

## **THE CROWN'S CROWBAR (by Anahera Herbert-Graves, CEO, Te Runanga-a-Iwi o Ngāti Kahu)**

How can you tell when the Crown is lying? Who decides how and when a hapū claim is settled?

If you know the answers to those questions, congratulations. You have just passed the minimum entry requirement to 'Direct Treaty Negotiations With The Crown 101. Work hard and you might one day be worthy of being given the mandate to negotiate for your hapū who lodged, researched and presented their claims to the Waitangi Tribunal.

But you will first have to reach a much higher level of knowledge, even wisdom.

Paper one is titled, What Does Settlement Mean? You will need to answer that question correctly with regard to at least four distinct perspectives; those of the Crown, the public, your hapū and you. Here is your cram sheet.

With regard to your hapū, only they can tell you what settlement means for them, because only they know what they have lost since their tūpuna signed Te Tiriti o Waitangi. You must take the time to be instructed by their ahikāroa, kaumātua kuia and historians because it is these holders of hapūtanga, not the individual hapū members scattered throughout the world, who know what and how settlement will be reached. It is their mandate you must first seek, and the best place to hear their kōrero is in the preparation and presentation of their hapū claims to the Waitangi Tribunal.

With regard to the public, you can take it as a given that settlement means little to most of them. That is sad. But it is not your job and you don't have time to educate them.

With regard to the Crown, settlement means 'extinguishment' by 2014 of the Treaty and amen to the mana whenua, rangatiratanga and kaitiakitanga of your hapū. Having finally and irrevocably crowbarred your hapū away from their lands and everything that made them and you rangatira, the Crown will make itself your sovereign.

In exchange it will not pay a cent of compensation. Instead it will, with one hand, give no more than three cents in the dollar on the current value of the land it stole from your hapū. Then with the other hand it will force you to give back 90% in ransom before it will partially relinquish control over 5% of that land.

Those calculations are based on the largest 'settlements' to date.

For you, based on those same settlements, it means the Crown will write a deed into which it will slip clauses that beef up its claims to own everything under the land of your hapū, and its control over everything above it.

If you are the negotiator that lets all this happen, you will have successfully swapped the rangatiratanga of your hapū for a position as advisors to Crown agents like DoC and FNDC. Instead of revitalising your hapū, you will have gutted them.

Finally, you will be remembered forever as the Crown's crowbar; the one who let the Crown decide when and how your hapū's claims were settled; the one who never learnt that the Crown is lying whenever its many lips are moving.