

Giving Effect to Te Tiriti o Waitangi

Session 1: An introduction to Te Tiriti and tikanga Māori



There is no “one-size fits all approach” to effectively apply Te Tiriti o Waitangi or achieve Māori educational wellbeing. Boards need to critically reflect on the possibilities in their own learning community.

This session aims to facilitate a conversation about:

- school board responsibilities under the Education and training Act 2020;
- framing appropriate governance questions to ensure your school is compliant with the requirements of the Education and Training Act 2020;
- the main focus of the articles of Te Tiriti o Waitangi;
- what tikanga Māori values mean to you – what they look and feel like;
- the extent to which you live tikanga Māori values in your school; and
- opportunities for further embedding tikanga Māori values within your school.

Key messages:

- Giving effect to Te Tiriti is a journey rather than an event and individual board members/boards will be at different stages on this journey.
- There is no “one-size fits all approach” to effectively apply Te Tiriti o Waitangi in schools or achieve Māori educational wellbeing.
- Boards need to critically reflect on the possibilities for giving effect to Te Tiriti in their *own learning community*.
- Tikanga Māori values and practices need to be felt and lived rather than just “understood”
- Māori values and concepts, and the beliefs that underpin them, are imbedded in mātauranga Māori and Māori language. Translating Māori concepts into the English and transposing them into a non-Māori world view has the potential to change or reduce their real meaning.
- Tikanga Māori values and practices need to be understood in context.

Overview of Te Tiriti o Waitangi

The Māori text of the Treaty of Waitangi (Te Tiriti o Waitangi) was signed on 6 February 1840 at Waitangi, by Captain Hobson and about 40 rangatira. By the end of that year at least another 450 rangatira had signed. The written document comprises three articles. A fourth was added verbally during the debate. No article of the Treaty stands apart from the others. How the Treaty applies in any situation requires consideration of the applicability of all articles and the relationship each has to the others. The main focus of each treaty article is summarised below¹:

- **Treaty Article 1:** Kāwanatanga: the right of the British to govern.
- **Treaty Article 2:** Rangatiratanga: the right of hapū to retain sovereignty. The Crown promises that Māori will have the right to make decisions over resources and taonga which they wish to retain.
- **Treaty Article 3:** Ōritetanga: the guarantee that Māori would have the same rights as others. The Crown promises that its obligations to New Zealand citizens are owed equally to Māori.
- **Article 4:** The assertion that Māori customs shall be protected.

Much has been thought, written and said about Te Tiriti o Waitangi, the circumstances of its creation, the differences between the English and Māori texts and the consequent difficulties of understanding its meaning and implications.

The courts and Waitangi Tribunal have described Te Tiriti as an exchange of solemn promises about the ongoing relationships between the Crown and Māori with qualifications. By signing the Treaty, Māori expect the Crown to act honourably towards them, to protect their interest in everything it promised to, and to respect their right to make decisions over matters of significance to them.ⁱⁱ

In essence Te Tiriti o Waitangi is a political agreement. It was used to establish a mutually beneficial relationship between hapū (who had been in Aotearoa for centuries) and the Crown (who represented the interests of Europeans and new settlers). The term “honourable kāwanatanga” or “honourable governance”, describes the situation where those on the Crown side of the Treaty relationship, such as boards, work toward meeting their Treaty responsibilities. There is no single definition of honourable kāwanatanga, however, Articles 3 and 4 of Te Tiriti give an indication of what would be involved: Māori enjoying the same rights as others in culturally appropriate ways. In education, this is captured by the objective “Māori achieving educational success as Māori”. The conditions for Māori to achieve educational success as Māori are relevant in Aotearoa New Zealand because they are embodied in the Treaty.ⁱⁱⁱ

Requirements of the Education and Training Act, 2020

Under Section 127 of the Education and Training Act (2020) one of the four primary objectives for a board in governing a school is to ensure that the school gives effect to Te Tiriti o Waitangi by —

- working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
- taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
- achieving equitable outcomes for Māori students.

What is tikanga Māori?

There are many definitions of Tikanga Māori. Māori scholar Hirini Moko Mead states that tikanga can be being viewed from several perspectives. Durie (1996, p.449) defines it as the “values, standards, principles or norms to which the Māori community generally subscribed for the determination of appropriate conduct”. Metge (1995, p.21) describes tikanga simply as “the right Māori ways”. Williams (1998, p.2) describes tikanga as “the Māori way of doing things – from the very mundane to the most sacred or important fields of human endeavour.” No one definition is completely correct or wrong.^{iv}

Key Māori values and concepts

A word of caution:

Māori values and concepts, and the beliefs that underpin them, are imbedded in mātauranga Māori and Māori language. This means translating Māori concepts into English and transposing them into a non- Māori world view has the potential to change or reduce their real meaning^v. Because there is no one universal definition of these terms, they need to be understood in context. Be aware of these limitations when reading the definitions below. We have only provided a sample of perspectives here.

The values and concepts explored here are included because they are mentioned in the Education and Training Act (2020) or the text of Te Tiriti o Waitangi. Keep in mind that these values are linked to multiple related concepts that could also be explored. References are provided at the end of this document if you wish to learn more.

Key values and concepts to be aware of . . .



Te Reo Māori

The ancestral language of the tāngata whenua of Aotearoa (ngā iwi Māori).

Mātauranga Māori

Māori knowledge and all that underpins it, including Māori ways of knowing.

Kotahitanga

Togetherness, identifying as one – sharing the earth, extending our āwhina (support) to everyone, and receiving the same back.

Te Ao Māori

The essence of the Māori world view is relationships, not just between people – whānau, hapū, iwi – but also between the spiritual world and the natural world.

Everyone and everything is traced and explained through whakapapa, the ancestral layers that contribute to the “people, places, and things” of the present and into the future.

Whanaungatanga

Sharing our identity and a sense of who we are.

Tino Rangatiratanga

The strength of one’s own ability to lead or become a leader. A true rangatira can be identified by their ability to have good intentions supported with effective actions.

Manaakitanga

Reciprocal care for a person’s mana through the values of hospitality, integrity, trust and sincerity.

Some questions to consider at your next board meeting. We will look at these in greater detail in Part 2 of the workshop series:

- How do we currently integrate tikanga Māori values into our plans, policies and local curriculum?
- What progress have we made as a result of Ka Hikitia – Ka Hāpaitia (The Māori Education Strategy) and Tau Mai Te Reo (The Māori Language Strategy, 2020)? How do we know that we have made progress? What are the measures/indicators of progress?
- What are the key governance questions we should be asking in terms of planning, monitoring and review?
- What opportunities are there for strengthening the application of te reo and tikanga Māori within our school?

Useful resources

- Durie, E. T. (1996). Will the settlers settle-Cultural conciliation law. *Otago Law Review*, 8(4), p.449.
- Hoskins, T. K. (2018). Practicing Indigeneity: Lessons from a Māori-School Governance Partnership. *Cultural and Pedagogical Inquiry*, Fall 2018, 10(2), pp. 161-165. <https://journals.library.ualberta.ca/cpi/index.php/cpi/index>
- Mead, H. M. (2016). *Tikanga Māori (revised edition): Living by Māori values*. Huia publishers.
- Metge, J. (1995). *New Growth From Old: The Whānau in the Modern World*. Victoria University Press.
- Ministry of Education (2021) Ka Hikitia (the Māori Education Strategy) has been refreshed as part of the Education Work Programme. <https://www.education.govt.nz/our-work/overall-strategies-and-policies/ka-hikitia-ka-hapaitia/>
- Ministry of Education (2021) Tau Mai Te Reo (the Māori Language and Education Strategy). <https://www.education.govt.nz/our-work/overall-strategies-and-policies/tau-mai-te-reo/>
- New Zealand School Trustee's Association (2019) Hautū: Māori Cultural Responsiveness Self Review tool for boards of trustees. <https://www.nzsta.org.nz/assets/Māori-student-achievement/Hautu.pdf>
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- Smith, L. T. (2013). *Decolonizing methodologies: Research and indigenous peoples*. Zed Books Ltd.
- Te Arawhiti (2021) Values of engagement. <https://www.tearawhiti.govt.nz/te-kahui-hikina-Māori-crown-relations/engagement/>
- Treaty Resource Centre (2016) Nga Rerenga o Te Tiriti: Community organisations engaging with the Treaty of Waitangi. <https://trc.org.nz/sites/trc.org.nz/files/Application/Nga-Rerenga-o-Te-Tiriti.pdf>
- Williams, J, (1998) He Aha Te Tikanga Māori, Unpublished paper for the Law Commission.

Endnotes

ⁱ NZSTA (2020) The Treaty of Waitangi and School Governance. https://nzstaworkbooks2021.s3-ap-southeast-2.amazonaws.com/Te+Tiriti+o+Waitangi_school+governance_18+December.pdf

ⁱⁱ Cabinet office (2019). Te Tiriti o Waitangi / Treaty of Waitangi Guidance

ⁱⁱⁱ NZSTA (2020). The Treaty of Waitangi and School Governance. https://nzstaworkbooks2021.s3-ap-southeast-2.amazonaws.com/Te+Tiriti+o+Waitangi_school+governance_18+December.pdf

^{iv} Gallagher, T. (n.d) Tikanga Māori pre-1840. Retrieved from: [http://nzetc.victoria.ac.nz/tm/scholarly/tei-Bid001Kahu-t1-g1-t1.html#:~:text=Tikanga%20has%20been%20defined%20in,\(Durie%201996%3A449\).&text=The%20word%20tikanga%20originates%20from,tika'%20and%20'nga'](http://nzetc.victoria.ac.nz/tm/scholarly/tei-Bid001Kahu-t1-g1-t1.html#:~:text=Tikanga%20has%20been%20defined%20in,(Durie%201996%3A449).&text=The%20word%20tikanga%20originates%20from,tika'%20and%20'nga')

^v Ministry for the Environment (2010). Making Good Decisions Workbook: Māori Values Supplement. <https://www.mfe.govt.nz/publications/rma/Māori-values-supplement>