

## Do Justice

*“Do justice, love kindness and walk humbly with your God.” Micah 6:8*

### A Newsletter on Social Justice Issues

Welcome to the March 2021 of edition Do Justice as we continue to discuss issues of social justice from a Christian perspective.

#### Climate change

The Climate Change Commission has recently issued its first draft advice to the Government for public consultation before finalising the document by the end of May. The Government then has until the end of the year to respond and act on the advice.

The document is 188 pages long and is full of tables and graphs showing vividly the possible outcomes if we, as a nation, either act on their advice or ignore it. Overall, the direction and recommendations in the document are good and should enable New Zealand to reach the reductions in greenhouse gas emissions agreed to in Paris in late 2015 to restrict global warming to no more than 1.5°C by 2050.

However, there are some issues that the Commission appears reluctant to address with clear recommendations, in particular methane emissions from agriculture. They do suggest a 15% reduction in stock numbers by 2035; however, since 2007 the number of dairy cows, probably the main source of methane, has increased from 2 million in 2007 to 6.11 million in 2020.<sup>1</sup> A 15% reduction would only be about 916,600, still 3 million or so more cows than in 2007. Much of the increase in cow numbers is due to the conversion of farms to dairying where irrigation is available.

Dairy exports have increased significantly in this period and the output per cow has also improved, so a reduction in stock numbers of 15% may not adversely affect exports. Questions remain: Will this reduction result in a sufficient reduction in methane emissions and how much more will need to be done to meet the 2050 targets?

It would seem sensible for the Commission to recommend to the Government that the availability of irrigation for dairying be restricted and that farmers using irrigation should be encouraged to move to cropping or other less methane-intensive farming. New Zealand farmers have shown a remarkable ability to respond to changing conditions in markets and should be able to respond to help prevent a situation where no farming is possible because of climate change and global warming.

In the section on Heat, Industry and Power the Commission states: *“Aotearoa will need to maximise the use of electricity. This means generating and using more low emissions electricity for vehicles and for process heat. Building more renewable generation such as wind, solar and geothermal will be required.”*<sup>2</sup>

They then go on to recommend, *“The homes, buildings and infrastructure we build now will still be here in 2050. We need to think about our choices with climate change in mind. That means using low emissions technologies and prioritising energy efficiency.”*<sup>3</sup>

While we support this recommendation, we believe that it should also include a clear encouragement for all new buildings, of whatever type, to incorporate solar panels. In addition, there should be a recommendation to Government to review the way in which the electricity generating and distribution companies allow and pay for any daytime excess generation which would help to reduce the amount of daytime hydro electricity that is used. Hydroelectricity is effectively Aotearoa’s cheapest and most efficient battery.

We have recently had Sir David Attenborough’s latest TV series, *Our Perfect Planet*, on our screens. This series draws on his latest book *A Life on our Planet* published in mid-2020 and available in the Auckland City Libraries. The book covers much of the same ground as the Climate Change Commission Report but it is the areas that David Attenborough covers that the Commission does not that are of particular interest. David Attenborough opens with a graphic description of a visit to Pripjat in the Ukraine, the town where the Chernobyl nuclear power station was located. This exploded on 26 April 1986 resulting in many deaths and the abandonment of the town of about 50,000 people. David Attenborough writes:

*“The number of premature deaths caused by the event is still disputed but estimates range into the hundreds of thousands. Many have called Chernobyl the most costly environmental catastrophe in history.*

*“Sadly, this isn’t true. Something else has been unfolding everywhere across the globe, barely noticeable for much of the last century. This too is happening as a result of bad planning and human error. Not one hapless accident, but a damaging lack of*

<sup>1</sup> [Number of dairy cows in milk in NZ in 2020 - Bing](#)

<sup>2</sup> CCC Advice To Government 31 Jan 2021 page 15.

<sup>3</sup> Ibid.

*care and understanding that affects everything we do. It didn't begin with a single explosion. It started silently before anyone realised it, as a result of causes that are multifarious, global and complex. ...This is the true tragedy of our time: the spiralling decline of our planet's **biodiversity**. For life to truly thrive on this planet, there must be immense biodiversity.*"<sup>4</sup>

Attenborough then goes on to track the increase in global population, carbon in the atmosphere and the decrease in the remaining wilderness from 1937 when he was 11 years old to 2020. In those 83 years the global population has gone from 2.3 billion to 7.8 billion, atmospheric carbon from 280 parts per million to 415 parts per million and remaining wilderness has dropped from 66% to 35%. Together we have been responsible for these changes. David Attenborough concludes his book by writing:

*"We can yet make amends, manage our impact, change the direction of our development and once again become a species in harmony with nature. All we require is the will. The next few decades represent a final opportunity to build a stable home for ourselves and restore the rich, healthy and wonderful world we inherited from our distant ancestors. The future of the planet, the only place as far as we know where life of any kind exists, is at stake."*<sup>5</sup>

The Climate Change Commission's recommendation about the need to plan indigenous forests rather than relying on pine is particularly relevant in the light of way David Attenborough talks about the need to return biodiversity to something like it was before the advent of the Industrial Revolution. When Māori first arrived in Aotearoa, the country was almost completely forested. In the 180 years since the beginning of colonisation, our native forests have been decimated. For close to 100 years the NZ Government actually paid farmers to clear forests to 'improve' land for agriculture.<sup>6</sup> By 2005 only 29% of the land area of Aotearoa was forested although, thanks in part to the Resource Management Act, forests have increased coverage. Allowing indigenous forests to flourish will at least slow the loss of biodiversity and could add to biodiversity.

As Christians, we are called by God to support such developments as part of our response to God's charge to us to look after creation.

### Constitutional reform

In last month's Do Justice we ended with a call to look seriously at major reform of our governance system, building on the work of Matike Mai Aotearoa. Early in February Jacinta Ruru and Jacobi Kohu-Morris wrote an article in The Spinoff entitled 'Why te Tiriti should place a limit on the supremacy of parliament'.<sup>7</sup>

The authors draw on the work of Supreme Court Justice Sir Joe Williams on the relationship between Aotearoa's unwritten constitution and Te Tiriti o Waitangi. As our governance systems developed from the 1850s onwards, Te Tiriti o Waitangi was forgotten and the governance arrangements of the 'mother country' were used as a model. When Parliament was established in 1854 as a result of an Act of the British Parliament, we initially

had two houses – the House of Representatives comprising elected members from around the country and an 'upper' house known as the Legislative Council whose membership was appointed by the Governor, and then the Governor General. The Legislative Council was abolished in 1951.<sup>8</sup> But the basic concept of British parliamentary government – the doctrine of unlimited parliamentary supremacy – continued. It is this concept that Jacinta Ruru and Jacobi Kohu-Morris question:

*"One major obstacle is New Zealand's adherence to the doctrine of unlimited parliamentary supremacy. The concept was imposed over the top of existing Indigenous nations and legal systems in European colonial states across the globe. The continuing effect of this doctrine on Indigenous peoples' legitimate claims to self-determination and self-governance is an important question for countries like Aotearoa New Zealand."*

Interestingly, it was not until 1986 that the apron strings to the British Parliament were finally severed with the passing of the Constitution Act. Despite the passage of the New Zealand Bill of Rights Act in 1990 and the Treaty of Waitangi Act in 1975, the House of Representatives still remains supreme and can and does ignore both pieces of legislation when the political circumstances demand.

Te Tiriti o Waitangi is the founding document for Aotearoa and pre-dates the establishment of parliamentary governance by about 14 years. It is increasingly apparent that Te Tiriti needs to be part of a 'constitutional' document that cannot be changed by the House of Representatives or in any other way without the full agreement of the tangata whenua. For both Māori and Pākehā, Te Tiriti is the supreme document covering how we live together in this land.

The Māori parliamentary seats date back to 1867 but have always been a minority representation. The seats give Māori a voice but only have power when they can persuade a majority of the other members of parliament to support them. This is a typical colonial solution to the problem of indigenous people and can no longer be accepted.

The problems with establishing Māori local government wards over the last 20 years is an example of how the present governance arrangements are skewed in favour of the non-Māori majority. The legislation to remove the need for a referendum before Māori wards can be established is only a 'band-aid' solution that could be reversed by a later government.

Maybe one solution could be to re-establish an 'upper' house with members elected by each of the ethnic groups in Aotearoa with at least 10% of the population. For legislation from the 'lower' house to be enacted, majority support from each ethnic group in the upper house would be required. Or alternatively, majority support from the Māori representatives as tangata whenua plus a majority of all the other members in the upper house.

<sup>4</sup>David Attenborough, *A Life on our Planet*, Penguin Random House UK 2020. Pages 5 and 6.

<sup>5</sup>Page 220

<sup>6</sup>[Deforestation in New Zealand Wikipedia](#)

<sup>7</sup>The Spinoff 2 Feb 2021

<sup>8</sup>[New Zealand Parliament - Wikipedia](#)