post Code: Postal Country: New Zealand  
Submission: New Zealand should only have general electorate members, no maori electorate  
members as this gives maori a unfair advantage.

Sent on the 21 April 2013 at 20:12

701

**From:** <  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 30/04/2013 9:44 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: R Mihaljevich Organisation Name: Private Email: Phone:  
Postal AddressA: Postal AddressB: Postal City: Postal Region: Bay of Plenty  
Postal Post Code: Postal Country: New Zealand Submission: NZ Constitution  
Submission.

If we are to have a NZ Constitution, I would like to have a New Zealand equivalent to the US 2nd Amendment that they have in their Bill of Rights. Namely an auxiliary right, supporting the natural rights of self-defense, resistance to oppression, and the civic duty to act in concert in defense of the state.

There would be many other important texts that should and could be borrowed from the US Bill of Rights also, such as the 1st Amendment, but it would be 2nd Amendment type inclusion, that would protect all other inclusions.

Sincerely, RM.

Sent on the 30 April 2013 at 09:43

C6762

**From:** <webmaster@ourconstitution.org.nz>  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 31/07/2013 2:39 p.m.

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: Karlo Mila Organisation Name: Email: Phone:  
Postal AddressA: Postal AddressB: Postal City:  
Wellington Postal Region: Wellington Postal Post Code: Postal Country: New Zealand  
Submission:

Yes, in one single document for clarity, ease of utility and power. It should have higher status, as it is a guiding collectively owned document that can be thought very carefully about and it requires that high status in order to be worth its while.

The Courts should decide, as parliament is too politically-led.

This document ought to clearly recognise the Treaty and the rights of Maori as indigenous. It ought to acknowledge our geographical and regional location in the Pacific, the realm that is part of NZ as well as duty of care to Pacific neighbours and population.

It ought to recognise the rights of the environment and waters, flora and fauna, land, seas, air quality, within the context of the constitution and be forward looking towards the future generations, in ways that Parliament and everyday law cannot be.

Submitted on the 31 July 2013 at 14:38

272

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 13/04/2013 11:52 a.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: iose miles Organisation Name: individual Email:  
Phone: Postal Address/ Postal AddressB: Postal City: hamilton  
Postal Region: waikato Postal Post Code: Postal Country: New Zealand Submission:  
'Maori' should be represented in Parliament the same way other people or groups do. ie Either as individuals in their own right or as representatives of a registered party.

To improve Maori representation would be to abolish the current Maori registered seats as our voting system should be the 'ONE MAN ONE VOTE' democracy.

'MAORI' views and perspectives should be represented in local government by people/individuals presenting them as such.

Sent on the 13 April 2013 at 11:51



272a

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 13/04/2013 12:24 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: iose miles Organisation Name: individual Email:  
Phone Postal AddressA Postal AddressB: Postal City:  
Postal Region: waikato Postal Post Code: Postal Country: New Zealand Submission:  
NZ's constitution should be a single document for economy and efficiency of use and referral

Courts should decide whether legislation is consistent with the constitution because law is their area of expertise

No, the laws should be above the constitution because it is law that a constitution is built from.

The country's constitution policies can not be above the law

Sent on the 13 April 2013 at 12:23

2726

**From:**  
**To:** <constitutionalreview@justice.govt.nz>  
**Date:** 13/04/2013 1:06 p.m.  
**Subject:** <http://www.ourconstitution.org.nz/> form submission

Sent from The Constitution Conversation #link:<http://www.ourconstitution.org.nz/>.

Full Names: jose miles Organisation Name: individual Email:  
Phone: Postal AddressA: Postal AddressB: Postal City: hamilton  
Postal Region: Postal Post Code: Postal Country: New Zealand Submission:  
The Treaty of Vvaitangi should not play a role in NZ's constitution because NZ is now a fully  
democratic nation that recognizes and upholds the rights of all its individual citizens.

With respect to the above the Treaty of Waitangi need not be made a formal part of the constitution  
since Maori now are respected and recognized as individuals with rights within New Zealand.

Sent on the 13 April 2013 at 13:04