

plaints of practice, procedure and attitudes on which the claimants have produced such a body of evidence can be fully and thoroughly investigated. But we add such a report should be in the hands of the Minister well before this year is out. There is no time for further procrastination or delay.

"The education system in New Zealand is operating unsuccessfully because too many Maori children are not reaching an acceptable standard of education. For some reason they do not or cannot take full advantage of it. Their language is not adequately protected and their scholastic achievements fall far short of what they should be. The promises in the Treaty of Waitangi of equality in education as in all other human rights are undeniable. Judged by the system's own standards Maori children are not being successfully taught, and for this reason alone, quite apart from a duty to protect the Maori language, the education system is being operated in breach of the Treaty.

"When such a system produces children who are not adequately educated they are put at a disadvantage when they try to find work. If they cannot get work that satisfies them they become unemployed and live on the dole. When they live on the dole they become disillusioned, discontented and angry. We saw such angry people giving evidence before us. They are no more than representatives of many others in our community. When one significant section of the community burns with a sense of injustice, the rest of the community cannot safely pretend that there is no reason for their discontent. That is a recipe for social unrest and all that goes with it. Recent events in other places illustrate this fact with tragic vividness."

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Broadcasting

The claim relating to the Broadcasting Corporation was that it had not provided adequately for Maori radio listeners and television viewers.

The Tribunal first had to decide if the Broadcasting Corporation was an arm of the Crown and legally obliged under the Treaty having to protect *te reo maori*.

This it found as being true and that the Minister of Broadcasting had omitted to meet this provision.

"We are quite clear in our view that Article 2 of the Treaty guarantees protection to the maori language ... and that the predominance of english in the media has had an adverse effect upon it".

However because the Royal Commission into Broadcasting and the Broadcasting Tribunal have yet to release their findings on related broadcasting matters, the Waitangi Tribunal has decided to "wait until after these bodies have made their decisions and if after giving those findings the careful consideration

that they deserve, our Tribunal decides to make additional recommendations we can convene again for the purpose and deliver a supplementary finding on the matter if that becomes necessary or desirable." The Royal Commission is to deliver its report later this year.

Overall the Tribunal had this to say about past broadcasting policies.

"We are prepared to say that, on the face of it, like the education system, there may be some breakdown between the topmost levels of policy making and the ultimate administration at the middle and lower levels of the broadcasting system. This leads us to suggest by way of assistance to the Corporation that an enquiry into the complaints raised before us would not be out of place. We leave the Corporation to govern its own affairs."

The advantage of official recognition of maori language

The Tribunal looked at the present Maori Affairs Act 1953 that recognises the maori language as the ancestral tongue of the Maori. It saw it as an empty provision. It pointed out the evidence of the Secretary of Maori Affairs, Dr Tamati Reedy, who spoke of past policies of suppressing the use of maori language in favour of emphasising the value of english not bringing unity, if anything divisiveness; maori language had become a rallying point for Maori New Zealanders and if the language was given proper status and recognition it would help to restore self-respect of maoridom, while pakeha people would see the unique nature of New Zealand.

"After all we have heard, Dr Reedy's opinion is the very conclusion to which we have come. The act of official recognition need not be the empty thing now found in s 77A of the Maori Affairs Act 1953. It should be an act that publicly demonstrates that preservation of the maori language is important to all of us, Maori and pakeha alike. It should be an act that restores proper status to the maori language as something valuable that we acknowledge to be valuable. It should be an act that puts the language, and therefore the culture, on to a pedestal so that our children will see 'being Maori' as something to be proud of, not something to be treated as worthless. And it should be an act that will enable us to adapt ourselves so that we become truly unique in the world - a people whose history combines the centuries of polynesian culture with all its admirable qualities in literature, sculpture, navigation and heroism that are also to be found in our European traditions. At that time we will be quite distinct from our Canadian, Australian and English cousins - a unique people in the world - New Zealanders in whose veins run all that is good in our Maori and pakeha heritage. The ideal towards which we can properly strive is not to have the pakeha assimilate the Maori, nor to have

the Maori assimilate the pakeha, but a rich blending of the two races to produce the unique result to which we have referred. To begin with we must give the maori language its rightful place in our community."

The extent of recognition

On the cost of official recognition as regards use in all public documents, the Tribunal noted that it would be high (the figure of \$19 million dollars annually was mentioned for the translation and printing of all public documents).

It disagreed for the need at this stage to go this far and said the money would be better spent financing a maori language board to foster the use of the language. But it did say that in the Courts, legislation should be introduced to enable any person to write or speak in maori. Following on from this it says: "there must also be the right to use it with any department or any local body if official recognition is to be real recognition and not mere tokenism."

It is here that the Tribunal draws the threads together.

"Official recognition is one thing but popular recognition will depend upon successful establishment of a body to promote the language for both Maori people and New Zealanders as a whole, to watch over progress and suggest strategies that overcome the difficulties that are bound to arise."

The Tribunal suggests a statutory body being formed to declare the standards of language usage, properly funded by the Government and with adequate staff and resources to discharge its function on behalf of the whole community.

"The maori language should be officially recognised so that it can be used on any public occasion and in dealing with any public body, and that there should be a supervisory body to set proper standards for its use and to take appropriate action to foster its proper development."

Bi-lingualism

One of the claims before the Tribunal was to do with bi-lingualism in the public service and the overall responsibility the State Services Commission has for conditions of appointment. The Tribunal said it had been asked to ensure that permanent heads of departments promote *te reo maori*, but it had resisted specific recommendations. Instead it felt that the Minister in charge of State Services should take steps to "re-assess all conditions for appointment to the public service, and that fluency in maori should be a requirement in some positions and a qualification to be encouraged in others."

It did not see that these linguistic skills would be acquired overnight but that "it may not be impractical to require that level of education over a period of five or ten years from now."