



**TE ARA  
AHUNGA ORA**  
Retirement Commission



**He pēhea te āhua o te ahungarua mō te iwi Māori?**

What does retirement look like for Māori?

**Te Wetetāmitanga o ngā  
Kaupapahere Tūmatanui**

Decolonising Public Policy:  
The Galaxy, the Gavel and the Gun





Dr Kathie Irwin (July 2022)

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## What does retirement look like for Māori?

Te Mana Ahungarua, the Retirement Commissioner, has a statutory role under the New Zealand Superannuation and Retirement Income Act 2001 every three years to review the retirement income policies being implemented by the Government and to report to the Minister of Commerce and Consumer Affairs.

The Review of Retirement Income Policies 2022 (RRIP) terms of reference, issued by the Minister, includes a specific focus on Māori:

TOR2: The impact of government policy on the retirement savings outcomes and experiences of Māori as Treaty partners, and of Pacific Peoples and women.

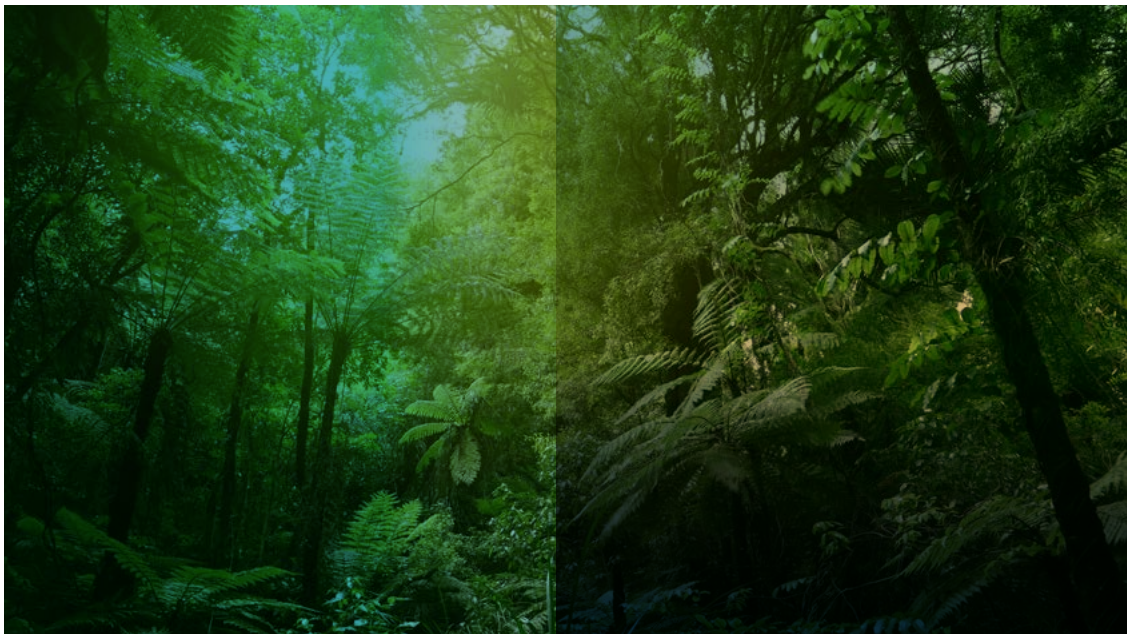
In response Te Ara Ahunga Ora Retirement Commission developed a research project to find out what retirement looks like for Māori, taking a kaupapa Māori approach to this research. The work is designed to explore the role of the state in creating structural inequality and examine its impact on the journey to retirement.

**A series of four papers form this project. They are:**

- **Paper One:** Decolonising Public Policy: The Galaxy, The Gavel and The Gun, Dr Kathie Irwin (2022);
- **Paper Two:** Literature Review  
Dr Margaret Kempton (2022);
- **Paper Three:** Māori Demography 2040,  
Len Cook (2022); and,
- **Paper Four:** What the people said, about 'what retirement looks like for Māori', Dr Kathie Irwin and Erin Thompson (2022).

This paper, discussing public policy, is the first in the series.

The collective impact of this work is further discussed in the main RRIP report, delivered in December 2022.



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## Executive summary

This research project takes a kaupapa Māori approach to find out what retirement looks like for Māori. It is designed to explore the role of the state in creating structural inequality and to examine its impact on the journey to retirement. By understanding retirement through the worldviews of Māori, it may then be possible to develop policies and related activities necessary to improve outcomes for Māori in retirement. In this paper the reference to the galaxy in the title is a reference to the origins of the Māori worldview, the gavel the role of legislation in public policy, and the gun the use of armed force in the land wars.

Te Ara Ahunga Ora Retirement Commission is a Crown entity that provides financial education and information, advises government on retirement income policy and monitors the effectiveness of the Retirement Villages Act.

The government's expectation of Te Ara Ahunga Ora Retirement Commission is that the wellbeing of people will be at the centre of its work. Te Ara Ahunga Ora is required to take a long-term view, think holistically, and focus on factors that will make the biggest difference to lifting the current and future wellbeing of New Zealanders. The government expects Te Ara Ahunga Ora, like all government agencies, to partner with Māori organisations to improve services and outcomes for Māori.

Improving outcomes for Māori requires a resetting not just of policies but also the understanding of the policy-making process. An understanding of Te Tiriti / Treaty of Waitangi and kaupapa Māori can provide the foundation for that rethinking. It means decolonising public policy.

Before the 1800s Māori lived within a world largely defined by themselves and according to a culture, customs, and practices that were in their control. Māori life expectancy at that time was about the same as residents of Europe but the Europeans were more prone to disease and were less well fed<sup>1</sup>.

During the nineteenth century that all changed. Aotearoa was occupied by large numbers of migrants from Europe seeking land and resources. By a process of war, which was later replaced by processes of a settler government, Māori were disposed of their land and their resource base. They became marginalised in their own country. The gavel and the pen replaced the musket in the colonisation process. The impact of this is that today the prospects for many Māori in retirement are grim. Māori have a life expectancy significantly shorter than non-Māori. This has come about as a consequence of deliberate public policy, by legislation and by regulation. The current inequities in the health and wellbeing of Māori have come about by design. This project aspires to re-design, or decolonise those processes, so that these inequities can be addressed and there can be change in the life outcomes for Māori.

Te Tiriti / Treaty of Waitangi is a foundational constitutional document in Aotearoa /New Zealand. Our understanding of it continues to evolve. The Waitangi Tribunal as a forum established for hearing of Crown failings, has accumulated a rich resource of knowledge and understanding of Māori – Crown relationships. Its findings have and are influencing a wide variety of government initiatives. Relevant to this discussion is the Public Service Act 2020, which “explicitly recognises the role of the public service to support the Crown in its relationships with Māori under Te Tiriti / the Treaty of Waitangi”. Parliament, through the Public Service Act, has made its position quite clear. It wishes to see improved outcomes for Māori, and that Māori are engaged in shaping how those outcomes are improved.

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<sup>1</sup> Salmond, A. (1991). Two Worlds: First meetings between Maori and Europeans 1642-1772. Page 48.

But vision on its own does not achieve change. Equally important is how the machinery of government takes that vision and shapes it into policies, legislation and regulation. The recent history of Aotearoa is riddled with examples of where bold vision has not been sufficient to deliver on the promises of improved outcomes for Māori. The processes of policy formation, of legislation and of regulation seem still embedded in their colonial underpinnings of assimilation, cultural superiority and racism. Improved outcomes will only come about when these basic processes are rethought. Kaupapa Māori contains the tools to reshape those processes. Kaupapa Māori approaches have the potential to unlock the machinery of government processes to improve outcomes for Māori as defined by Māori.

Kaupapa Māori is grounded in te tirohanga Māori (the Māori worldview), it normalises mātauranga Māori (Māori knowledge), te reo me ona tikanga (Māori language and cultural practices). This way of understanding the world has survived the onslaught of colonisation. The Waitangi Tribunal process has become a powerful treasure trove of the ways of being Māori. This ancestral knowledge is the foundation for creating pathways to new futures for whanau, hapū and iwi.

A kaupapa Māori approach encompasses the following as organising principles

- Te Tiriti o Waitangi – The Principle of the Treaty of Waitangi
- Tino Rangatiratanga – The Principle of Self-determination
- Taonga Tuku Iho – The Principle of Cultural Aspiration
- Ako Māori – The Principle of Culturally Preferred Pedagogy
- Kia piki ake i ngā raruraru o te kainga – The Principle of Socio-Economic Mediation
- Whānau – The Principle of Extended Family Structure
- Kaupapa – The Principle of Collective Philosophy
- Ata – The Principle of Growing Respectful Relationships<sup>2</sup>.

The practical application of kaupapa Māori is seen in the education system with the development of kōhanga reo, kura kaupapa and wānanga. These are all institutional responses to Māori educational aspirations and that have been developed for and by Māori. Their value has been recognised by Indigenous peoples worldwide.

Another example is the transformation of the Department of Māori Affairs in the 1970s. This was shaped by tirohanga Māori, creating a model that saw leadership returned to the people and the department structured to serve them.

These are examples of not only beginning the process of decolonisation but also of building new ways of doing things, based on re-Māorification. Understanding the structures and processes of colonisation is a critical step but the creation of new ways of doing things has to be driven by the aspiration and lived experience of Māori.

This project takes a kaupapa Māori approach to analysing its information using the He Awa Whiria braided river framework. This creates dual pathways for exploring the ways of knowing of each Te Tiriti partner. It holds in balance, and values equally, the knowledge frameworks of the Crown and those of kaupapa Māori. It is drawn from both Indigenous and Western streams of knowledge. The framework sets out a framework for interaction and concludes with a platform which reconciles the evidence produced.

There are other frameworks that provide examples of how to explore the dual histories of Aotearoa. One is the model of Kupe's Law and Cook's Law. This differentiates the law before 1840 as being primarily about relationships and obligations and after 1840 being about property and rights. Both are valid foundations for law and provide complementary lenses in viewing our world. He Ara Waiora is a framework that helps the Treasury to understand

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<sup>2</sup> [Principles of Kaupapa Māori: Rangahau](#)



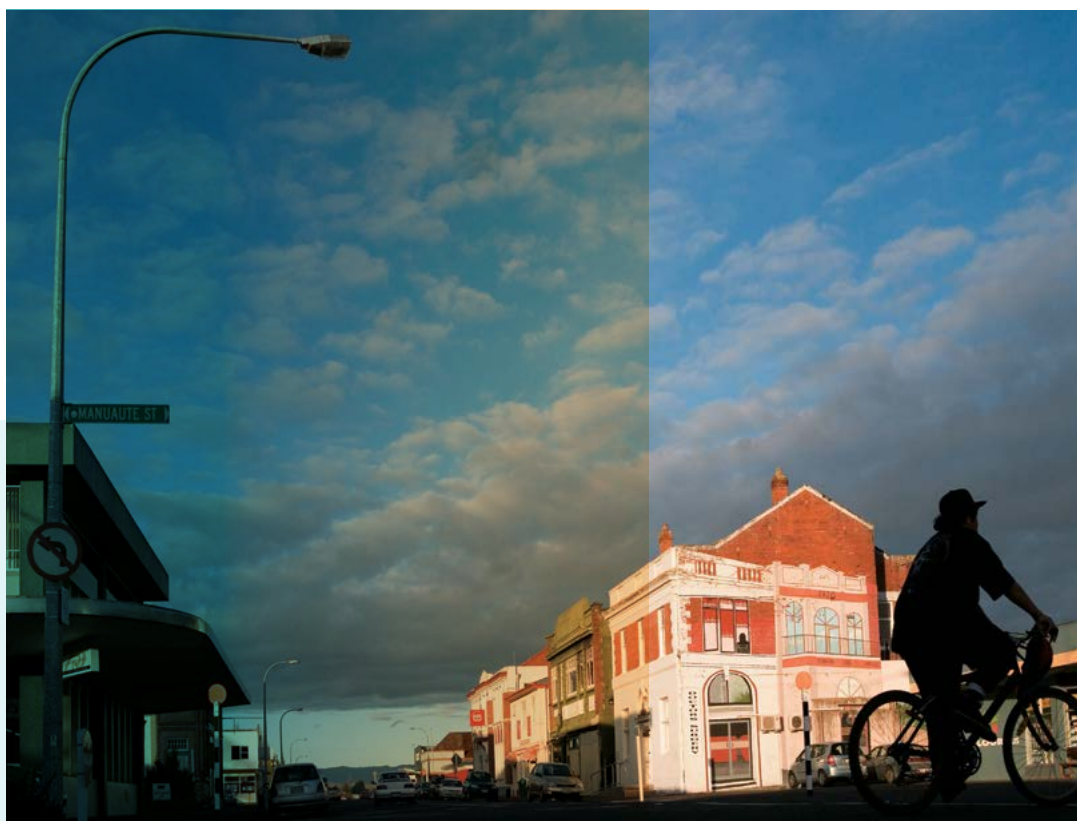
waiora (often translated as a Māori perspective on wellbeing). Another dual operating framework is Te Ara Ahunga Ora's programme for schools and kura in financial capability. The course is available in English medium and Māori medium. The programme in Māori medium takes a holistic and distinctive te ao Māori view on collective financial wellness. It is underpinned by te reo Māori, tikanga Māori, and mātauranga Māori.

Case studies of ethnic and gender pay gaps in the public service and in Te Kōhanga Reo illustrate the ongoing negative impact that historical and current policy settings have on the financial wellbeing of wāhine Māori. These impacts are felt over the whole of women's lives, have an impact on the capacity to support their whānau, and leave them vulnerable to financial shocks when they age. This lack of financial wellbeing limits their ability to live as Māori.

The financial status of Māori should be understood in this context. Structural, historical, and political factors have played a role in dispossessing whānau, hapū and iwi of their resource base, their identity and the means to create inter-generational wealth on Māori terms and in Māori ways.

Māori health outcomes are more the result of structural and environmental influences than they are of personal factors. Identifying and addressing these structural factors is essential if the government's expectation of changed improved outcomes for Māori is to be met.

As Aotearoa New Zealand learns to understand and embrace its history, retirement income policy should not be developed from a one-size-fits-all approach.





## Overview

Long after the last musket was fired in the New Zealand Land Wars the machinery of government used policy, legislation, and regulation to dispossess whānau, hapū and iwi of their resource bases. It relegated the Tangata Whenua Treaty partner to the status of other – marginal and all but landless.

The gavel and the pen replaced the musket in the colonisation process, with devastating results. Government policy was designed to require Māori to become anglicised, legislation was enacted to specify how the new regime was to be applied and enforced<sup>3</sup>. This is how epistemological racism was built into the machinery of government in Aotearoa: by design.

If inequality can be built into the systems by design, can equity also be achieved at the systems level by design?

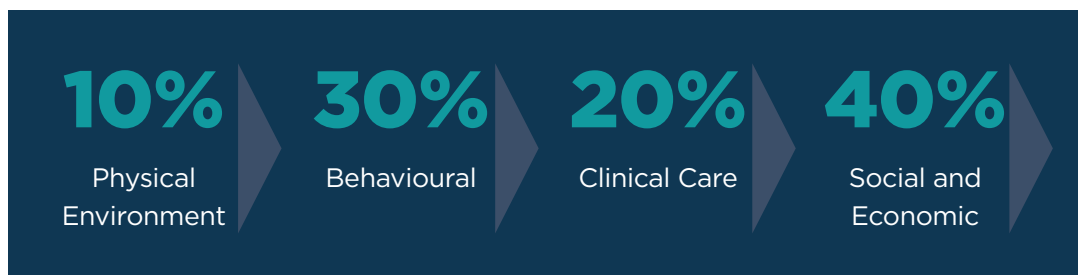
Epistemological racism, the normalising of the English language and culture in the machinery of government, lies at the heart of structural inequity in this country. This is because the systems, services and products of the state flow from the philosophical base of the Crown Treaty partner, at the expense of the Māori Treaty partner. Mātauranga Māori, Māori knowledge, and Western knowledge may share high level values and concerns about humanity, but the origins of the knowledge systems that they are understood from are philosophically different.

Ask any student with a loan and the Western theory embedded deep in that policy becomes crystal clear. The notion that education is a private individual good, rather than a public collective good, which individuals should therefore pay for, rather than the state, is a contested theoretical proposition. In the case of “user pays” in the student loan context in tertiary education, that case was successfully argued. The result is that the children of people who enjoyed free tertiary education graduated with student loans unheard of in their parents’ days.<sup>4</sup>

## Structural inequality

In a keynote address to the 2019 Te Ora Conference, Dr Rawiri Jansen cited research which identified the main determinants of health outcomes.<sup>5</sup> They are: social and economic factors, 40%; behavioural factors, 30%; clinical care factors, 20%; and physical environment factors, 10%. Using this research finding as a guide some 70% of health outcomes sit outside an individual’s behaviour.

**Figure 1: The main determinants of health outcomes**



<sup>3</sup> Families Commission (2013) “Chapter 3: Māori, Affairs Policy”, in *What works with Māori? What the people said*. Wellington: Families Commission.

<sup>4</sup> See Grace, G. (1990) “Chapter 2 The New Zealand Treasury and the Commodification of Education” in Middleton, S., Codd, J. and Jones, A. (Eds).

<sup>5</sup> Jansen, R. (2019) *Keynote Address*, Te Ora (Māori Medical Practitioners Association) Conference, Porirua, Wellington.



Extrapolating from this finding, the challenge of creating better public outcomes at the personal / interpersonal level, then, cannot be achieved without also addressing a range of other factors. These include structures, institutions and the environment.

## Life chances, lifestyles

Research on ethnic diversity in public policy contexts differentiates between life chances, access to power and economic resources, and lifestyles, access to language and culture.<sup>6</sup> This research will examine the impact of structural factors on both the life chances and lifestyles of Māori in ageing. Such an approach unlocks the opportunities the Treaty of Waitangi promises (rights and strengths). It highlights the failed attempts to create the outcomes the Treaty speaks to (disparities currently experienced by Māori across all major indicators).<sup>7</sup>

The Crown's own research shows that the prospects for many Māori in retirement are dire.<sup>8</sup> Māori die earlier than non-Māori,<sup>9</sup> experience gender and ethnic pay inequity,<sup>10</sup> have lower home ownership rates<sup>11</sup> and suffer from health inequities from childhood and across a broad range of conditions. Though not an exhaustive list, the following examples, taken from a recent Waitangi Tribunal Report, corroborate the point being made:<sup>12</sup>

- Total cardiovascular disease mortality was more than two-and-a-half times higher for Māori than for non-Māori;
- Māori were twice as likely to be hospitalised for cardiovascular disease than non-Māori;
- Stroke mortality was nearly twice as high in Māori than in non-Māori, and the stroke hospitalisation rate for Māori was twice that of non-Māori;
- The heart failure mortality rate for Māori was almost three times the rate for non-Māori. Māori were five-and-a-half times more likely to be hospitalised for heart failure than non-Māori;
- Rheumatic heart disease mortality was more than eight-and-a-half times higher in Māori than in non-Māori;
- Māori rates of mortality from all types of cancer were twice those of non-Māori;
- Māori females had a breast cancer registration rate 1.3 times that of non-Māori females, but a breast cancer mortality rate twice that of non-Māori females;
- For cervical cancer, Māori females had a registration rate twice that of non-Māori, however the mortality rate for Māori females was disproportionately higher at four times that of non-Māori females;
- Māori females had a lung cancer registration rate four-and-a-half times that of non-Māori females;
- The relative disparity was slightly higher for lung cancer mortality, with Māori females having a rate five times that of non-Māori females;
- Māori male lung cancer registration and mortality rates were three times those of non-Māori males;
- For Māori males, the liver cancer registration rate was five-and-a-half times that of non-Māori males;
- Rates of stomach cancer registration and mortality were almost three times higher for Māori males than for non-Māori males;

<sup>6</sup> Irwin, K.G. (1989) *Multicultural Education: The New Zealand Response*. New Zealand Journal of Education Studies, 24 (1), 3-18.

<sup>7</sup> Williams, J. (2011) *Ko Aotearoa Tēnei*. Final Report of the Wai 262 Māori Intellectual Property Claim. Wellington: Waitangi Tribunal.

<sup>8</sup> Louise C. Parr-Brownlie, Debra L. Waters, Stephen Neville, Tia Neha, and Naoko Muramatsu, (2020). Aging in New Zealand: Ka haere ki te ao pakeketanga. *Gerontologist*, 2020, Vol. 60, No. 5, 812-820

<sup>9</sup> [Life expectancy | Ministry of Health NZ](#)

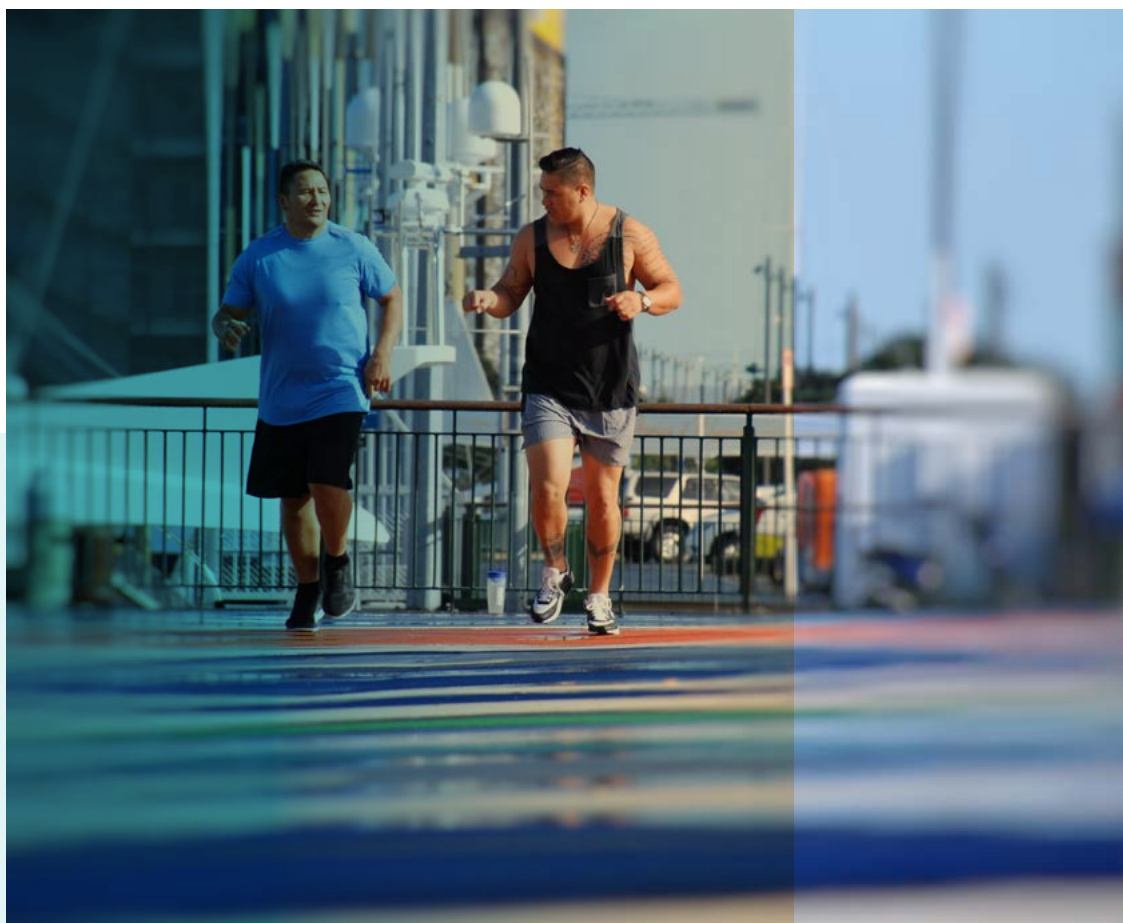
<sup>10</sup> [gender-ethnicity \(cevepnz.org.nz\)](#)

<sup>11</sup> [Changes-home-ownership-maori-pacific-1986-2013.pdf](#)

<sup>12</sup> [Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry](#) (justice.govt.nz), pp 19 and 20.

- For many cancers the rate ratio for Māori compared with non-Māori is higher for mortality rates than for registration rates. This suggests that Māori with cancer may be more likely to die from their cancer than non-Māori;
- Prostate cancer registration was lower for Māori males than for non-Māori males. However, Māori males had a prostate cancer mortality rate twice that of non-Māori males;
- Māori aged 5 to 34 were twice as likely to be hospitalised for asthma as non-Māori ... Māori aged 15 to 45 years reported an asthma prevalence rate one-and-a-half times that of non-Māori;
- Māori aged 45 years or more had a COPD [chronic obstructive pulmonary disease] hospitalisation rate four times that of non-Māori;
- Māori females had a COPD hospitalisation rate almost five times that of non-Māori females; and,
- COPD mortality rates were three times higher for Māori aged 45 years or more. Again, the ethnic disparity was greatest for females.

This research project will need to shed light on why this is the case and what options might need to be considered to address this moving forward. See also the second paper in this series, the literature review, discussing what has been learned over time; the third paper, on Māori demography, looks at what public data reveals; and the fourth paper considering the lived experience of Māori.



## Structure of this paper

This paper is organised in four main sections.

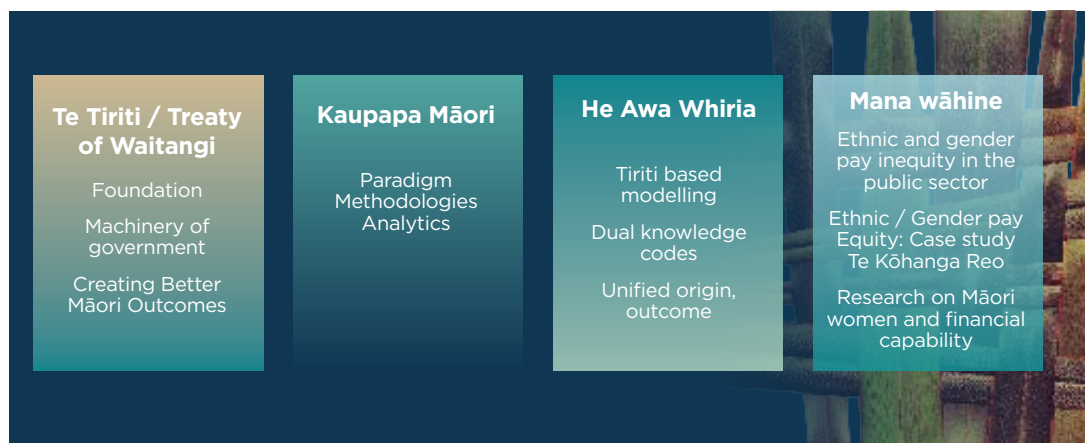
We start with the Te Tiriti / The Treaty of Waitangi, positioning it in public policy discourses and tracing some of the key legislative milestones that shape and inform Crown responsiveness to Māori.

Public policy is considered next in an analysis which focusses on the mechanics of the machinery of government throughout the colonisation journey. This will highlight and discuss how the system has worked in terms of policy, legislation and regulation, to shape and influence Māori outcomes.

The third section of the paper examines and explores kaupapa Māori, which has become a paradigm for transformational change, influential in informing research design, authentic methodologies, and analytic frameworks. It highlights He Awa Whiria, a Treaty-based model outlining how research can draw on dual worldviews, within a project, without compromising the robustness of the findings. He Awa Whiria is an authentic Indigenous model to adopt in the context of imagining new policy-based possibilities.

In the last section we consider the position of wāhine Māori. Along with the structural issues discussed in this paper, a further key issue is gender and ethnic pay inequity and the impact of this on the life chances and retirement position of wāhine Māori.

**Figure 2: Decolonising public policy in Aotearoa NZ**





# 1. Te Tiriti - Te tūhinga turepapa tūāpapa

## 1. The Treaty – Foundational constitutional document

In a public policy context Te Tiriti / The Treaty of Waitangi is positioned as a foundational constitutional document.

The detail of the current Crown position is set out in the Cabinet Office Circular, CO (19) 5, dated 22 October 2019.<sup>13</sup> The paper has a wide distribution list. These are: all ministers; all chief executives; all senior private secretaries; all private secretaries; and all officials involved in policy development. The paper says out that the Crown has responsibilities to uphold in relation to the Treaty and that it:

*... may indicate limits in our polity on majority decision-making. The law may sometimes accord a special recognition to Māori rights and interests such as those covered by Article 2 of the Treaty. And in many other cases the law and its processes should be determined by the general recognition in Article 3 of the Treaty that Māori belong, as citizens, to the whole community. In some situations, autonomous Māori institutions have a role within the wider constitutional and political system. In other circumstances, the model provided by the Treaty of Waitangi of two parties negotiating and agreeing with one another is appropriate. Policy and procedure in this area continues to evolve.<sup>14</sup>*

Public policy discourses of the implementation of the Treaty of Waitangi typically focus on the articles and the principles of the Treaty. The next section will discuss some of the sources of this discourse. Though not an exhaustive list, the discussion covers key pieces of legislation / policy reform which have shaped the Treaty narrative in the policy context. This short summary should be read against a background of Treaty jurisprudence developed in the Waitangi Tribunal since 1975<sup>15</sup> and the prolific research and scholarship outputs addressing the topic.<sup>16</sup>

**Table 1: The Waitangi Tribunal and public policy**

Legislation and policy	Date
Treaty of Waitangi Act	1975
Hui Taumata (Māori Development Policy)	1984
Treaty of Waitangi Amendment Act	1985
Lands Case	1987
Royal Commission on Social Policy	1988
Ko Aotearoa Tēnei	2011
Public Service Act	2020

<sup>13</sup> CO (19) 5: Te Tiriti o Waitangi / Treaty of Waitangi Guidance | Department of the Prime Minister and Cabinet (DPMC)

<sup>14</sup> [Cabinet Manual 2017, p. 2]

<sup>15</sup> See Waitangi Tribunal | Waitangi Tribunal

<sup>16</sup> There is now a large body of research and scholarship available about the Treaty of Waitangi, covering all manner of detailed consideration, that readers who are interested in general and specific reading in this area can consult. Though not an exhaustive list, see for example Tawhai, V. and Grey-Sharp, K. (2011) *Always Speaking: The Treaty of Waitangi and Public Policy*. Wellington: Huia Publications; Jones, C. (2016) *New Treaty, New Tradition*. Wellington: Victoria University Press; Bell, R., Kawharu, M., Taylor, K., Belgrave, M. and Meihana, P. (2017) *The Treaty on the Ground. Where we are headed and why it matters*. Palmerston North: Massey University Press; Joseph, R. and Benton, R. (Eds) (2021) *Waking the Taniwha. Māori Governance in the 21st Century*. Wellington: Thomson Reuters NZ Ltd.

Treaty of Waitangi Act 1975 established the Waitangi Tribunal with the power to investigate claims of breaches against the Treaty that occurred after 1975. The tribunal is referred to as a Permanent Commission of Inquiry<sup>17</sup> and has the power to make non-binding recommendations on the government. In the international context it is one of the early, national, truth and reconciliation fora. Iwi have been able to have their story heard and to be able to enter negotiations over settlement for the Treaty breaches that occurred. The tribunal has developed notable features in its process. One is the choice to hold inquiries on marae, enabling Māori language and cultural practices to be exercised in their natural cultural setting.

## 1.1 Māori development

In 1984 the Hui Taumata, Māori Economic Development Conference, was convened in Wellington. At the hui Māori called for a new government policy which they called 'Māori Development'. The vision of the policy was to empower Māoridom, so that Māori could attain parity with members of the wider society, through Māori ways. And quickly. A decade of development was targeted to achieve the desired outcomes.

The objectives of the proposed policy of Māori Development were:

- To strive to achieve parity between the Māori and Pakeha people of New Zealand in the areas of: Housing; Education; Land Development; Employment; Business; and Health.
- To strengthen Māoridom's development of identity through: Māori language and the heritage of the ancestors; the marae; the Māori spiritual pathway and Māori mind; and tribal identity.
- To achieve these objectives in the Development Decade 1984 – 1994.<sup>18</sup>

The hui also called for a new approach of directly funding positive Māori initiatives and programmes, moving away from what was described as the funding of negative outcomes through government departments and agencies. People talked about a well-funded "Māori failure industry" in the Crown sector which existed because of the disparities between Māori and the wider society.

*This Hui Taumata called for ... the adoption of Māori objectives on Māori terms and the retargeting of government funding sufficient to ensure a positive outcome.*<sup>19</sup>

In 1985 the passing of the Treaty of Waitangi Amendment Act created a major new platform for inquiry. The Act allowed claims to be taken back to 1840, opening the way for more than 130 years of grievances to be heard and considered. A major programme of Treaty settlements has been undertaken since then including claims settled, for example, with Ngāi Tahu, Waikato Tainui and Ngāti Porou.

The Crown has recently closed the opportunity for iwi to claim further historical claims of Treaty breaches and has opened a new area for inquiry – Kaupapa Claims. The Wai 2575 Health Services and Outcomes Kaupapa Inquiry is one such kaupapa claim.<sup>20</sup> Wai 2700, the Mana Wāhine Inquiry is another.<sup>21</sup>

In 1987, the New Zealand Māori Council went to the Court of Appeal to test the government's plans to transfer lands to the state-owned enterprises. This became known as the 1987 Lands Case. In it the principles of the Treaty of Waitangi started to be articulated. They included:<sup>22</sup>

- The duty to act reasonably and in good faith
- Active Crown protection of Māori interests
- The government should make informed decisions
- The Crown should remedy past grievances
- The Crown has the right to govern.

<sup>17</sup> See [Waitangi Tribunal | Waitangi Tribunal](#).

<sup>18</sup> Tawhiwhirangi, I., Sutton, F., Renwick, R. and Irwin, K., (1988). Government Review of Te Kōhanga Reo. Wellington: Government Printer.

<sup>19</sup> Tawhiwhirangi, I., Sutton, F., Renwick, R. and Irwin, K., (1988):. *ibid*.

<sup>20</sup> [Wai 2575 Health Services and Outcomes Kaupapa Inquiry | Ministry of Health NZ](#).

<sup>21</sup> [Mana Wāhine Kaupapa Inquiry | Waitangi Tribunal](#).

<sup>22</sup> [Treaty principles developed by courts - Te Ara Encyclopedia of New Zealand](#)

In 1986, the government established the Royal Commission on Social Policy and in 1988 the final reports were released.<sup>23</sup> Many influential Māori writers contributed to the volumes of reports produced including Sir Professor Mason Durie. Sir Mason gave an overview of the key ideas of each article which has come to be known as the ‘triple P’ approach to Treaty analyses. These are: partnership (Article 1), protection (Article 2), and participation (Article 3).

In 2011 Judge Joe Williams released Ko Aotearoa Tēnei, the final report of Wai 262, what has become known as the Intellectual Property Claim. (It had originally been filed in 1991.) This claim was the first whole of government claim filed in the Waitangi Tribunal. The government’s response to the report includes a Prime Minister-led, whole of government plan which was launched at Te Matatini in 2019.<sup>24</sup> This plan addresses a broad range of issues from Māori language, and culture to wellbeing and aging.

## 1.2 Te Arawhiti: Office for Māori Crown Relations

Te Arawhiti, the Ministry responsible for Crown – Māori Relations, was created in 2018 following wide public consultation about Crown / Māori relations. This asked, “what the government needed to do to strengthen the relationship and what the priorities of this portfolio should be”.<sup>25</sup> Thirty-two hui were attended by more than 1600 people and 230 submissions were also received.<sup>26</sup>

The responsibilities for the ministerial portfolio leading this agency are to:

- Ensure the Crown meets its Treaty settlement commitments
- Develop engagement, co-design and partnering principles that ensure agencies generate optimal solutions across social, environmental, cultural, and economic development
- Ensure the engagement of public sector agencies with Māori is meaningful
- Provide strategic leadership and advice on contemporary Treaty issues
- Broker solutions to challenging relationship issues with Māori
- Coordinate significant Crown / Māori events on behalf of the Crown
- Provide strategic advice to the Prime Minister and the Cabinet on the risks and opportunities in Crown/Māori partnerships.

## 1.3 The Public Service Act 2020

The 2020 passing of the Public Service Act represents a significant milestone in public policy reform – a real game changer. The Act replaced the 1988 State Sector Act and ushered in several significant new features, including the Treaty of Waitangi and mātauranga Māori. Coupled with the expectations of enhanced cultural capability, through a sector-wide programme led by Te Arawhiti,<sup>27</sup> chief executives of government departments now have their performance connected to delivering the Crown’s responsiveness with Māori programme.<sup>28</sup>

The Public Service Act 2020 (the Act) section 14 explicitly recognises the role of the public service to support the Crown in its relationships with Māori under Te Tiriti o Waitangi/the Treaty of Waitangi.

To this end, the new Act includes provisions that put explicit responsibilities on:

- Public service leaders for developing and maintaining the capability of the Public Service to engage with Māori and to understand Māori perspectives.
- The Public Service Commissioner, when developing and implementing the newly required leadership strategy, to recognise the aims, aspirations and employment requirements of Māori, and the need for greater involvement of Māori in the public service.

<sup>23</sup> RCSP-All-volumes-NEW-latest.pdf (publicgood.org.nz)

<sup>24</sup> Te Pae Tawhiti: Wai 262 (tpk.govt.nz)

<sup>25</sup> Te Arawhiti – Te Kāhui Hikina (Māori Crown Relations)

<sup>26</sup> Te Arawhiti – Te Kāhui Hikina (Māori Crown Relations)

<sup>27</sup> Te Arawhiti – Tena koutou katoa

<sup>28</sup> Public Service Act 2020 Factsheets | Te Kawa Mataaho Public Service Commission



Taken together these developments include the leadership role of Te Puni Kōkiri in Māori Affairs policy, the expectations created in the Public Service Act 2020, and the opportunities for building the cultural capability of the Crown. These, along with Māori stakeholder engagement, through Te Arawhiti, herald a new level of the articulation of the Crown's responsibility. How long it will take for whānau, hapū and iwi to feel the impact of the new regime is a moot point. Critical features of what influences the Crown behaviour, however, have already begun to change.

## 1.4 Machinery of Government

In this analysis the machinery of government is identified as a vehicle of colonisation in the nation-building journey of Aotearoa. Machinery of government refers to “the structures of government and how they work”.<sup>29</sup> Government traditionally exercises its influence through policy, legislation, and regulation. Other again, from a policy perspective, legislation/regulation is a single lever in the policy toolkit.

The machinery of government was the vehicle through which the English language and culture were woven into the foundation of the fabric of the government from the signing of Te Tiriti / Treaty of Waitangi onwards.

**Figure 3: Components of the machinery of government**



Until at least 1961, with the release of the 1960 Department of Māori Affairs Annual Report, assimilation was government policy in Māori Affairs.<sup>30</sup> One definition of assimilation describes it as “the process of receiving new facts or of responding to new situations in conformity with what is already available to consciousness”.<sup>31</sup> In the context of colonisation in Aotearoa, Māori were expected to become assimilated into English cultural ways and to learn the English language. English was positioned as the new norm. Legislation has long been used to consolidate the Crown's assimilationist agenda<sup>32</sup> and the regulatory system to bed in the detail.<sup>33</sup>

The legacy of this positioning of the machinery of government as a vehicle of colonisation is that epistemological racism has been embedded in the system of government from the outset. Whilst numerous reports have addressed structural / institutional / and personal interpersonal racism,<sup>34</sup> they have left unchallenged the concept of epistemological racism. By this we mean that the Crown has exercised racism over its consideration of the knowledge codes of the two parties to the signing of the Treaty and how they should be valued.

The Crown has behaved as if the English language and culture were superior to te reo Māori me ōna tikanga. It has prioritised and privileged the English language and culture and systematically attacked and undermined mātauranga Māori, te tirohanga Māori. The Māori cultural infrastructure encompassed the ways in which whānau, hapū and iwi lived Māori realities based on te tirohanga Māori and mātauranga Māori and the authentic institutions which supported those choices. These became sites of struggle, sites of resistance. When the Native Schools Act 1858 was being debated in the house of representatives, for example, politicians spoke of needing to both board and educate Māori children to remove them from ‘the demoralising influences of the kainga’.<sup>35</sup>

<sup>29</sup> See [Machinery of government - guidance and information | Te Kawa Mataaho Public Service Commission](#)

<sup>30</sup> Hunn, J. (1961). 1960 Annual Report of the Department of Māori Affairs. Wellington: Government Printer.

<sup>31</sup> [Assimilation | Definition of Assimilation by Merriam-Webster](#)

<sup>32</sup> See for example the Native Lands Act 1865, Native Schools Act 1858 and Tohunga Suppression Act 1907.

<sup>33</sup> See for example: 1880 Native Schools Code, The Midwives act 1904 and subsequent maternity training and regulation in Aotearoa NZ.

<sup>34</sup> See for example: Race Against Time, 1984; Puao Te Ata Tu, 1988.

<sup>35</sup> Barrington and Beaglehole (1974: 4) Maori Schools in a Changing Society. Wellington: New Zealand Council of Educational research.

Systems thinking in this country has normalised, benchmarked, and standardised the English language and culture. It has “othered”, that is, relegated to the fringes / the margins, and undermined the Māori language and culture. The Māori Affairs Select Committee inquiry into Māori participation in early childhood education (ECE)<sup>36</sup> argued this point in its final report to Parliament and set out how it had led to inequities in the ECE sector. An example is that, for decades, kindergartens were resourced at a higher level in the ECE sector than kōhanga reo.

This point is poorly understood in public policy analyses. Working to promote Māori Development in the Crown space often requires negotiation over this point in every agency, programme, and service, as Waitangi Tribunal Reports are showing.<sup>37</sup>

## 1.5 Reframing public policy research

Public policy research needs to explore the diverse realities that comprise the patterns of life chances and lifestyles that Māori currently experience. These are: rights and strengths-based opportunities, as well as needs and disparities approaches; and policy scholarship as much as policy science.

Policy science denotes the more technical aspects of how the policy machine works, the what and the how of public policy. There are innovative approaches in the policy science space, such as Whānau Ora, and research shows that these are already producing different outcome patterns. Policy makers must pay greater attention to such innovation and examine its results to find out how to scale their success in magnitude and across sectors.

Policy scholarship refers to the socio-historical context in which policy sits, the “why” of public policy. New Zealand has a long public policy history of initiatives to address equity and social justice across a number of departments, including education and Māori Affairs, since at least the early 1930s. In 1939 the Minister for Education Peter Fraser, acting Prime Minister at the time, issued a statement which has come to be known as an early expression of equal opportunity in education in New Zealand. It read:

*The government’s objective, broadly expressed, is that all persons, whatever their level of ability, whether they live in town or country, have a right as citizens to a free education of the kind for which they are best fitted and to the fullest extent of their powers<sup>38</sup>.*

Decades later, a similarly bold move in government policy was taken in Māori affairs when the then secretary for Māori Affairs, Kara Puketapu, released the Tu Tangata policy. It both shaped the restructuring of the Department of Māori Affairs and the kind of service delivery that would flow from it.

**Table 2: Understanding public policy**

	Policy science	Policy scholarship
Needs / disparities	Greatest activity area to date	
Rights / strengths		Greatest opportunity area for transformation

The quadrant that is currently the most heavily populated is found at the intersection of needs / disparities and policy science. This substantial body of knowledge that tells us about the difference between Māori and non-Māori outcomes of government services produced within the machinery of government as we currently know it.

To date policy research has typically been undertaken from what is described as a deficit viewpoint, in which Māori are positioned as the problem, by non-Māori researchers, using methodologies developed from Western knowledge codes. Māori language and culture are relegated to the position of “other” in such research enterprises, Māori people the passive, powerless subjects to whom research is done.

<sup>36</sup> Final Report, Maori Affairs Select Committee Inquiry into Maori Participation in Early Childhood Education, Presented to Parliament (2008).

<sup>37</sup> See Waitangi Tribunal | Waitangi Tribunal.

<sup>38</sup> Beeby, C.E. (1992: 124) The biography of an idea: Beeby on education. Wellington: New Zealand Council for Educational Research.

The quadrant which is the least understood, but which offers the greatest potential to create transformative change, is that in which rights and strengths approaches are informed by cutting-edge policy scholarship. In this space there are several key levers of change, including the rights Māori have as Treaty partners. There are also the strengths that can be accrued from kaupapa Māori approaches. These position tirohanga and mātauranga Māori as sources of innovation and creativity, and the thought leadership that helps to tell the story of Māori as future makers not future takers.<sup>39</sup>

In 2022 Aotearoa is much clearer about the “why” we need to create better outcomes for Māori. The heavy lifting needed now is in “what”, “how”, “who”, “when” and “where”. That is the case for the Tangata Whenua Treaty partner and for many Tangata Tiriti who have embraced the Te Tiriti, undertaken significant Treaty-based education programmes, and taken their communities and organisations on Treaty-based organisational development journeys.

**Table 3: Creating Better Outcomes for Māori**

Kaupapa Māori	Wicked problem
Treaty-based enterprise	Multiple possible causes
Nation building opportunity	Dynamics that are not linear
Crown responsiveness to Māori responsibility	Negative consequences for society if not addressed

Some people are still asking the “why” questions – why do we have to have special programmes to create better outcomes for Māori? Isn’t it just up to them at a personal level? Haven’t we all had the same opportunities to progress? These show that the need to continue building cultural capability remains a contemporary public policy issue.

In the Crown sector, and the sectors that do business with the Crown, debate around the why question has now effectively been superseded by the machinery of government itself. The passing of the Public Service Act 2020 has taken the Treaty of Waitangi, mātauranga Māori, and organisational performance in these matters out of the debatable context and re-located them in the area of compliance. Some will argue that coming from a place of compliance is not the best way to approach such a complex issue. Others will argue that Aotearoa has had long enough to come to terms with the complexity, and that solutions are long overdue.

The policy work programme needed to change outcomes for Māori in public policy discourses must be based on Te Tiriti. To do otherwise is to treat public policy as if it were a level playing field, a neutral space of political engagement between the state and the citizenry, when nothing could be further from the truth. In public policy discourses, creating better outcomes for Māori has been described as a “wicked problem”. The term has been in use since the 1970s and was used “to describe emerging policy problems that did not fit neatly with the conventional models of policy analysis used at the time”. Those problems were seen as having these characteristics: multiple possible causes; dynamics that were not linear; and negative consequences for society if not addressed.<sup>40</sup> In kaupapa Māori pūrākau, creating better outcomes for Māori is described as: a Treaty-based enterprise; nation building opportunity; and a Crown responsiveness to Māori responsibility.<sup>41</sup>

## 1.6 Diverse Māori realities

Research shows that Māori who reach the retirement age of 65 will do so having lived through decades of exposure to systematic racism. This has negative impacts on their life chances and material circumstances.<sup>42 43</sup> Some Māori fare better than others in this context. Drawing from the government’s own research,<sup>44</sup> however, the patterns Māori experience in

<sup>39</sup> See Tokona Te raki – Unleashing Māori Potential (maorifutures.co.nz); For Māori Future Makers (tpk.govt.nz)

<sup>40</sup> What’s so wicked about wicked problems? | ANZSOG

<sup>41</sup> Ko Aotearoa Tēnei: Report on the Wai 262 Claim Released | Waitangi Tribunal

<sup>42</sup> For a recent account of the compound impact of structural inequality in health see Hauora, the report of Stage One of the Waitangi Tribunal Wai 2575 Health Services and Outcomes Kaupapa Inquiry Claim. Available at: [Health Services and Outcomes Inquiry | Waitangi Tribunal](#)

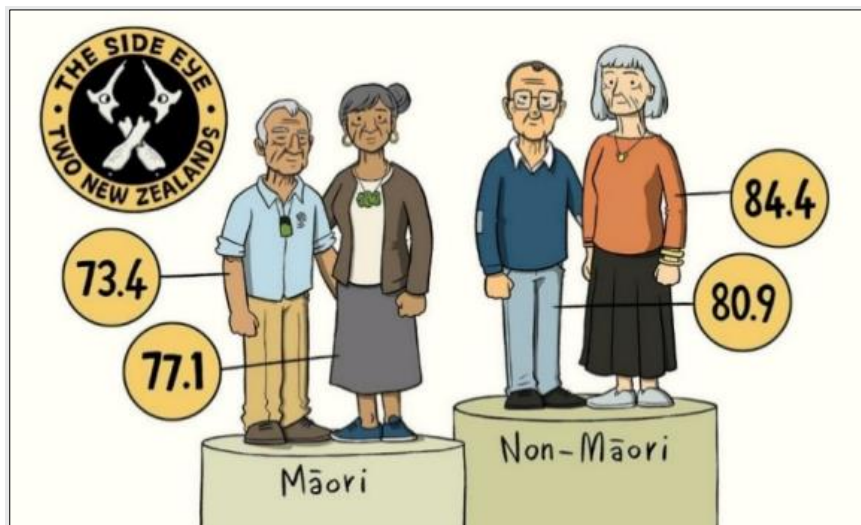
<sup>43</sup> Edwards, Wi. (2010) Taupaenui. Māori Positive Aging. Unpublished Thesis submitted for the degree Doctor of Public Health, Massey University, Palmerston North.

<sup>44</sup> The earliest substantive account of such research can be found in the 1960 Department of Māori Affairs Annual Report to the House of Representatives which became known as the Hunn Report (1961).



retirement are dire,<sup>45</sup> whether considered in social, cultural, economic, or environmental terms. Life expectancy between Māori and non-Māori varies considerably. Non-Māori women live an average of 11.1 years longer than Māori men.

**Figure 4: Life expectancy: The Side Eye's Two New Zealands - 2700 Day Gap** <sup>46</sup>



Social, cultural, economic, and environmental research on outcomes for Māori shows persistent patterns of inequity across generations between Māori and non-Māori. Māori life expectancy is shorter than for non-Māori. In 2013, life expectancy at birth was 73.0 years for Māori males and 77.1 years for Māori females, compared with 80.3 years for non-Māori males and 83.9 years for non-Māori females.<sup>47</sup>

In health, justice, social services and education, the government's own research and research, published by the Waitangi Tribunal,<sup>48</sup> shows that systemic racism and discrimination, which is now inter-generational, impacts negatively on Māori outcomes.<sup>49</sup>

These patterns were first reported in the 1960 Annual Report of the Department of Māori Affairs, which came to be known as the Hunn Report after the secretary of Māori Affairs at the time, Jack Hunn.<sup>50</sup> Nearly 40 years later, Te Puni Kōkiri reported similar research on the disparities between Māori and non-Māori through the Closing the Gaps policy programme in the late 1990s. They found that the patterns of disparities remained.<sup>51</sup> While improvements have been made over time, in actual numbers, the gap between Māori and non-Māori remains across most indices.<sup>52</sup>

## 1.7 Can all kaumātua live as Māori?

At issue in this research is the degree to which kaumātua can live as Māori, authentically, at the nexus between Māori epistemology (mātauranga Māori), Māori methodology (kawa and tikanga) and Māori ontology (kia Māori<sup>53</sup>) in contemporary Aotearoa. In settings where this is the lived reality of kaumātua Māori, what do we know about what that looks like? What are the stories that people are willing to share with us about living such Māori realities? These questions are addressed in Paper 4 in this series What the people said, about 'What retirement looks like for Māori'.

<sup>45</sup> Louise C. Parr-Brownlie, Debra L. Waters, Stephen Neville, Tia Neha, and Naoko Muramatsu, (2020). Aging in New Zealand: Ka haere ki te ao pakeketanga. *Gerontologist*, 2020, Vol. 60, No. 5, 812–820.

<sup>46</sup> *The Side Eye's Two New Zealands: The 2,700 Day Gap* | The Spinoff, by Toby Morris.

<sup>47</sup> *Life expectancy* | Ministry of Health NZ.

<sup>48</sup> See the final Waitangi Tribunal reports of Wai 2575 (the Health Services and Outcomes Kaupapa Inquiry), Wai 2336 (the Kōhanga Reo Claim) and Wai (the Oranga Tamariki Claim) at [News | Waitangi Tribunal](#).

<sup>49</sup> See Te Puni Kōkiri (1998) *Progress Towards Closing Social and Economic Gaps Between Māori and Non-Māori: A Report to the Minister of Māori Affairs*. Wellington: Te Puni Kōkiri; Te Puni Kōkiri (2000) *Progress Towards Closing Social and Economic Gaps Between Māori and Non-Māori: A Report to the Minister of Māori Affairs*. Wellington: Te Puni Kōkiri.

<sup>50</sup> Hunn, J. (1961) 1960 Annual Report of the Department of Māori Affairs. Wellington: Government Printer.

<sup>51</sup> Te Puni Kōkiri (1998) *Progress Towards Closing Social and Economic Gaps Between Māori and Non-Māori: A Report to the Minister of Māori Affairs*. Wellington: Te Puni Kōkiri; Te Puni Kōkiri (2000) *Progress Towards Closing Social and Economic Gaps Between Māori and Non-Māori: A Report to the Minister of Māori Affairs*. Wellington: Te Puni Kōkiri.

<sup>52</sup> Irwin, K.G. (2002) Irwin, K.G. (2002) *Māori Education: From Wretchedness to Hope*. Unpublished Thesis submitted for the degree Doctor of Philosophy in Education, Victoria University, Wellington.

<sup>53</sup> Translated by Dr Wayne Ngata during the IPTNZ research project "Critical Success Factors of effective use of e-learning with Māori learners". See [Critical success factors for effective use of e-learning with Māori learners](#) | Education Counts.

If kaumātua cannot live as Māori, why not? And what can be done to change this? What are the barriers to kaumātua Māori living as Māori in Aotearoa in 2022? What lessons might be transferrable from the whānau, hapū and iwi who do enjoy such lifestyles to those who currently do not? Key cultural factors here may be those who can live as ahi kaa (at home, in their tribal region) and those who live as taura here or mataa waka (outside their tribal boundaries).

For example, in terms of health we might explore:

- What health conditions or health services have impacted kaumātua in their ability to be Māori and live as Māori?
- How can health services be improved/modified to better enable kaumātua to be Māori and live as Māori in a contemporary Aotearoa setting?

Throughout history whānau, hapū and iwi have resisted colonisation by living outside the boundaries created through government policy, legislation, and regulation. Against the odds Māori have continued to live according to mātauranga Māori, to value te tirohanga Māori, and to uphold the Māori cultural infrastructure. In the face of unrelenting structural violence from the state, whānau, hapū and iwi have chosen to retain connections with whakapapa, whenua and mātauranga Māori. Therefore, it is critical to explore lived realities of Māori, as articulated by Māori, to study expressions of rangatiratanga, to explore moemoea and to map the exemplars of mana motuhake that comprise whānau, hapū and iwi histories.

This is the call to arms that Dr Moana Jackson sets out when he calls for programmes to be based on re-Māorification<sup>54</sup>. Decolonisation sets out analyses of how colonisation is designed to work, and the impact it has. However, the concept of decolonisation does not offer solutions that can create the much-needed pathways to new futures. Neither does it account for stories of resistance and struggle that have enabled whānau, hapū and iwi to create the leadership that has resulted in Māori being considered global leaders in Indigenous development.



<sup>54</sup> Interview with Moana Jackson | National Library of New Zealand ([natlib.govt.nz](http://natlib.govt.nz))



## 1.8 Case study: Māori Affairs and Tu Tangata

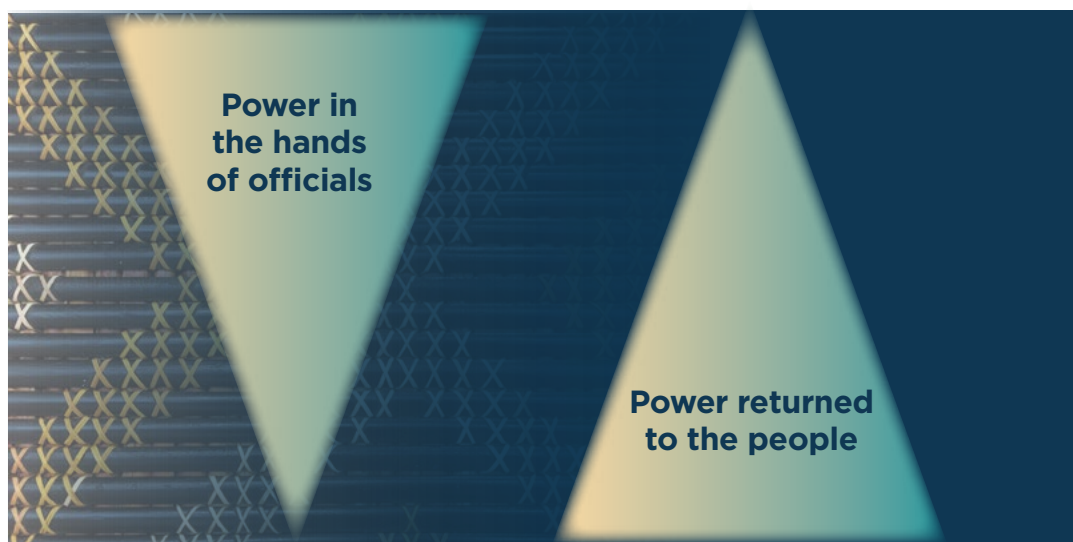
One of the most successful early partnerships was that created between the Department of Māori Affairs and Māori people in the late 1970s following the restructuring of the department. In *Reform from Within*, Kara Puketapu<sup>55</sup> provides an overview of the restructuring which took place over several years.<sup>56</sup>

The restructuring followed the 1976 review of the department which was called for by Māori Affairs staff themselves. The kaimahi were not happy about their jobs and the sense of alienation being a Crown official caused in their relationships with whānau, hapū and iwi. Far from being seen as having a positive brokering or bridging role, Māori Affairs staff spoke about feelings of being derided for their roles by their own people. They called for a review of their roles, and of the department. In 1975, at Oawae Marae in Taranaki, the Hon Duncan McIntyre, Minister of Māori Affairs at the time, heard their concerns. A State Services Commission inquiry was launched and Kara Puketapu was appointed to lead it. At the completion of the review he was appointed to the role of Secretary for Māori Affairs.

In his new role Puketapu moved quickly on the review of the department. He called on a group of respected senior Māori officials – including the late John Rangihau, and Dame Iritana Tawhiwhirangi – and charged them with creating a new model for the department. It was to be based in te tirohanga Māori.

What followed was a proposal which turned the department on its head and inside out. Turning the department on its head meant returning the power of the department, from policy to service delivery, to the people. The design flipped the old paradigm and created a radically new one. If the model of power relations in the old paradigm of a government department was that all the power remained in the hands of the department officials, then that model looked like an inverted pyramid, the image on the left. In the new regime, Puketapu envisioned, the pyramid was inverted, and the power base returned to the people, as in the image on the right. In the new model the Department of Māori Affairs would return leadership to the people and be of service to them.

**Figure 5: Flipping the old paradigm to create a radical new one**



<sup>55</sup> Puketapu, K. (1982). *Reform from Within*. Unpublished Paper. Wellington: Department of Māori Affairs

<sup>56</sup> For a detailed account of this history see Tawhiwhirangi et al (1988) *Government Review of Te Kōhanga Reo*. Wellington: Government Printer.



This was such a profoundly simple, first principles idea. How did he deliver on the vision? Puketapu describes the restructuring as a “kōkiri process”, meaning to advance. The kōkiri process was designed to “take hold of Māori power” and to facilitate a new approach in which “culture will be the catalyst”.<sup>57</sup> The new approach included the creation of a forum for kaumātua to determine policy for the Department of Māori Affairs. The first such forum was created in 1979, at the Hui Whakatauirā, the second in 1980, at the Wananga Whakatauirā.<sup>58</sup> At the first forum, retention of the language was identified by kaumātua as the most urgent issue to be addressed. At the second forum, the language was again identified as top of the policy agenda, but this time an extra provision was added. That was the encouragement for Māori to lead the way in the struggle to revitalise te reo Māori.

The approach that Puketapu advocated came to be known as Tu Tangata, to stand tall. The broad objectives of Tu Tangata were:

- To improve educational attainment
- To provide opportunities for self-fulfilment within the community
- To raise the socio-economic status of the Māori people
- To kōkiri, ‘to advance’.<sup>59</sup>

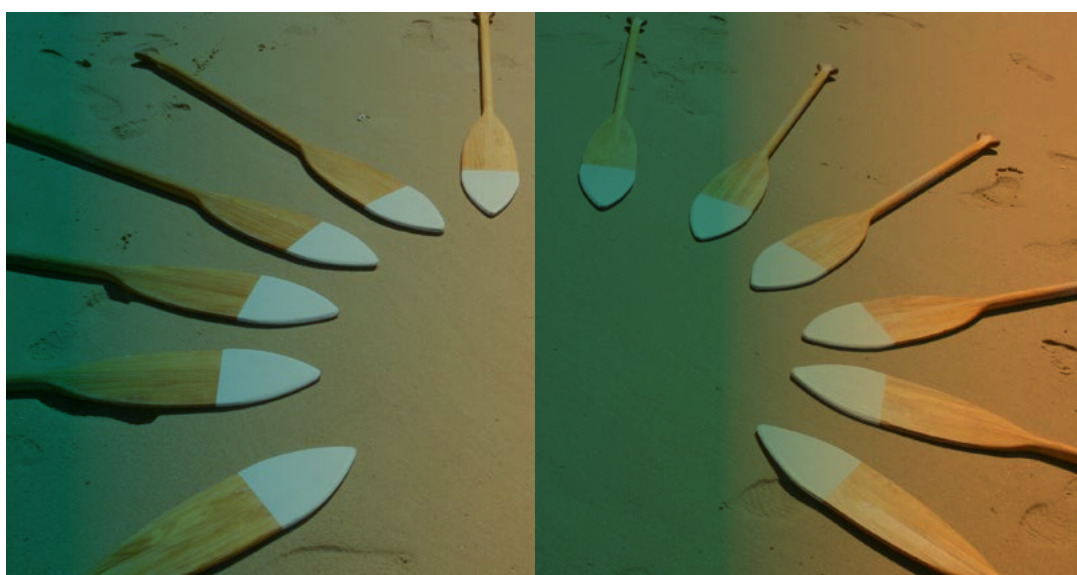
Three features of the new approach were identified as:

- Tu Tangata – to recognise the stance of the people
- Whaka Whaiti – to harness the resources and strengths of all the people
- Ko tou rourou – to increase the contribution each of us can make to the advancement of the Māori and to New Zealand as a whole.<sup>60</sup>

The Tu Tangata programmes were designed to enable Māori to stand tall again, by reclaiming Māori knowledge as the theoretical framework which informed them. The programmes also adopted te reo Māori, tikanga Māori and the rituals and protocols of the marae as the means of operationalising them.

The restructuring of the department of Māori Affairs, and the design of the Tu Tangata philosophy informed the development of Te Kōhanga Reo, Matua Whangai, Rapu Mahi and a suite of other successful programmes.<sup>61</sup> For example, Kōkiri Marae in Seaview, Lower Hutt, continues today as a strong provider of a range of health and social services.<sup>62</sup>

Across the social, cultural economic and environmental sectors, Tu Tangata created radical change that is still being felt now. The vision Puketapu had for the restructuring of Māori Affairs remains a blueprint for Crown agency transformation to this day.



<sup>57</sup> Puketapu, K. (1982: 1-2).

<sup>58</sup> Tawhiwhirangi, I. (1988).

<sup>59</sup> Puketapu, K. (1982: 3).

<sup>60</sup> Puketapu, K. (1982: 10).

<sup>61</sup> Tawhiwhirangi (1988).

<sup>62</sup> [Kōkiri Marae > Contact Us](#).

## 2. Kaupapa Māori: Ngā pou tarāwaho, ngā tikanga, me ngā tātāritanga

## 2. Kaupapa Māori: Paradigm, methodologies, analytics

**E kore au e ngaro, he kākano i ruia mai i a Rangiātea.**

I shall never be lost, the seed that is sown of Rangiātea.

Kaupapa Māori is grounded in te tirohanga Māori, it normalises mātauranga Māori, te reo me ōna tikanga and is dedicated to creating transformational outcomes in a nation building context. Kaupapa Māori speaks directly to the nexus of Māori epistemology, Māori methodology and Māori ontology. This is the place where ancestral dreams have been kept alive, across the generations, in the face of the open hostility that came to be the hallmark of colonisation. Māori ontology, lived experience, is key here. This is the space of lived reality, which Māori had to be able to maintain, even when to do so was at times not only highly problematic, but illegal in some contexts. Take for example the 1907 Tohunga Suppression Act which was:<sup>63</sup>

*An act that clearly discriminated against Māori. The Suppression of Tohunga Act made it an offence for traditional healers, tohunga, to practice and similarly outlawed the 'foretelling of Māori futures.*

Kaupapa Māori can be used as a shorthand descriptor of accounts of whānau, hapū and iwi history, traced back to their philosophical origins, and the struggle to normalise those exemplars as lived options today. In essence, kaupapa Māori speaks to how whānau, hapū and iwi lived pre-contact, before colonisation. Evidence that has been presented to the Waitangi Tribunal<sup>64</sup> across successive claims since its inception in 1975 shows that whānau are excellent historians. They are able to recount in minute detail significant events for the inquiry process that underpins the Waitangi Tribunal. Keeping these stories alive has meant that iwi can both seek justice, and explore wellbeing, on their own terms.

Kaupapa Māori is also a descriptor given to the socio-political movements which emerged in Aotearoa New Zealand in the 1970s to challenge the dominance of colonisation and to re-centre Māori systems and structures.<sup>65</sup> This time in New Zealand's history came to be known as the Māori Renaissance.<sup>66</sup> This was when Māori brought into the public spheres of NZ society the Māori cultural infrastructure that had previously been maintained in private social domains. Though attacked to their core, traditional Māori structures and systems were never extinguished by colonisation. Any notion that they were is not borne out by the substantial evidence supporting Waitangi Tribunal claims. Indeed, the idea is a colonial fiction designed to weaken Māori advocacy for justice, while at the same time inflating the significance of the role of the western systems introduced through legislation to take their place. Māori advocacy for justice and wellbeing has continued to petition for the efficacy of Māori systems and structures.

<sup>63</sup> Durie, M. (2002: 6) "Māori Specific Provisions in Legislation". Unpublished paper. Australian Law Reform Agencies Conference. Available at: [ALRANZ.CONFERENCE\(massey.ac.nz\)](http://ALRANZ.CONFERENCE(massey.ac.nz)).

<sup>64</sup> Waitangi Tribunal | Waitangi Tribunal

<sup>65</sup> See Harris, A. (2004) *Hikoi. Forty Years of Māori Protest*. Wellington: Huia Publishers.

<sup>66</sup> Walker, R. (1984) *Ka whawhai tonu matou*. Auckland: Penguin Books.

Drawing on contemporary kaupapa Māori research, a set of organising principles has been articulated as being central to kaupapa Māori. They include:

- Te Tiriti o Waitangi – The Principle of the Treaty of Waitangi
- Tino Rangatiratanga – The Principle of Self-determination
- Taonga Tuku Iho – The Principle of Cultural Aspiration
- Ako Māori – The Principle of Culturally Preferred Pedagogy
- Kia piki ake i ngā raruraru o te kainga – The Principle of Socio-Economic Mediation
- Whānau – The Principle of Extended Family Structure
- Kaupapa – The Principle of Collective Philosophy; and,
- Āta – The Principle of Growing Respectful Relationships.<sup>67</sup>

## 2.1 Paradigm changes – Te Hokinga Mai

In the international literature on social change, Thomas Kuhn was an influential early writer who proposed the term “paradigm shift” in his 1962 work *The Structure of Scientific Revolutions*.<sup>68</sup> This has been defined as “a fundamental change in approach or underlying assumptions”. In sociological analyses Kuhn’s use of this concept describes change at a societal / structural level.

Iconic American feminist Gloria Steinem<sup>69</sup> later used the concept in *Revolution From Within* in a personal development context. In what became an international bestseller, she charted key ideas in the feminist movement which challenged patriarchy. She advocated new ways of being for women (beyond old stereotypes for women typified in the phrase ‘a woman’s place is in the home’).

The paradigm shift of the Māori Renaissance, driven by kaupapa Māori, represented a return to a very old paradigm. What the Māori activists of the 1970s were doing was bringing back the old ways of their ancestors. They were championing ancestral Māori knowledge, disrupting, and displacing the knowledge that colonisation had embedded in the systems of the state. In doing so they created pathways to new futures for whānau, hapū, iwi and any allies who wanted to walk with Māori.

In a global context colonisation had been used as a political force to strip Indigenous peoples of their rights, dispossess them of their resource bases and enslave them in foreign cultural and linguistic paradigms. Whānau, hapū, iwi, Māori resistance has created global leadership. This is acknowledged and recognised by Indigenous peoples and by international fora like the United Nations.

Aotearoa has been a major supporter of the World Indigenous Peoples Conference in Education (WIPCE) since it began in 1987. The Te Kōhanga Reo National Trust was invited to speak at the First Permanent Forum of Indigenous Issues at the United Nations held in May 2003 about the model underpinning te kōhanga reo and its likely cross-cultural portability.<sup>70</sup> In 2022 iwi leaders went to Dubai participating in the World Expo’s first ever Festival of Indigenous and Tribal Ideas.<sup>71</sup>

## 2.2 Kaupapa Māori: Paradigm

Kaupapa Māori was the driver for a suite of radical programmes. These helped to integrate Māori epistemology (mātauranga Māori), methodology (tikanga and kawa) and ontology (kia Māori) in old ways and to deliver them in modern contexts. In education these programmes were delivered from early childhood to tertiary education, and included kōhanga reo, kura kaupapa Māori, wharekura and whare wānanga.<sup>72</sup>

<sup>67</sup> [Principles of Kaupapa Māori: Rangahau](#)

<sup>68</sup> Kuhn, T.S. (1970) *The Structure of Scientific Revolutions*. (2nd Edition). Chicago: University of Chicago Press. paradigm shift - Microsoft Bing Search

<sup>69</sup> Steinem, G. (1992) *Revolution from Within*. London: Corgi Books.

<sup>70</sup> Irwin, K., Black, T. and Marshall, P. (2003) “Te Kōhanga Reo, 1982 – 2002”. Unpublished paper. Keynote address delivered to First United Nations Permanent Forum on Indigenous Issues. May 2003, New York.

<sup>71</sup> [Iwi leaders to drive World Expo's first ever Festival of Indigenous and Tribal Ideas | RNZ News](#)

<sup>72</sup> Tawhiwhirangi et al (1988) *Government Review of Te Kōhanga Reo*. Wellington: Government Printer.

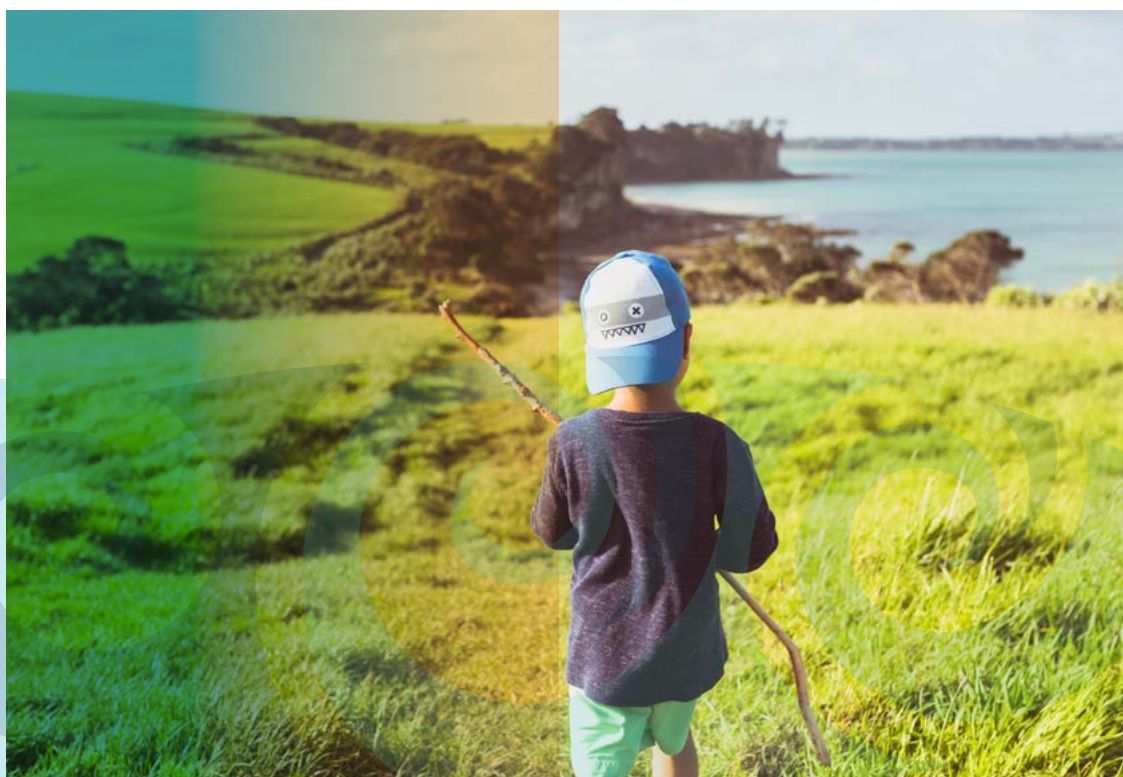
Te Wānanga o Raukawa in Ōtaki is a tribal initiative which was part of a 25-year strategic plan, Whakatupuranga Rua Mano – Generation 2000 by the three iwi Te Ātiawa, Ngāti Toarangatira and Ngāti Raukawa.<sup>73</sup> The plan was designed to promote widespread revitalisation of marae, te reo Māori me ōna tikanga in the takiwā of the three iwi. More than a revitalisation plan for the iwi that launched it, Te Wānanga o Raukawa and Whakatupuranga Rua Mano contributed to the revitalisation of reo and tikanga across the country as students from most iwi travelled to Ōtaki to be part of it.

The Te Kōhanga Reo movement has had both a strong national, regional, and international impact. Others have taken its model and adapted it to their own struggles to revitalise Indigenous languages and cultures. Kōhanga reo are literally language nests, places where whānau and their mokopuna can come together to learn, immersed in te reo Māori me ōna tikanga, under the umbrella of rangatiratanga, managing and leading their own institutions.<sup>74</sup> The kōhanga reo kaupapa has four pou, central pillars:

- Te reo me ōna tikanga
- Whānau management
- Health and safety of mokopuna and whānau
- Accountability.<sup>76</sup>

## 2.3 Kaupapa Māori: Methodologies

In 1980 the Department of Education convened a conference entitled *Priorities in Multicultural Research*.<sup>77</sup> Invited to the conference were leading educational researchers and members of the Māori and Pacific Island communities. In the forward to the published conference proceedings Bill Renwick, then Director General of Education, said that research in culturally plural societies, such as New Zealand, identifies questions which often remain unanswered when they emerge from a monocultural tradition.<sup>78</sup> These are:



<sup>73</sup> See Te Wānanga o Raukawa ([wananga.com](http://wananga.com)).

<sup>74</sup> See [www.kohanga.ac.nz](http://www.kohanga.ac.nz).

<sup>75</sup> See [www.kohanga.ac.nz](http://www.kohanga.ac.nz).

<sup>76</sup> Department of Education (1981) *Priorities in Multicultural Education*. Wellington: Government Print.

<sup>77</sup> Department of Education (1981). *ibid*.



- Whose perceptions are going to frame the questions and define the issues to be researched?
- Whose conscious or unconscious value systems are being brought to bear and whose definitions of 'reality' are being legitimated through research and through the publication and dissemination of its findings?

In some respects the conference was like any other research conference in that academic papers were prepared and presented by a range of people. However, it was like no other in highly significant ways. First, leading kaumātua, men and women from the Māori community, came in force. Second, they spoke openly, critically and in depth about their anger, frustration, and concerns about the impact of research on Māori communities. Though the conference organisers had not planned on it, the research process was a major issue of contention and debate. The first 19 pages of the conference report, *Report on the Conference Proceedings*, provide a detailed record of what was said and by whom about the research methodologies and processes that have been foisted on Māori communities. The Māori leaders reported that there was a feeling amongst their communities that Māoridom is one of the most researched communities in New Zealand, indeed, that it was over researched.

This was considered bad enough. But, to add insult to injury, the result of this research activity had not usually resulted in the kinds of changes which the leaders considered should have flowed through from this intense activity. The claim was made that too often research had benefited Pākehā researchers more than Māori communities. The report makes for salutary reading for those intending to go into these same Māori communities, professing to undertake more educational research, still in the name of social justice and progress. The communities reported that they had heard such expressions before, were cynical about them and did not trust them. In summary, the research process was described as one in which the unequal power relations of the wider society were replicated. Māori were the subjects of research, very much positioned as powerless and in the control of the researcher, the research process and the research traditions which held the high ground in the early 1980s.

Fast forward 40 years and internationally renowned scholars from Aotearoa, like Professor Linda Smith, have led the way in developing this analysis and promulgating it through their teaching, research and advocacy. Professor Smith has been honoured for her research and scholarship internationally by prestigious bodies, as well as nationally by the likes of the Royal Society of NZ. Professor Smith is the first Māori elected as an international honorary member of the American Academy of Arts and Sciences. Her seminal publication *Decolonizing Research Methodologies*<sup>78</sup> is one of New Zealand's most valuable exports in the education sector.

Dr Ann Milne, long-time principal of Kia Aroha College in South Auckland, has spent a career exposing the ethnocentric, racist bias of schooling, and its impact on Māori<sup>79</sup> and Pacific youth. Dr Milne grew the school she led in South Auckland from a primary school, to a middle school and finally a full secondary school. The educational opportunities of the youth in the schools' catchment area grew along with it. Dr Milne has long described her akonga as 'warrior scholars'. She has taken them to educational conferences, both in New Zealand and America, to share first-hand their dreams, visions and research charting the futures they had designed for themselves.

## 2.4 Kaupapa Māori: Analytics

The primary data to be gathered in this research will be analysed using the following kaupapa Māori analytical framework.<sup>80</sup> The framework is Treaty based and adopts a He Awa Whiria, braided river<sup>81</sup> approach, creating dual pathways to accommodate the knowledge codes of each Treaty partner. The first knowledge code informing this model is mātauranga Māori, creating the authentic options of the Iwi Treaty partner. The second is critical theory, setting out the structural nature of the systems thinking of the Crown as Treaty partner.

Mātauranga Māori enables key features of Māori social and cultural structures to be integrated in authentic terms into the framework.

<sup>78</sup> Smith, L. (2012). *Decolonizing Methodologies*. Dunedin: Otago University Press.

<sup>79</sup> Milne, A. (2017). *Coloring in the White Spaces*. New York: Peter Lang Publishing Inc.

<sup>80</sup> Irwin, K. (2002) *Māori Education: From Wretchedness to Hope*. Unpublished thesis presented to Victoria University for the degree Doctor of Philosophy.

<sup>81</sup> Gluckman, P. et al (2011) *Improving the Transition: Reducing Social and Psychological Morbidity During Adolescence. A report from the Prime Minister's Chief Science Advisor*. Wellington: Office of the Prime Minister's Science Advisory Committee

**Table 4: Treaty-based structural analysis framework<sup>82</sup>**

Level of analysis	Treaty of Waitangi: Iwi partner	Treaty of Waitangi: Crown partner
Structural	Iwi	Central government: policy, legislation, regulation
Institutional	Whānau / Hapū / Marae	Local government, agencies, departments, crown entities
Personal / Interpersonal	Citizen	Citizen

Shaw and Eichbaum describe two views of policy implementation as ‘the top-down approach’ and the ‘bottom-up perspective’.<sup>83</sup> The analytical table above can be used in policy analysis both ways, top / down and or bottom / up. The table helps people who may not be familiar with the components of the machinery of government to demystify and deconstruct it for the purposes of analysis.

The first column on the left, level of analysis, provides for differentiated discourses from the structural (macro) to the individual (micro). Public policy may be developed at the structural level, but it is implemented at the institutional / agency level and affects New Zealanders at the personal level. The model is based in Te Tiriti o Waitangi / the Treaty of Waitangi and the second and third columns provide for the knowledge codes of each of the Treaty partners to be represented. This is how the framework gives effect to the He Awa Whiria model.

## 2.5 Critical theory

Critical theory provides for differentiated analyses of major social issues (at the structural, institutional, and personal / interpersonal levels). The critical theory / kaupapa Māori theory interface has been most fully explored in the scholarship found in educational discourses in New Zealand.<sup>84</sup> In the mid-1970s a new theoretical field was emerging that came to be known as ‘the sociology of education’.<sup>85</sup> Before this, educational theory had been broadly classified in two schools of thought: traditional educational theory and the emerging conflict / critical theory. Views of educational theory derived from traditional educational theory were the most influential to this point. Key themes underpinning this school of thought included views of society as being broadly just and desirable. Schools were thought to be involved with the social allocation of human beings, rationally distributing individuals into different groups, in preparation for their likely destination in the world beyond school. Educational reforms, in this view, amounted to adjustments of a fundamentally sound system.

Conflict and critical educational theory offered a fundamentally different view of education, society and schooling. This view was critical of society, describing it as exploitative and oppressive. It was a view in which social change was posited as both possible and necessary to challenge the status quo and dismantle what were described as the existing hierarchies of inequality. Rather than being seen as places of equality, schools were seen as the sites of struggle where social inequality was reproduced.

Critical theory argues<sup>86</sup> that inequality can be examined at three distinct levels: the structural; the institutional; and the personal/interpersonal. This differentiation of analytical levels enables the stories of individuals to be told against the backdrop of the institutional and structural contexts in which they are embedded. Inequality should not be understood at the individual level, which has traditionally led to victim blaming. Critical theory highlights the inter-relatedness of the different levels of analyses. The historical located-ness of social issues, then, is read as the ‘natural’ context for their analysis, not individual failure.

<sup>82</sup> Irwin, K. (2002) already cited

<sup>83</sup> Shaw, R. and Eichbaum, C. (2011: 29 - 30). *Public Policy in NZ. Institutions, processes and outcomes*. 3rd edition. Pearson: Auckland.

<sup>84</sup> See for example Bishop, R. (1996). *Collaborative Research Studies: Whakawhangaungatanga*. Palmerston North: The Dunmore Press; Irwin, K.G. (2002). *Māori Education: From Wretchedness to Hope*. A thesis submitted for the degree of Doctor of Philosophy at Victoria University of Wellington, Wellington; Smith, G. (1997). *The Development of Kaupapa Māori: Theory and Praxis*. Unpublished DPhil. Thesis (Education). Auckland: University of Auckland; Smith, L. (1996). *Nga Aho o te Kakahu Mātauranga*. Unpublished D Phil. Thesis. University of Auckland.

<sup>85</sup> Middleton, S. (1993). *Educating Feminists: Life Histories and Pedagogy*. New York: Teachers College Press.

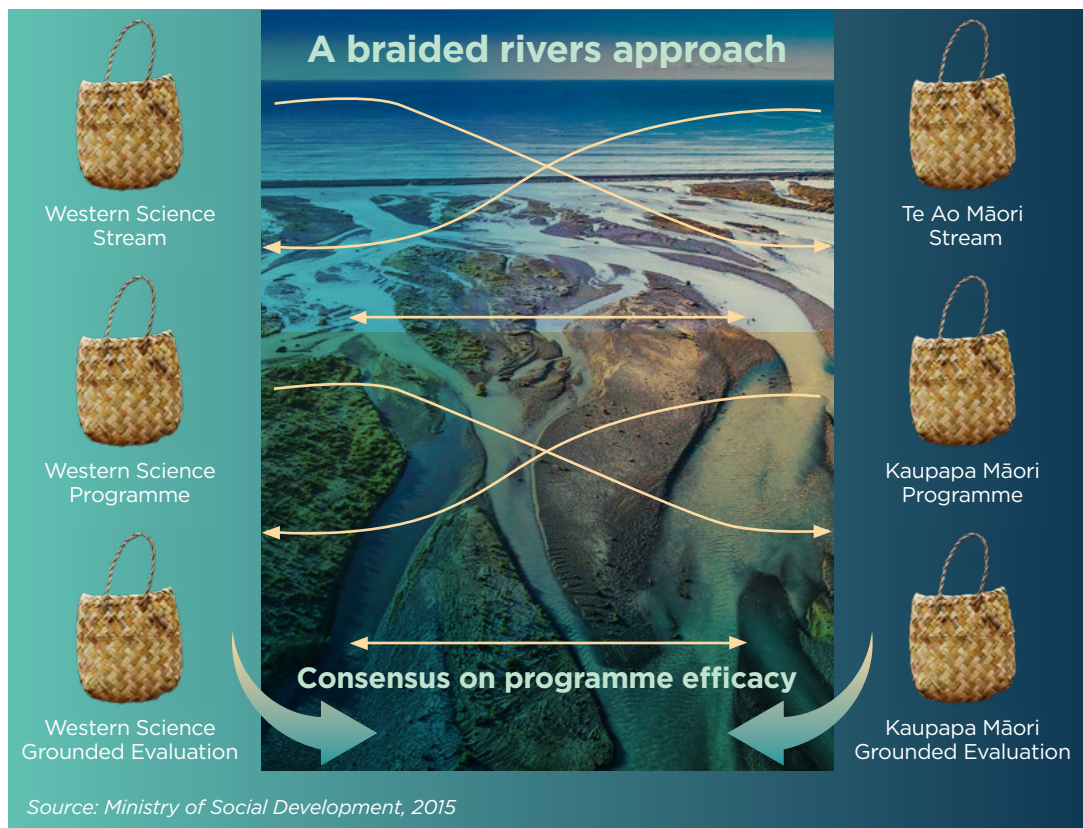
<sup>86</sup> Gibson, R. (1986) *Critical Theory and Education*. London: Hodder and Stoughton.

### 3. He Awa Whiria

## 3. He Awa Whiria, Braided Rivers modelling

He Awa Whiria is a Treaty-based research model, designed to enable the dual epistemologies of the Treaty partners to be activated in mana-enhancing ways. It takes its name from the Waimakariri River, on the Canterbury Plains. After leaving its mountain source high in the Southern Alps, the river meanders its way across the plains, criss-crossing along the way, until it reaches the ocean on the East Coast of Te Waipounamu. The multiple pathways that the river creates from its source to its ocean exit, are a metaphor for the meta narrative of the model.

Figure 6: He Awa Whiria



He Awa Whiria was developed by Professor Angus McFarlane and Associate Professor Sonja McFarlane of the University of Canterbury.<sup>87</sup> They describe it as ‘an innovative framework that draws inspiration from Indigenous and Western streams of knowledge, while maintaining a consciousness of Māori data sovereignty’.<sup>88</sup>

This chapter discusses key features of the model and explores its application in several contexts. The first is the seminal work of Supreme Court Judge, and former Chief Judge of the Māori Land Court, Sir Justice Joe Williams, in his research on the competing epistemologies which inform Te Tiriti / The Treaty of Waitangi.<sup>89</sup> These are now transforming the law in this country.<sup>90</sup> He calls this “the Kupe’s Law / Cook’s Law clash”.<sup>91</sup>

<sup>87</sup> [Toitū-te-Mātauranga-Valuing-culturally-inclusive-research-in-contemporary-times-Angus-Macfarlane-and-Sonja-Macfarlane.pdf](https://psychology.org.nz/Toitū-te-Mātauranga-Valuing-culturally-inclusive-research-in-contemporary-times-Angus-Macfarlane-and-Sonja-Macfarlane.pdf) (psychology.org.nz).

<sup>88</sup> [Toitū-te-Mātauranga-Valuing-culturally-inclusive-research-in-contemporary-times-Angus-Macfarlane-and-Sonja-Macfarlane.pdf](https://psychology.org.nz/Toitū-te-Mātauranga-Valuing-culturally-inclusive-research-in-contemporary-times-Angus-Macfarlane-and-Sonja-Macfarlane.pdf) (psychology.org.nz).

<sup>89</sup> Williams, J. (2011) Ko Aotearoa Tēnei. Wellington: Waitangi Tribunal. see [Ko Aotearoa Tēnei \(wai262.nz\)](https://www.waitangi-tribunal.govt.nz/ko-aotearoa-tenei/wai262/nz/)

<sup>90</sup> F. W. Guest Memorial Lecture 2021: Decolonising the law in Aotearoa: Can we start with the law schools? Events. University of Otago. New Zealand.

<sup>91</sup> [Te Ritorito 2017: Towards whānau, hapū and iwi wellbeing » The Hub \(swa.govt.nz\)](https://www.swa.govt.nz/te-ritorito-2017-towards-whānau-hapū-and-iwi-wellbeing)

The second is a research context in which the model is endorsed by Sir Peter Gluckman, then Chief Science Advisor to the Prime Minister, in *Improving Transitions*, a research report on how to transform the lifestyles and life-chances of adolescents.<sup>92</sup>

The third is a policy context which highlights the innovative approach taken by Treasury in the development of the latest Living Standards Framework.<sup>93</sup>

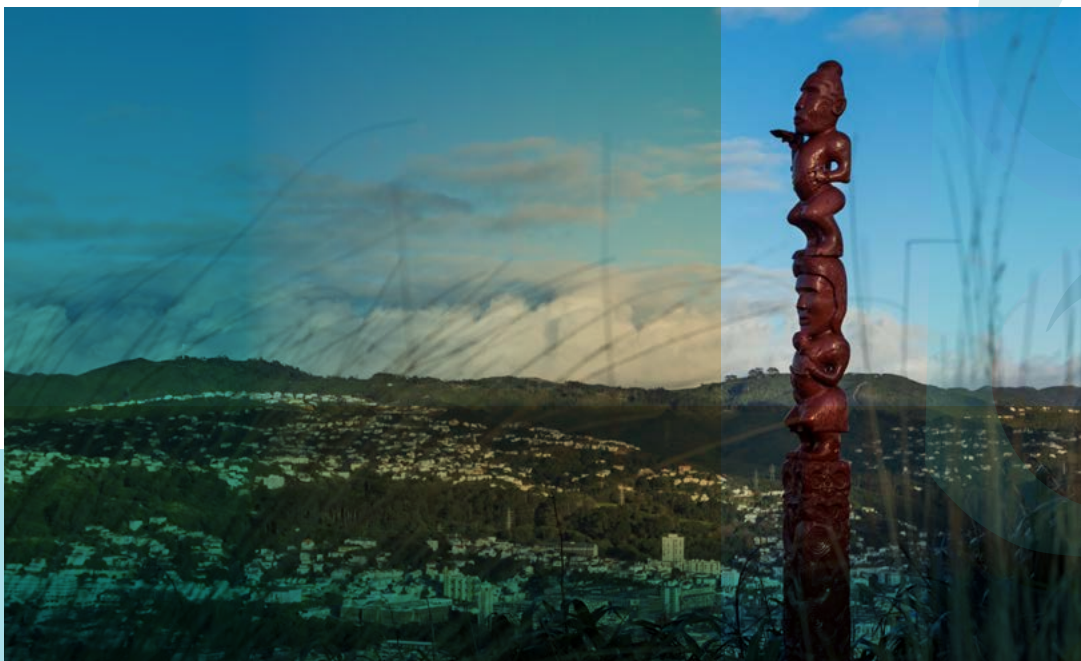
The last is a programme context, the development of Te whai hua, Kia Ora, the Māori medium education programme of financial literacy developed for secondary school students in total immersion programmes as a product in the Sorted in Schools suite.<sup>94</sup> Taking a classic braided rivers approach Sorted in Schools offers two programmes for schools – one developed using Western knowledge, one using Māori knowledge.<sup>95</sup>

### 3.1 The Kupe's Law / Cook's Law Clash<sup>96</sup>

In a keynote address delivered to the Te Ritorito 2017 Conference: *Towards Whānau, Hapū and Iwi*,<sup>97</sup> Justice Sir Joseph Williams explored what he terms 'the Kupe's Law / Cook's Law' clash which occurred in the colonisation of Aotearoa New Zealand. Put simply, it is the clash of epistemologies, the clash of knowledge codes. He described Kupe's Law as the law which whānau, hapū and iwi lived by when settlers first arrived. The newcomers brought with them their own laws which in critical respects opposed the laws of Māori.

**Table 5: Kupe's Law 1200–1840**

Kaupapa / Principle	Whakamarama / Description
Whanaungatanga	Centrality of kinship and careful attention to relationships
Mana	Principles of leadership and individual dignity
Tapu	Behavioural control and sacred/ profane divide
Utu	Reciprocity obligation
Kaitiakitanga	Obligation to care for one's own



<sup>92</sup> Gluckman, P. et al (2011: vii) *Improving the Transition: Reducing Social and Psychological Morbidity During Adolescence. A report from the Prime Minister's Chief Science Advisor*. Wellington: Office of the Prime Minister's Science Advisory Committee

<sup>93</sup> *Our Living Standards Framework* ([treasury.govt.nz](https://www.treasury.govt.nz))

<sup>94</sup> *Equipping young New Zealanders for their financial futures | Sorted in Schools*

<sup>95</sup> *Kainga | Sorted in Schools | Te Whai hua - Kia Ora!*

<sup>96</sup> Williams, J. (2013) Harkness Henry Lecture Waikato University, 7 Nov 2013, "Lex Aotearoa: an heroic attempt to map the Māori dimension in modern New Zealand law". The lecture is free to download as a PDF from: [www.courtsofnz.govt.nz](http://www.courtsofnz.govt.nz); Williams, J. (2017) Keynote Address, Te Ritorito Conference, TPK / SuPERU, Pipitea Marae, April 2017, "The Treaty of Waitangi and Whānau, Hapū and Iwi Well-being". A video of this lecture, and the PowerPoint presentation used to accompany it, are free to download from: [www.tpk.govt.nz](http://www.tpk.govt.nz)

<sup>97</sup> *Te Ritorito 2017: Towards whānau, hapū and iwi wellbeing » The Hub* ([swa.govt.nz](http://swa.govt.nz))



Justice Williams described Kupe's Law 1200-1840 as the First Law of Aotearoa, "a system of values and principles for the organisation and administration of kin communities". Values and principles central to Kupe's Law were: whanaungatanga, mana, tapu, utu, and kaitiakitanga. Māori social structure was communal in nature, with whānau, hapū and iwi being the primary social units.<sup>98</sup> In mātauranga Māori, Māori knowledge, people had a whakapapa relationship with the environment as guardians, and custodians of it. The tapu / noa sacred / profane dimension of everyday life was a strong feature of social control long before Christianity was introduced. These and other key notions of te tirohanga Māori clashed with Cook's Laws, the ways of the newcomers.<sup>99</sup>

**Table 6: Cook's Law 1840 – today**

Features of the law
Second Law of New Zealand 1840-1985
Central authority with unrelated officials dispensing its law
Individual dignity and autonomy of subjects/ citizens
Economic and some social relationships among people defined by contract
Relationships with land and movables defined through concept of property

Cook's Law was primarily about property and rights while Kupe's Law was about relationships and obligations. In the nation-building project that followed the signing of the Te Tiriti / Treaty, the machinery of government became the vehicle through which epistemological racism was built into law. In a brutal historical scenario Kupe's Law was legislated and regulated out of people's public lives. Instead Cook's Law was built into the fabric of the new society that the Treaty of Waitangi heralded. A by-product of that process was that economic, social, and cultural privilege accrued to the English language and culture and those whose first language / culture these were. That privilege has translated into intergenerational wealth and wellbeing.

## 3.2 From evidence to policy

In 2009 the Prime Minister invited Sir Peter Gluckman, then Chief Science Advisor to the Prime Minister, "to provide a report focused on how we may improve the outcomes for young people in their transition from childhood to adulthood".<sup>100</sup> The driver of this request was the knowledge that "young New Zealanders have relatively high morbidity relative to other developed countries".<sup>101</sup> Sir Peter established a taskforce of experts to undertake the research.

In the final report, *From Evidence to Policy, Programmes and Interventions*,<sup>102</sup> Professors Fergusson, McNaughton, Cunningham and Hayne identify He Awa Whiria as an authentic kaupapa Māori model. They argue that it: creates a constructive space to locate the two approaches (Western science and kaupapa Māori). The model sets out a framework for interaction, and concludes with a platform which reconciles the evidence produced. The model is informed by: partnership models, validation of the two approaches, cross cultural communication, interpretation, and negotiation; and a value base which is inclusive, integrated, and empowering. A range of diverse issues that emerge in programme implementation is identified and discussed. These are: "staff training; organisational factors, client factors and cultural factors in maintaining programme fidelity and quality".<sup>103</sup>

<sup>99</sup> Henare, M. (1998). *Nga Tikanga me nga Ritenga o te Ao Māori: Standards and Foundations of Māori Society*. In Report of the Royal Commission on Social Policy. The April report: Future directions associated papers, Vol III, part I. Wellington, NZ: Government Printer.

<sup>100</sup> Williams, J. (2011) Ko Aotearoa Tēnei. Wellington: Waitangi Tribunal. [see Ko Aotearoa Tēnei \(wai262.nz\)](http://www.waitangi.org.nz)

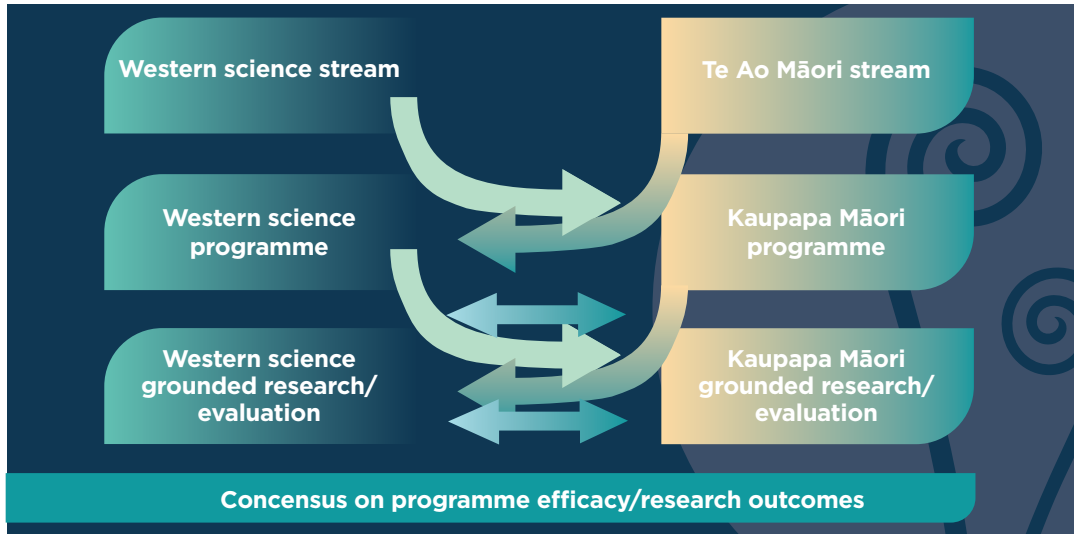
<sup>101</sup> Gluckman, P. et al (2011: vii) Improving the Transition: Reducing Social and Psychological Morbidity During Adolescence. A report from the Prime Minister's Chief Science Advisor. Wellington: Office of the Prime Minister's Science Advisory Committees

<sup>102</sup> Ibid.

<sup>103</sup> Gluckman, P. et al (2011) Op cit.

<sup>104</sup> Ibid.

Figure 7: How the He Awa Whiria model works



### 3.3 Treasury wellbeing – dual epistemological modelling

Treasury has released its new Living Standards Framework (LSF) for public consultation in 2021. The new LSF<sup>105</sup> has been developed in response to feedback from stakeholders about previous modelling in the area.

*The framework released in 2021 responds to feedback from stakeholders to better reflect culture and children's wellbeing, including being more compatible with te ao Māori and Pacific cultures.<sup>106</sup>*

The approach taken is innovative in policy circles. What might have been described as a 'one-size-fits-all' approach to policy development in the past has given way to more flexible, inclusive, and authentic public policy modelling.

The new LSF 'does not seek to comprehensively incorporate everything that is important from the ao Māori ... perspective'. Rather, Treasury has "aimed to incorporate some of the most important concepts at a high level, but intend to use the LSF alongside in-depth frameworks such as... He Ara Waiora". It is "a framework that helps the Treasury to understand waiora, often translated as a Māori perspective on wellbeing".<sup>107</sup>

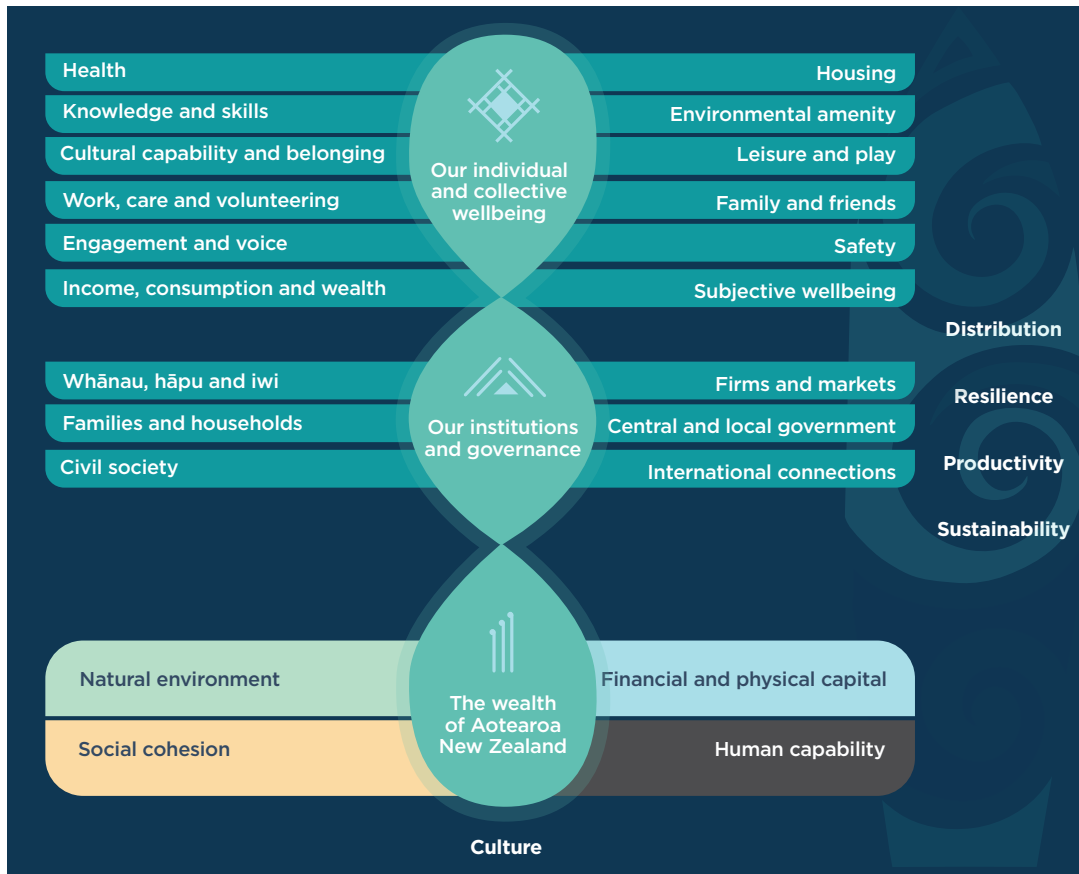


<sup>105</sup> [Our Living Standards Framework \(treasury.govt.nz\)](https://treasury.govt.nz/publications/living-standards-framework)

<sup>106</sup> [Our Living Standards Framework \(treasury.govt.nz\)](https://treasury.govt.nz/publications/living-standards-framework)

<sup>107</sup> [He Ara Waiora \(treasury.govt.nz\)](https://treasury.govt.nz/publications/he-ara-waiora)

Figure 8: Treasury's Living Standards Framework



### 3.4 Te whai hua - kia ora, Sorted in Schools

Sorted is a free service by Te Ara Ahunga Ora Retirement Commission, the Crown entity dedicated to helping New Zealanders get ahead financially. As well as providing resources and tools, the Commission offers several programmes in the Sorted Suite, including Sorted in Schools, Sorted in Communities, and Sorted at Work.<sup>108</sup>

Te whai hua - kia ora, Sorted in Schools is a financial capability programme for secondary school students. It aims to equip all young New Zealanders for their financial future. In a programme-based example of He Awa Whiria, the course is available for English-medium education and Māori-medium education. To date, 75% of secondary schools and kura have registered for the programme. In addition, more than 1400 teachers are using the resources, and more than 486 have taken part in professional learning development about it.

Te whai hua - kia ora, is a te reo programme for kura Māori. It takes a holistic and distinctively te ao Māori view on collective financial wellness. The resources help learners to approach and understand topics such as financial identity, financial capability and financial sustainability from a context that is underpinned by te reo Māori, tikanga Māori and mātauranga Māori. The programme uses traditions, stories and examples from well-known tīpuna such as Māui Tikitiki ā-Taranga, Te Ika-ā-Māui, Kupe, Hoturoa and Te Rauparaha. In this way, Te whai hua - kia ora centres students firmly within their own context and identity while introducing them to topics of financial capability. A suite of learning and teaching resources has been developed for students in Years 9 and 10. There are also NZQA-approved assessment materials for Years 11 to 13 which support students to achieve credits towards their NCEA qualifications.<sup>109</sup>

<sup>108</sup> All about us » Sorted

<sup>109</sup> Sorted in Schools - Update | Retirement Commission Te Ara Ahunga Ora

## He aha koe e kōwhiri ai a 'Te whai hua – kia ora!'?<sup>110</sup>

### Kaupapa Māori

I whanaketia mai i te tirohanga Māori me te whakahāngai i ngā whakaaro o te kaupapa Māori, ōna kōrero me āna anga e hangaia ai tētahi rauemi e arotahi ana ki te whanake i te āheitanga ahumoni ka whai tikanga ki te oranga o te rangatahi me te whānau.

### Whakamanawa Kaiako

Te āwhina ki te whakamanawa ake i ngā pouako ki te āheitanga ahumoni i a rātou ka whanake i te taha whakaako me te taha mātauranga ka whai tikanga ki te oranga whānui o ngā ākonga me te kura nui tonu.

### Ako Whaiaro

Ētahi rauemi me ētahi tūmahi mō te kore utu kua whanaketia, kua whakamātauria e te pouako me te ākonga e whakahāngaitia ai te tirohanga Māori ki te hoahoa i tētahi huarahi ako ahurei.

## Why learn with Sorted in Schools<sup>111</sup>

### Personal Learning

Free resources and activities all tested and trialled by teachers and students to design their unique learning pathway.

### Empowering Teachers

Helping teachers grow their confidence with financial capability while developing their delivery and knowledge to teach this essential life skill in the classroom.

### Pedagogically Driven

Aligned to the New Zealand curriculum while using Universal Design for Learning, SOLO taxonomy, and Digital Technologies to enhance the learning experience.



<sup>110</sup> Kainga | Sorted in Schools | Te Whai hua – Kia Ora!

<sup>111</sup> Equipping young New Zealanders for their financial futures | Sorted in Schools.





## 4. Mana wahine

### 4. Mana wāhine

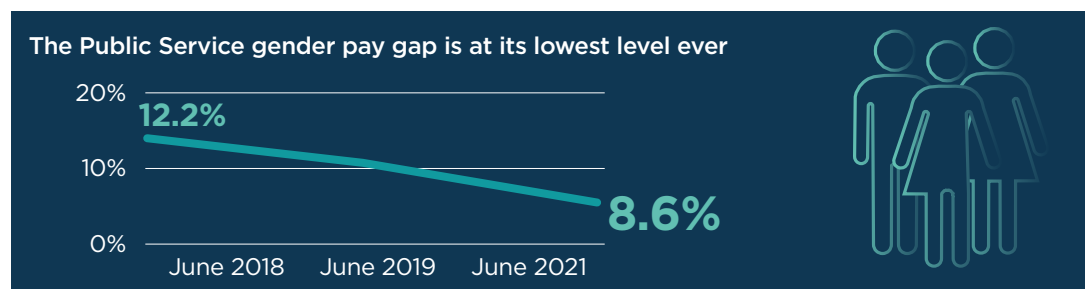
This paper has presented an unfolding analysis which starts in the historical / structural sector and works its way from the macro view to the micro analysis presented in this section. Here we will explore aspects of the role and status of wahine Māori. It will start with an overview of research in the public service on ethnic and gender pay gaps which present wāhine Māori statistics, followed by a case study of the remuneration settings of kaimahi in te kōhanga reo. This movement, long described as a flagship initiative in programmes of Māori development, has a workforce which is 91% wāhine Māori. Finally, we discuss findings from the latest research on Māori women and financial capability undertaken at Te Ara Ahunga Ora Retirement Commission.

#### 4.1 Ethnic and gender pay gaps in the public service

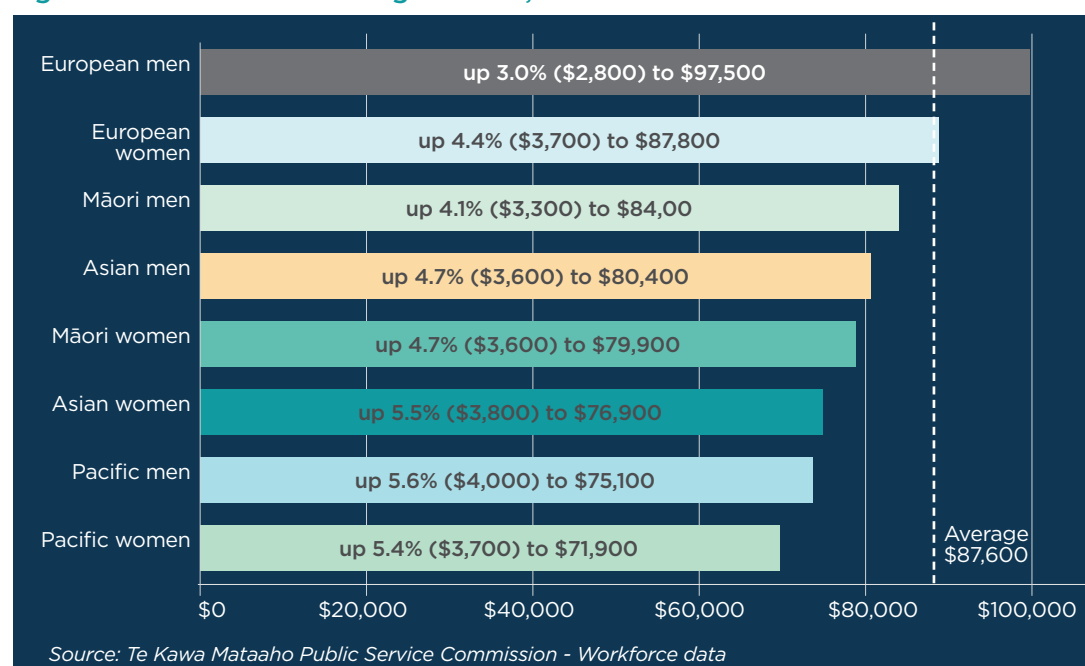
Wāhine Māori are under-represented in senior management and leadership positions in the public sector. They work closer to the coal face, closer to the delivery end of roles largely in the social and cultural sectors. Research on ethnic and gender pay equity shows that there are considerable ethnic and gender pay equity gaps. Even in the public sector, where one might expect that the policies of the government could have more influence than in other sectors, these pay gaps exist.

As the figure below shows,<sup>112</sup> the good news is that the pay gaps are decreasing. However, there are also negative aspects of this. We need to be clear about the impact such ethnic and gender pay inequity will have had on wāhine Māori financial status and wealth over time.

**Figure 9: Gender pay gap decline 2018 – 2021**



**Figure 10: Public service average salaries, 2020<sup>113</sup>**



<sup>112</sup> Ngā āputa utu ā-ira me te utu tōkeke | Pay Gaps and Pay Equity | Te Kawa Mataaho Public Service Commission

<sup>113</sup> Pay by gender and ethnicity | Te Kawa Mataaho Public Service Commission

## 4.2 Case study – Ethnic / Gender pay equity in Te Kōhanga Reo

In December 2021 NZQA convened a panel to assess Te Tohu Whakapakari Tino Rangatiratanga, the main qualification of kaiako in te kōhanga reo, as a degree level qualification. The NZQA degree accreditation process is standard across the tertiary sector apart from universities (ie, polytechnics, other tertiary providers). Once a degree programme is accredited by NZQA it triggers an endorsement process from the Tertiary Education Commission which leads to commensurate degree level funding. In December 2021 the panel recommended that NZQA approve Te Tohu Whakapakari Tino Rangatiratanga as a degree level qualification.

The implications of this approval are significant for the women who work in kōhanga reo throughout the country. The approval means that the Te Kōhanga Reo National Trust, the body that advocates for the movement with the Crown can now join pay equity talks with the rest of the early childhood sector. This is a considerable milestone for the remuneration levels of the kaimahi in kōhanga reo. What did it take to achieve this? It took a 20-year struggle with the Crown, through the New Zealand Teachers' Council, (now known as Teaching Council Aotearoa New Zealand), to have this qualification recognised as a degree level qualification in education.

Some public sector history is needed to set this milestone in context. When Te Tohu Whakapakari was first developed it was presented to NZQA for consideration and then to the Tertiary Education Commission for funding. It was successfully approved and funded by both organisations. In 2002 the Crown had created a third organisation in the tertiary education qualification accreditation space, the New Zealand Teachers Council. Qualifications which were classified as for teaching also now had to be approved by a third body. Teaching qualifications are funded at a higher rate than some others and so this third organisation was created to add another level of scrutiny to the sector. Accreditation processes now included a combination of NZQA, TEC and the NZTC.

The agreement Te Kōhanga Reo National Trust reached with the Crown in 2021, in order to proceed with the 2021 accreditation exercise, was that Te Tohu Whakapakari Tino Rangatiratanga would be re-classified as an education degree, rather than a teacher education degree. The Trust argued that kōhanga reo are a whānau-led and managed initiative of Māori development. Kōhanga reo are not run by teachers, in the way that other parts of the sector are. The kōhanga reo model has whānau management at its heart – kaiako are part of the kōhanga whanau and not the only learning activators. This philosophical difference had blocked the accreditation of the qualification for 20 years and stopped the kōhanga reo movement from working towards pay parity for all those wāhine Māori over that period. All that was resolved by December 2021.

A further structural feature that contributed to ethnic and gender pay inequity in the early childhood sector for wāhine Māori kaimahi in kōhanga reo was the different license rates which existed in the sector for many years. These were connected to salary levels. In New Zealand early childhood funding was distributed through three different rates of funding:

- Rate 1: Licensed early childhood centre
- Rate 2: Licensed early childhood centre
- Rate 3: Unlicensed early childhood centre.

Unfortunately for most of the sector, only kindergartens were eligible for rate 3 funding, which enabled them to pay staff more. Those artificially differentiated funding levels created inequity throughout the early childhood sector in a number of ways. Higher kindergarten funding levels helped with quality recruitment and achieving full rolls. Full rolls enabled good centre-level budgets which in turn helped with marketing and recruiting. Centres at rate 2 had to work hard to convince families and whānau that they were as good as kindergartens.

Such structural inequities led to the Te Kōhanga Reo National Trust filing Wai 2336 The Kōhanga Reo Claim in the Waitangi Tribunal. The tribunal heard the claim under urgency in 2011 and reported its findings in the final report Matua Rautia in 2012.<sup>114</sup>

<sup>114</sup> Wai 2336: Matua Rautia: Report on the Kōhanga Reo Claim | Waitangi Tribunal.

We have included a long quote from the Waitangi Tribunal report to show how the Tribunal sets out its thinking and analysis:

*... we have found the claim to be well founded and that the Crown should reprioritise its expenditure on te reo Māori in ECE. We have also found that the Trust and kōhanga reo have suffered significant prejudice from the Crown:*

- *failing to provide a sound policy framework that addresses the Crown's duty to actively protect te reo Māori in the early childhood education sector through support for immersion services, particularly kōhanga reo to whom the Crown owes Treaty obligations;*
- *failing to promote participation and targets for the numbers of children moving through early childhood education who can speak Māori with the competency necessary to enter the school system long enough to become bilingual and biliterate;*
- *omitting to develop, in partnership with the Trust, appropriate quality measures for assessing and improving quality in kōhanga reo for transmission of te reo;*
- *imposing a funding regime that incentivises teacher-led ECE models and does not provide equitable arrangements for kaiako holding the degree qualification designed for kōhanga reo;*
- *imposing a regulatory and licensing regime that does not adequately address the specific needs of the kōhanga reo movement and in part stifles their motivation and initiative; and,*
- *failing to accurately measure the achievements of kōhanga reo at any time during the 30 years since the movement started.*

*We have, therefore, found that the Crown's failures to address the place of kōhanga reo has led to actions and omissions inconsistent with the principles of the Treaty, namely the principles of:*

- *partnership;*
- *the guarantee of rangatiratanga;*
- *the obligations on the Crown to make efficient and effective policy and to actively protect te reo Māori in ECE through kōhanga reo; and*
- *the principle of equity.*

*There has been serious prejudice to the kōhanga reo movement as a result of these Crown actions and omissions. In particular there has been:*

- *inadequate recognition in ECE policy for kōhanga reo;*
- *a decline in the proportion of Māori participating in kōhanga reo;*
- *adverse impacts on the reputation of the kōhanga reo movement;*
- *serious underfunding of the Trust for services provided and insufficient funding to kōhanga reo, which has led to a decrease in capital expenditure posing a relicensing risk and exposing 3,000 mokopuna to the possibility of losing their kōhanga reo buildings;*
- *imposition of a regulatory regime including licensing criteria that has paid insufficient regard to the particular kōhanga reo environment; and*
- *an ERO evaluation methodology that remains focused on teacher-led models unbalanced against the important results that kōhanga reo provide for te reo transmission.<sup>115</sup>*

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115 Wai 2336: Matua Rautia: Report on the Kōhanga Reo Claim | Waitangi Tribunal

## Research on Māori women and financial capability<sup>116</sup>

Te Ara Ahunga Ora regularly undertakes research among people living in New Zealand. Two recent studies have oversampled Māori to allow for a more robust exploration of the financial issues they face. The *New Zealand Financial Capability Survey 2021*<sup>117</sup> involved 3027 adult New Zealanders. It measured a range of financial capabilities and outcomes using the financial wellbeing model designed by Prof. Elaine Kempson. The framework for the model is derived from interviews and focus groups in several countries. It contains 21 components of financial capability which are each scored on a scale of 0 to 100.<sup>118</sup> In this study, 527 participants identified as Māori (270 were wāhine Māori).

The second study is an ongoing tracker study commissioned by Te Ara Ahunga Ora which surveys approximately 310 people per month, nationally representative of New Zealand based on gender and region. (Again, Māori are oversampled). In November 2021, the study produced a 'deep dive' into Māori experiences, using a sample size of 559 participants (302 were wāhine Māori).

Both studies show that Māori have lower perceived financial wellbeing, with wāhine scoring themselves even lower on financial wellbeing outcomes than tāne.

Wāhine Māori participants in the Financial Capability survey are comparatively less likely to be actively contributing to KiwiSaver (38%) compared to 54% of women in general. Typically this is due to being a stay-at-home parent. The low levels of saving for retirement added to the higher levels of debt for Māori (and wāhine Māori in particular) means that many wāhine Māori will be completely reliant on superannuation once they retire. Financial difficulties in older age are compounded by lack of homeownership: only 29% of wāhine Māori aged under 65 own their home (either with or without a mortgage) compared to 46% of women in general.

This survey also revealed that wāhine Māori are more likely than tāne to take responsibility for day-to-day money management (e.g., ensuing expenses are paid). They are also more likely than tāne to have savings or current accounts. However, they are particularly vulnerable because they have very low levels of health insurance or investments, thus reducing their ability to weather an unexpected event such as poor health, a car accident or redundancy.

The tracker study showed that while Māori generally show greater signs of financial stress and risk of hardship than average, wāhine Māori are at even greater risk. For instance, wāhine Māori are significantly more likely to say they are 'sinking badly' or 'sinking a bit' compared to women in general. Māori are more likely than average to report negative impacts of financial strain (e.g., feel stressed, miss out on social activities, lose sleep, make unhealthy eating choices, or miss out on access to health services due to financial strain). Wāhine Māori experience these impacts to the greatest extent (compared to both tāne, and women / men in general).

The tracker survey shows that financial inclusion is even lower for single Māori mothers. In addition, nearly 40% of wāhine Māori have Buy Now, Pay Later products (compared to 26% of women in general, and 23% of tāne). The ease of access to these types of products, combined with the potential for significant fees and penalties for missed or late payments, means juggling multiple sources of debt can be messy and result in users paying much more than intended.

<sup>116</sup> This section has been drafted by Dr Jo Gamble, Research Lead, Te Ara Ahunga Ora Retirement Commission. Tēnei te mihi atu ki a koe e te Tākuta mō to tautoko.

<sup>117</sup> [Financial Capability Research | Retirement Commission Te Ara Ahunga Ora](#)

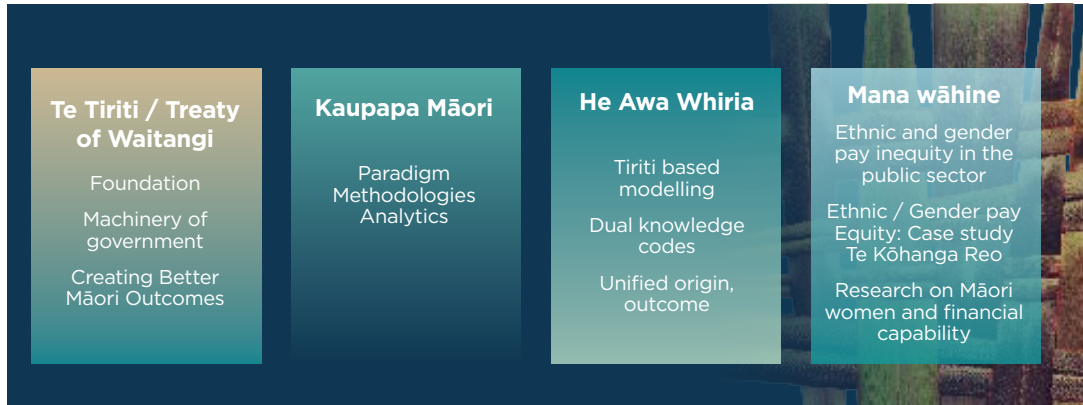
<sup>118</sup> [Each of the components is measured using a set of questions. The technical report accompanying this report explains the methodology of constructing the scores here](#)



# Whakakapinga

## Conclusion

Figure 11: Decolonising public policy in Aotearoa NZ



This paper has built an analysis which has been grounded in Te Tiriti, the Treaty of Waitangi as a foundational public policy document. We have placed the issue of retirement income policy in a historical, structural and political context and sought to demystify the impact of that context on the economic fate of people at an individual level. In the section Kaupapa Māori as paradigm, method and analytics, we explored kaupapa Māori as the major paradigm shift that emerged in Aotearoa from the mid-1970s. It is increasingly influential in public policy. He Awa Whiria was presented as an authentic model of how to integrate dual worldview thinking from the project level to the development of policy at a macro level. A model which could be used in the development of retirement income policy. Finally, we analysed and explored the impact of this public policy history on the life chances of Māori women.

The life chances of Māori should be understood in the context of many structural, historical, and political factors. These have played a role in dispossessing whānau, hapū and iwi of their resource base, their identity and the means to create inter-generational wealth on Māori terms and in Māori ways.

Even with a Treaty settlement process, which now includes 91 iwi who have settled with the Crown,<sup>119</sup> the settlements were political. Both parties were aware of that – the country could not afford a settlement process at market rates. The amounts returned through the agreements were a fraction of the value of what was confiscated.

The final political feature of the settlements was that they were not settled at the level at which the confiscations occurred. Whānau were the guardians, the kaitiaki of the land, not iwi, but the Crown settled raupatu at the level of iwi.

Whānau wealth can never be returned to pre-contact forms for Māori throughout this country because of the alienation of ancestral whenua / land. Whānau can and are growing wealth in other ways. But, when the connection to the ancestral land is severed, social, cultural, spiritual and economic opportunities of that connection are diminished across time.

Whānau, hapū and iwi understand that, though without necessarily accepting it. The pain of the loss continues as inter-generational trauma.

As Aotearoa New Zealand learns to understand and embrace its history, it is time for government policy to be informed as much by the galaxy from which Te Tirohanga Māori originates, as from Western worldviews, to make the gavel and the pen work well for all Māori, and especially those of retirement age.

Retirement income policy, in a one-size-fits-all approach, which ignores the historical role of the Crown in the creation of structural inequality, runs the risk of becoming a form of raupatu for Māori in older life.

<sup>119</sup> Anderson, Lil (2022) IPANZ Conference 2022. CEO Panel. Tuesday 22 February 2022

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