

I gave this address ‘In Defence of Democracy’ to the New Zealand ACT Party Annual Conference, in Wellington and Auckland, July 2022. I want to thank David Seymour, Leader of the ACT Party, and like myself committed to liberal democracy, for inviting me to speak. Although the address was given at a political party event, I was a guest speaker so the ideas I present are my own.

IN DEFENCE OF DEMOCRACY¹

Professor Elizabeth Rata
University of Auckland

Good afternoon. Thank you for inviting me to speak today. My talk ‘In Defence of Democracy’ is for those of all political persuasions who are deeply worried about New Zealand’s descent from democracy into a tribal form of ethno-nationalism².

I want to talk about democracy³ – about what it is we are in danger of losing and what we need to do to retain our nation’s remarkable 170 year legacy of democratic governance.

Nearly forty years ago the 1985 Treaty of Waitangi Amendment Act set in motion a radical constitutional agenda. The aim – to shift the country from democracy to tribalism. In that time a corporate tribal elite has privatised public resources, acquired political power, and attained governance entitlements. Activist judges have created treatyism – a new interpretation of the Treaty of Waitangi as a ‘governance partnership’⁴. Intellectuals have supplied the supporting racialised ‘two world views’ ideology.

The question we must ask is this: How has a small group of individuals, both Maori and non-Maori, managed to install a racialised ideology into our democracy?⁵

In his book *The Open Society*⁶, philosopher Karl Popper identifies those who would take us back to the past, to that closed tribal society from which we are all descended. He describes how throughout history those who ‘could only make themselves leaders of the perennial revolt against freedom’, those ‘incapable of leading a new way’ will return us to what he called ‘cultivated tribalism’.

It is this colossal failure of vision for a democratic future that has taken New Zealand to the crossroads. Democracy is one path ahead; ethno-nationalism is the other.

Treatyism’ success can be seen in how comprehensively ‘partnership’, ‘decolonisation’, ‘co-governance’ – whatever term is used – is inserted into all our government institutions, into the universities, and into the law. It is an ideology that tells how we are to understand our country’s history and how we are to envisage its future.

The 1840 Treaty of Waitangi was, like all human products, of its time and place. One aim – shared by British and Maori signatories alike – was to establish the rule of law by imposing

British sovereignty through British governance. Sovereignty and governance go together as two sides of the same coin – with intertwined meaning. In the decades which followed, the treaty lost relevance in the new colonial society. This is the case with all historical treaties.

Revived in the 1970s as the symbol of a cultural renaissance, the treaty was captured by retribalists in the 1980s to serve as the ideological manifesto for the envisaged order – a reconstituted New Zealand. It was given a ‘spirit’ to take it above and beyond its historical location so that it could mean whatever retribalists say it means.

This treatyist ideology successfully promotes the false claim of partnership between the government and the tribes. However there is a deeper more insidious strategy propelling us to tribal ethno-nationalism. It is the collapse of the separation between the economic and political spheres.

The separation of the economic from the political is absolutely essential for democracy. When economic interests and political ambitions are merged there is no accountability to the people – consider all those totalitarian leaders whose power gives wealth and whose wealth gives power – a merger broken only when (and if) the people revolt.

When the combination of reactionary politics and wealth accumulation is justified by ‘myths of past perfection’⁷, we have what I call the neotribal capitalist version of the wealth-power merger⁸.

The corporate tribes have already acquired considerable governance entitlements – the next and final step is tribal sovereignty. It’s a *coup d’etat* in all but name, accomplished not by force but by ideology – enabled by a compliant media.

Given the enormous success of retribalism is it too late to reclaim New Zealand from the relentless march to blood and soil ethno-nationalism?

That depends upon our willingness to understand, value, and restore democracy.

To do this we need to be clear what democracy is.

First, it is the remarkable and still uncommon form of government described in Abraham Lincoln’s famous words as ‘government of the people, by the people, for the people’.

Second, democracy has three pillars. Remove or even tweak these pillars and it collapses.

Third, democracy requires the ‘partially loyal’ universal individual.

I want to talk about these three pillars and that partially loyal individual. If we are to understand democracy this is where we start.

Democracy’s Pillars

The pillars are:

1. The citizen⁹ – the individual who bears political and legal rights – not the racialised group member.
2. The state — the governing infrastructure of parliament, systems of law, education, health and so on, regulator of public resources such as water, foreshore and seabed, flora and fauna, radio waves
3. The nation – at once a geographic entity and a symbol of a unified though historically diverse people who muddle along together in liberal civil society.

Each of these pillars is riven by a necessary tension – a tension arising from their inherent contradictions – contradictions which make democracy future-oriented, progressive – and vulnerable.

The contradictions are:

- As *citizens*, we have a duty to society but, at the same time, we have personal interests arising from kin, cultural, and other social loyalties.
- The *state* is simultaneously the capitalist state – generating economic wealth and inequality – and the secular democratic state – guaranteeing political equality and regulating wealth distribution.
- The *nation* is unified in facing the future, yet diverse in its past.

Democracy is peaceful battle within and between each of these three pillars. This bloodless conflict is only possible when individuals are partially loyal.

So what is ‘partial loyalty’?

Partial loyalty

I first came across the term in anthropologist, Alan Macfarlane’s *The Making of the Modern World*. It intrigued me and I have developed the idea further in the following way.

‘Partial loyalty’ can explain what it is about the modern individual who has contradictory loyalties simultaneously – identifying as a family member, a member of an ancestral group, a cultural group, a tribe, a religion, an identity group defined by leisure interests, sexuality, and so on.

This is civil society. From different, even conflicting interests how do we decide where our loyalty lies – is it to New Zealand? To an identity group? An ancestral group? To those ‘who look like us’?

The idea of ‘partial loyalty’ is a way into thinking about this question.

It is a question that someone in a tribal society, an autocratic society, a religious society would not have to ask, or be permitted to ask, because the answer is already provided.

Most societies demand total loyalty.

- Traditional tribal societies allowed one identity – *fixed* by birth status and kinship ties – not open to individual choice. Loyalty was non-negotiable because total loyalty ensured the group's survival.
- Autocratic regimes, both past and present, *impose* total loyalty – not for the survival of all, but for the elite – imposed by might and by ideological indoctrination.

Democracies are different in a fundamental way. They not only allow partial loyalty but *require* it.

In a democracy we hold many loyalties simultaneously – family and social groups where the loyalty is personal – creating a deeply held sense of identity and belonging – perhaps to a tribe, culture, religion, sport or other type of association.

And at the same time we are loyal to a diverse society and to its governing system that is not personal. Indeed loyalty to the democratic nation is loyalty to a vision – the idea of ‘government of the people, by the people, for the people’.

These two different loyalties – one a deeply personal identity – the other a rational commitment to an idea – is why democracy is so difficult. It is much easier to fall back into loyalties of emotion, not reason.

The ease and attraction of total loyalty favours ethno-nationalism – it is profoundly anti-modern and anti-democratic – yet profoundly seductive.

I want to turn now to how we have been seduced. This means talking about ideology.

Ideology

Retribalism has attacked the three pillars of democracy through the covert use of ideology. I want to talk specifically about how this is occurring in language, education, and the media.

Retribalist ideology and language

Ideologies control not just speech but thought itself. The most successful have a manifesto, a ‘sacred text’ or covenant¹⁰. Mao’s Little Red Book, the Communist Manifesto, the sacred texts of religions, the US Constitution’s Second Amendment – these are used to symbolise a spiritual, ‘beyond this world’ authority, disguising the real-life ambitions of those controlling the ideology.

Since the 1980s the Treaty of Waitangi has been developed as such a manifesto – using two highly effective tactics.

I call the first the *transubstantiation* tactic.

Here the treaty is transformed from an historical document to a sacred text. This mystical transubstantiation takes the treaty into the realm of the spiritual from where it acquires a doctrinal authority – one to be interpreted for we common folk by a new priesthood – treatyist intellectuals.

Once the treaty's unchallengeable spiritual authority is established the second tactic comes into play. It is the *diversion* tactic. This 'how many angels on a pinhead' tactic operates by diverting us into echo-chamber squabbles – about the 1840 meaning of this word, that word, this intention, that intention. This is all interesting and important material for historians but our concern should be, not what the treaty said in 1840 – those days are gone – it served the purpose of the time – but what it is being used to say today – and for what purpose.

What about retribalist ideology and education?

Our education system is indoctrinating children into retribalism. The so-called 'decolonisation' and 'indigenisation' of the curriculum is the method. This is a disaster. Decolonisation will destroy the very means by which each generation acquires reasoned knowledge, and in so doing, the ability to reason.

I have described how this ability creates the disposition of partial loyalty that is required to be a citizen. Reasoning provides the rationalism to counter the irrationalism of total loyalty. By undermining the secular academic curriculum – that which creates the reasoning mind – we are destroying the partially loyal individual. Our fate – to be left with those capable only of mindless total loyalty.

And retribalist ideology and the media?

An ideology becomes omnipotent when it is not challenged. In a democracy the media should inform us of all competing interests and in all their complexity. We, the people, need to know everything, because it is us who will decide what should happen. Mainstream media has failed to do this – indeed is culpable in embedding treatyism.

The Future

Is it too late to save New Zealand's democracy? Have we already passed the crossroads? A pessimist, realist perhaps, might say 'yes'. As a reluctant optimist I would say there is still time if we do the following:

1. Remove the treaty and its principles from all legislation. People (not a sacred deity) put these into legislation. People can remove them.
2. Remove retribalism's ideology from all public institutions, including the universities.
3. Encourage those in civil society who value and desire Maori culture to participate in – for example – Maori media, Maori language, kaupapa Maori schools¹¹, Maori literature, arts, music, fashion, film, festivities . . . all the activities of a vibrant culture.
4. Teach a complete and unvarnished NZ history developed according to sound scientific methods.
5. Allow New Zealand English to evolve organically through incorporating Maori words, not by government decree¹².
6. Re-build the education system to teach academic subjects – the source of the partially loyal individual – not ideological dogma¹³.

And finally, hold a national discussion – possibly over several decades – about a symbol for New Zealand's foundation. I have four suggestions:

1. The 1840 Treaty of Waitangi – for its historical value only – not as a legal and constitutional document. Recent attempts to trace democracy to the treaty are nonsensical and will further embed treatyism.
2. The 1852 Constitution Act. This Act, with all its limitations, did establish New Zealand democracy. It set up Parliament and the beginnings of the workable state that continues today. It recognised the citizen to whom Parliament is accountable – even though only certain Maori and settler men were able to vote – it is that crucial principle of accountability to the people that was put in place.
3. The 1893 Electoral Act – women’s suffrage.
4. Don’t have a founding document. Do we need one?

On a personal note – I confess an emotional pull to the 1893 Electoral Act – for kinship reasons – one of my great-grandmothers was a signatory to the Suffrage Petition. However as a ‘partially loyal’ citizen I must give full and rational consideration to the other contenders – even to argue against my own various loyalties in coming to a decision. There is no doubt that the 1852 Constitution Act is the strongest contender *because* we can trace our liberal democracy to this legislation. Surely it worth celebrating?

But we may never decide on an official founding document – and that’s fine. It is the continuous peaceful battle of democracy in action that matters. But that ongoing battle is democracy’s inherent source of instability – an unsettleness that is both its strength and its vulnerability.

When citizens abdicate their democratic duty, when the media abandons its responsibilities, when judges become political activists, when academics are intolerant of open inquiry, and when governments are subverted by an ideology – that is when a corporate tribal elite emerges to encircle the commons, that is to privatise what belongs to the public, to us the people, and to govern not in our interests but for themselves. In this way wealth and power are merged.

Before moving to my conclusion I want to make one thing absolutely clear – especially to those who will seek to distort my words – I support the activities of those in civil society who value and engage in Maori language and culture. A liberal civil society is where we meet in all our differences – indeed society is at its most creative when diversity is practised and enjoyed by all.

To conclude

Politics arises from civil society – from the various conflicting interests of people. That political-civil interaction is what democracy looks like. But, and this is the crux of my argument, no interest group has the right of governance unless the people agree. Elections are that act of agreement – always temporary with the winner always on trial.

New Zealanders, both Maori and non-Maori, have not been asked to agree to tribalist governance. If we had been asked would we have agreed?

Tribalism and democracy are incompatible. We can't have both. If we wish to keep New Zealand as a liberal democratic nation then, as we derive our citizen rights from the nation-state, so we have a duty to ensure that the nation-state which awards those rights, remains democratic and able to do so.

For our country to remain a liberal democracy, we need to know what democracy is, its true value, and what we must do to restore it.

¹ The ideas in my speech are been developed in academic articles and books since the early 1990s. Some are available on these websites – www.elizabethrata.com <https://profiles.auckland.ac.nz/search?by=text&type=user&v=Elizabeth%20Rata> and <https://openinquiry.nz>. My choice of the title 'In Defence of Democracy' is a nod to the Listener letter 'In Defence of Science (NZ Listener, 31 July 2021). I was one of the seven signatories to that letter.

² Rata, E. (2021) Ethno-nationalism or Democratic Nationalism: which way ahead for New Zealand? <https://democracyproject.nz/2021/06/30/elizabeth-rata-ethno-nationalism-or-democratic-nationalism-which-way-ahead-for-new-zealand/>

³ Amartya Sen (1999). Democracy as a Universal Value. *Journal of Democracy* 10.3 (1999) 3-17.

⁴ Rata, E. (2021) The road to He Puapua – Is there really a treaty partnership? *The Democracy Project*, 5 July. <https://democracyproject.nz/2021/07/05/elizabeth-rata-the-road-to-he-puapua-is-there-really-a-treaty-partnership/>

⁵ My first article, published in 1996 was entitled 'Goodness and Power': The Sociology of Liberal Guilt, *New Zealand Sociology*, 11(2), 231-274.

⁶ Karl Popper. *The Open Society*, Vol. 1.

⁷ Acknowledgement to Professor Brian Boyd for this beautifully apt phrase 'the myth of past perfection'.

⁸ 'Neotribal capitalism'. Available at www.elizabethrata.com

⁹ The term 'global citizen' is nonsensical. A citizen is someone who bears rights. Those rights must be from an entity that has the power both to award the rights and to enforce them. Currently it is the nation-state that does this as there is no global institution that has the authority to award and enforces rights and responsibilities. In the absence of such an authority the term 'global citizen' is hollow in substance, and only useful as a metaphor for the aspiration of equality for all people.

¹⁰ Margaret Wilson, cited in Rata, E. (2005). Marching through the Institutions, The Neotribal Elite and the Treaty of Waitangi, *Sites New Series*, 1 (2) 56 – 81. Article available <https://openinquiry.com> and www.elizabethrata.com

¹¹ My recent book, written with Tauwehe Tamati, is about a teaching method to use in kura kaupapa Māori in order to develop students' academic achievement in both Maori and English.

Rata, E. and Tamati, T. S. (2022) *Academic Achievement in Bilingual and Immersion Education: TransAcquisition Pedagogy and Curriculum Design*. Routledge. <https://www.taylorfrancis.com/books/mono/10.4324/9781003156444/academic-achievement-bilingual-immersion-education-elizabeth-rata-tauwehe-sophie-tamati>

¹² Public Service Act 2020 Te Whakapakari I te hononga I waenga I te Maori me te Karauna Strengthening the Maori Crown relationship. Te Kawa Mataaho Public Service Commission. Fact Sheet 3.

¹³ The cultural knowledge of traditional societies is not science. However the science-culture distinction doesn't exclude traditional knowledge from the secular curriculum. It does however put limits on how it is included. Students can be taught in social studies, history, and Māori Studies *about* the traditional knowledge. But this must not be induction *into* belief and ideological systems. The home and community (e.g. marae and churches) are for induction into cultural beliefs and practices.

The following extract is taken from Rata, E. (2022) *The Decolonisation of New Zealand Education*. *The Democracy Project*. <https://democracyproject.nz/2022/04/22/elizabeth-rata-the-decolonisation-of-education-in-new-zealand/>

"Proto-science (pre-science) is found in all traditional knowledge and includes traditional navigation, medicinal remedies, and food preservation This knowledge, acquired through observation and trial and error, as well as through supernatural

explanation, along with the ways it may have helped to advance scientific or technological knowledge, is better placed in history of science lessons rather than in the science curriculum.

Science provides naturalistic explanations for physical and social phenomena. Its concepts refer to the theorised structures and properties of the physical world, its methods are those of hypothesis, testing and refutation, its procedures those of criticism and judgement. The inclusion of cultural knowledge into the science curriculum will subvert the fundamental distinction, one acknowledged by mātauranga Māori scholars, between naturalistic science and supernaturalistic culture”.