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# The Connected Space of Māori Governance: Towards an Indigenous Conceptual Understanding.

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A thesis  
submitted in partial fulfilment  
of the requirements for the  
Degree of Doctor of Philosophy at  
Lincoln University,  
Te Whare Wānanga o Aoraki  
by  
Steven L Kent

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Lincoln University  
2011

## **Karakia Whakatimatanga: Beginning Prayer**

Whakatau mai rā te hihiri tapu o Io o Te Raki  
Tui tui tutuia  
Tuia te hihiri tapu o Io o Te Raki o te kahu o te Raki  
Kōkiritia rā te tapu o Io o Te Raki  
Ki ruka ki te whenua o Papatūānuku  
Ki te mauri a Haumietikitiki me Rokomaraeroa e  
Kakawea te tapu o Takaroa  
Ki te whakahoroi atu te mauri tūturu o te Tiriti o Waitaki e  
Mō te ata ka haea  
Mō te kaupapa o te kotahitaka me te whanaukataka  
Ko te kaupapa tino rakatirataka  
Aua kia mau te ohākī o kā mātua tīpuna  
Tūturu mai kia whakamaua kia tina  
Haumi e hui e taiki e

## **He Mihi – Acknowledgements**

A PhD is impossible to complete without significant and considerable support from others. With their enduring tautoko and aroha, this thesis has come to fruition.

I firstly wish to mihi to those who have passed on, they have helped make this thesis what it is. Without the knowledge, legacy and gift of life that they have passed on, I simply could not be. I wish to thank the whenua where I have completed this research and of its nearby maunga, Kakepuku te aroaro o Kahu where I sought inspiration. During the long, colourful and winding course of this thesis, the energy and taonga that I have received from living in this beautiful part of Aotearoa compelled me to believe that I could not do my thesis from anywhere else. My mind travels to the whenua of Te Wai Pounamu and the times spent gazing out at Te Tai o Arai Te Uru from Huriawa as a child, dreaming of the future I did not know but tried to see. I feel at complete peace whenever I am in Te Wai Pounamu and I mihi to your mana.

To Dr Terry Ryan MBE, kawai kaitiaki of Ngāi Tahu whakapapa and perhaps the greatest whakapapa expert of our time, you are a living treasure. Your humbleness and utter dedication to the realm of whakapapa, serving and uplifting people, Māori and non-Māori alike, has enriched thousands if not tens of thousands of people's lives. You are a true example of what I believe is how leaders within Māori society should be. Two special Kaumātua that I deeply acknowledge are Kuaō Langsbury and Ginny Paerata in Ōtepoti, both of whom have been instrumental in helping to shape my direction in life. I would not be here at this point today without you. Even though you are of a generation not bought up with Te Reo, the language you speak comes from your heart and directly from our tīpuna. It contains more substance and meaning than the reo spoken by many fluent speakers today, because you have surrounded your words throughout your lives with actual actions of awhi, aroha and support to so many of us.

To my supervisors, Professor Hirini Mātunga and Ramzi Addison, thank you so much for your support and effort throughout this long thesis. Also to Professor Yugo Ono of Hokkaido University, I thank you for your words of encouragement and support from afar. I thank also the markers of this thesis for their guidance in pointing out the weak points of my writing and ideas to improve my thesis. To Te Whare Whakakotahi and all involved with the whare at Lincoln University, thank you for the place to stay that I have always received when needed. To Dr Simon Lambert, your support and catch-ups have always been at vital times during my study and have helped overcome all the dramas. To all the library staff, thank you for your tireless work and also to Catherine in the Printery! To Hirini's secretary Tui, thank you so much for clearing the way through the administrative jungle.

I also wish to sincerely acknowledge the great support provided by the Māori and Indigenous Programme (MAI) run by Ngā Pae o Te Māramatanga, which helps Māori PhD

students during their studies. I also wish to thank Te Tapuae ō Rēhua, Te Rūnanga ō Ngāi Tahu, Otākou Marae and also the Rangiriri and Whiwhi Martin Winiata Scholarship administered through the Māori Education Trust, for financial assistance gratefully received during the long course of this thesis that supported me.

To Bentham Ohia and Kate Cherrington, who are also great examples of Māori leadership through humbleness, aroha and dedication to inspiring all peoples through education, regardless of who they are, your koha to us during our time of great loss will not be forgotten.

To Father Manfred Friedrich of the Catholic Church in Hokkaido Japan and Setchan of House Friendship. Both of you have similarly touched, changed and enriched so many lives across the world. Through your humour, food, support, selfless giving and service to humanity by the helping of anyone in need, from the Philippines and Bangladesh to many other parts of the globe, you have made this world a much better place and are an inspiration to all.

To my many indigenous Ainu friends of Japan, iyairaikere, kia kaha tātou. To all my friends in Japan, here and in other parts of the world, including Kanji san, kansha itashimasu, ngā mihi nui ki a koutou kātoa. To Yorizumi Sensei of Asahikawa also, for telling me of your experience of hearing the cacophony of peoples cries carried by the winds up into the mountains as Tokyo was firebombed in WWII; something that no-one should ever have to experience. I thank you for your support and for the many things you have taught me. To my mate Eddie, your talks and humour over kai have kept me laughing and sane. Ben, Mahana & whānau, you guys are just amazing and I thank you endlessly for being there and keeping tūturu to the old ways. Cousin Tui, what can I say, your steady awhi and aroha has guided me throughout and kept me grounded and reminded of the aroha passed on from our tīpuna and other whānau such as my mum, who are no longer with us. To my big bro Stu & whānau, I finally finished it! To all my other whānau, the descendants of George James Kent and Makareti Hinenuiatekawa Coupar, my aunties & uncles and whānaunga in New Zealand and all over the world, absorb the knowledge contained within our whakapapa and our whānau past, of who we are and the gifts handed down to us, we stand with a quiet and humble pride. I also mihi to the whare where I and many others were brought up, stopped by, passed through and sought shelter at “number 10”. My mum, and number 10 were always there for the whānau and those memories remain ingrained in me. To my late mother in law Kyoko san, your quiet dignity and manāki lives on within us, we miss you so much. Last but not least, the final words go to my wife Machiko, who believed and supported me all through this long journey, I humbly thank you for your enduring patience and support over such a long time.

Tuhinga Whakarāpopototanga: Abstract of a thesis submitted in partial fulfilment of the requirements for the Degree of Doctor of Philosophy at Lincoln University, Te Whare Wānanga o Aoraki

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This thesis examines governance from a culturally Māori perspective with an aim to answer the following research question. What is a conceptualised ideal Māori governance?

Theoretical understanding of governance is almost entirely based on non-indigenous epistemology. Despite Māori (along with other indigenous peoples) having robust intellectual and cultural frameworks to understand governance; substantive research into understanding governance from within indigenous culturally generated frameworks is almost non-existent. Instead, non-indigenous understanding of governance within governance theory is promulgated as the starting and end points of governance; subsequently then unilaterally globally applied to indigenous people, such as Māori. Consequently, Māori culturally generated values, principles and concepts are relegated to mere ancillary importance, being restricted within non-indigenous governance frameworks.

Alternatively, governance is portrayed as a procedural outcome of equivalence translation, of non-Māori governance concepts into Māori conceptual space.

In rejecting these existing formulations and framing of Māori governance, this research instead undertook a two-stage process, to purposely seek a distinctly Māori cultural perspective of governance. Firstly, use of Kaupapa Māori theory allowed an intellectual space to engage Mātauranga Māori [Māori knowledge]. The second stage invoked Whakapapa (the key basis of Mātauranga Māori) to conceptualise governance from within the creation realms of Te Pō, Te Ao Mārama and Te Kore. These realms represent an essential whakapapa [genealogy] within Mātauranga Māori. They signify the source of all that is, containing the principles, values and elements that forms a Māori understanding of life and of human knowledge.

The conclusion reached is that whakapapa is in fact the implicit and fundamental basis of Māori society and its source of governance. Being a broader concept than just genealogy, whakapapa defines an encompassed whole; a system of connection through multifarious, complex and inclusive relationships storing knowledge and wisdom, simultaneously binding past, present and future, enabling deeper understanding of the world. Whakapapa represents conceptual, actual and ideal states, as without whakapapa, nothing can, could or does exist. This research has made explicit that the foundation of Māori society, whakapapa, is the Māori expression of governance. Governance is thus by implication not created and founded solely on western cultural understanding; it is innate to humanity and simultaneously exists across all peoples. Indigenous conceptions of governance are therefore equally legitimate forms of governance. In revealing a distinctly Māori but hitherto implicit governance, this thesis highlights a basis for a culturally grounded and tested indigenous Māori form of governance.

## **Kupu Mātua: Keywords**

Māori

Māori Governance

Governance Theory

Indigenous Governance

Kaupapa Māori Theory

Tino Rangatiratanga

Whakapapa



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## **Te Manako o Te Iwi: Ngāi Tahu Tribal Mission Statement**

Puritia tāwhia kia ita (Hold fast and firm)

Te mana tīpuna (To my inherited authority)

Te mana whenua (To my right to this land)

Te mana takata (To my freedom and right to self-determination)

Kia turuturu kia whakamaua (Make these things permanent)

Kia tina, tina! (Fix them so that they are realised)

Haumi e Hui e Tāiki e! (It will be so)

## Tuhinga Tikanga: Writing Style Conventions

Māori words are not italicised in this text, due to Māori words now being a part of normal English language usage in New Zealand (R. Walker, 2004). Vowel length varies in the Māori language and is essential for the correct pronunciation of the language. Wherever written, when the length of the vowel is long, the long vowel is indicated by a macron over the vowel, e.g. ‘a’ becomes ‘ā’.

There are a number of dialects of Māori language. One of the main dialectal differences is the use of the allophone ‘k’ instead of the phoneme ‘ng’ e.g. instead of saying Ngāti, it is often spelled and pronounced Kāti in the South Island dialect. Notably there is on-going debate within Ngāi Tahu regarding this usage (Carter, 2003, p. xv). The letters ‘k’ and ‘ng’ are used interchangeably in this work.

When a Māori word is used for the first time in the text or to explain the meaning in the context of the statement it is followed by an equivalent English translation enclosed in square brackets [ ]. Where a certain meaning is emphasised for a Māori word within a passage, the closest meaning in English is also given to aid understanding.

Vowels and consonants are pronounced as follows, (Carter, 2003)

Vowel		Short	Long
a	as in	about	Far
e	as in	enter	Bed
i	as in	eat	Sheep
o	as in	awful	Pork
u	as in	put	Boot

Consonant	Pronunciation
R	Pronounced similar to an ‘L’. Note that early South Island Māori dialect sound was closer to “L’ than ‘r’ when compared with other Māori dialects.
P	Pronounced softer than in English.
Wh	Pronounced similar to an ‘f’. Note that dialect variations occur, e.g. pronounced like an ‘h’ in the Hokianga and like a ‘w’ in the Taranaki area.
Ng	Pronounced softer than in English. Similar to the ‘ng’ sound in the word ‘singing’.
T	Varies depending on which vowel appears after it. When succeeded by an ‘a’, ‘e’ or ‘o’, it’s pronounced with little or no sibilant (hissing) sound as is found in English, such as words like ‘thief’.

Lastly, where a particular Māori word is used more than once and the meaning of the word is different on subsequent occasions to the original translation, then the word is translated with the appropriate meaning.

## **Rārangi Kupu Whakapotonga: List of Abbreviations**

**(AIATSIS) - The Australian Institute of Aboriginal and Torres Strait Islanders Studies:** An institute that researches and promotes Australian indigenous issues and culture.

**(CAEPR) - Australian National University Centre for Aboriginal Economic Policy Research:** A research centre that focuses on indigenous Australian economic policy and development.

**(EFTS) - Equivalent Full Time Students**

**(FRST) - Foundation for Research, Science and Technology:** A statutory authority that funds research in New Zealand.

**(IMF) - International Monetary Fund.**

**(OECD) - Organisation of Economic Cooperation and Development.**

**(TEK) - Traditional Ecological Knowledge**

**(TPK) - Te Puni Kōkiri:** A New Zealand government department who's main role is to provide initiatives for Māori development.

**(TRONT) - Te Rūnanga ō Ngāi Tahu:** Māori tribe whose tribal area covers most of the South Island. One of the three case studies researched in this thesis.



## **Rārangi Kupu Māori: List of Māori Words and Terms**

**Aho Ariki:** Form of whakapapa recital naming the chiefly line of descent.

**Aho Wāhine:** Form of whakapapa recital naming the female line of descent.

**Ārai te Uru:** One of the founding canoes of the South Island

**Atua:** God(s). Traditional Māori religion was animist and so existed a myriad of gods, demigods and deities; such as Ranginui [God of the Sky] and Papatūānuku [God of the Earth], the parents of all life.

**Auaha:** Be creative

**Hāhi Rātana:** A Church movement founded by Tahupōtiki Wiremu Rātana and based at Rātana Pā near Whanganui.

**Hau:** Soul or essence.

**Hauora:** Health.

**Hapori:** Community.

**Hapū:** Larger or extended family grouping.

**Heke:** Migration, Protest march.

**Hinengaro:** Mind

**Horomaka:** Banks Peninsula.

**Hua:** Fruit, Harvest.

**Hua Pūmau:** Fixed Asset.

**Hua Wātea:** Current Asset.

**Hui:** A gathering of people for a specific purpose such as a meeting or conference.

**Iho mātua:** Intellectual

**Ira Tangata:** Mortal humans (Human Beings)

**Iwi:** Group of affiliated hapū, sub-group within a waka.

**Kāhui Kaumātua:** A group of elders whose role is to act as an advisory and oversight body.

**Kāi (Ngāi) Tahu:** Māori tribe that migrated to the South Island in the 17<sup>th</sup> Century from the East Coast of the North Island. Also the general term used for the collective tribal entity that represents the intermarried tribes that make up most of the South Island.

**Kaika/Kaingā:** A village

**Kaitiakitanga:** Includes concepts such as guardianship, stewardship and governance. It implies an inherent responsibility to safeguard those things deemed important to Māori, for future generations.

**Kaiwhakahaere:** Chairperson.

**Kanohi ki te kanohi:** Face to face.

**Karakia Timatanga:** Opening prayer.

**Karapitipiti:** Form of whakapapa recital naming grandparents, siblings, children and parents.

**Karakia Whakamutunga:** Ending prayer.

**Kāti (Ngāti) Māmoē:** Māori tribe that migrated to the South Island in the 16<sup>th</sup> Century from the Hawkes Bay in the North Island.

**Kaumātua:** Elder.

**Kaupapa:** Topics, matter for discussion.

**Kaupapa Māori:** An epistemological approach that puts Māori as the central player.

**Kaupapa ture:** Constitution

**Kawa:** Protocol.

**Kāwana(tanga):** Government, governorship.

**Kingitanga:** The Māori King Movement.

**Kōhanga Reo:** Early childhood education centres.

**Kōrero:** Discussion, talk.

**Kōrero tāwhito:** Historic stories

**Kura Kaupapa:** Either a primary or a secondary school that teaches in the Māori language or a course within a school with instruction largely in the Māori language.

**Māhakitanga:** humility.

**Mahika kai:** [food gathering location]

**Mana:** Integrity, authority, prestige, power or influence, presence, also used to mean sovereignty.

**Mana ō te ātua:** Mana of the gods

**Mana ō te moana:** Mana of the sea

**Mana ō te tangata:** Mana attributed through personal actions

**Mana ō te tīpuna:** Mana of genealogy

**Mana ō te whenua:** Mana of the land

**Manākitanga:** Support.

**Māori:** The indigenous people of Aotearoa.

**Māoritanga:** Māori culture.

**Marae:** Traditional meeting house.

**Mātauranga Māori:** Māori epistemological knowledge.

**Mauri:** Life force.

**Mihi:** Greetings and acknowledgments.

**Moana:** Sea.

**Murīhiku:** Southland.

**Nohopuku:** Contemplation.

**Ngā ātua:** The gods.

**Ngā Matatini Māori:** Lit. The many faces of Māori. Māori diversity.

**Pākehā:** New Zealanders of European origin.

**Papatūānuku:** Female God of the Land.

**Pounamu:** Jade, greenstone, green coloured stone (Nephrite Jade and Bowenite) found only in the South Island and highly prized by Māori.

**Poupou:** Post

**Pou rāhiri:** Territorial authority

**Pūrakau:** Stories

**Pūtaiao:** The natural physical environment.

**Rakiura:** Stewart Island.

**Ranga:** Weave

**Ranginui:** Male God of the sky.

**Rapuwai:** An early tribe that inhabited the South Island.

**Rāranga:** Weaving.

**Rēhua Marae:** An urban multi tribal Marae based in Christchurch, South Island. One of the three case studies researched in this thesis.

**Rironga:** Acquisition, Asset.

**Ritenga:**

**Riu:** A region or area

**Rohe:** Tribal area.

**Rūnanga:** Māori authority, trust or similar.

**Taha Māori:** Lit. Māori side.

**Taha Pākehā:** Lit. Non-Māori side.

**Tāhū:** Form of whakapapa recital naming the main lines connecting the main ancestors of a tribe from which one descends.

**Tainui (Waikato):** Māori tribes of the Waikato area of the North Island.

**Take Ahi Kaa:** Form of ownership rights through continuous settlement (usually 3 generations).

**Take Raupatu:** Form of ownership rights through conquest.

**Take Taunaha:** Form of ownership rights through discovery and naming of the land.

**Take Taonga:** Form of ownership rights through gifting in exchange for a taonga or to settle disputes.

**Take Tīpuna:** Form of ownership rights through inheritance from ancestors.

**Take Tuku:** Form of ownership rights through gifting.

**Tākitimu:** Founding canoe of the Kāti Māmoe and Kāi Tahu tribes of the South Island.

**Tāne Mahuta:** God of the Forest.

**Tangi:** Bereavement

**Taniwha:** Guardian spirit creature

**Taonga:** Highly valued possession (can be both a tangible or intangible object).

**Taonga Tuku Iho:** treasure passed down (from the ancestors).

**Taotahi:** Form of whakapapa recital naming single lines without those of their wives or husbands.

**Tapatapa:** The naming of an area to enable mana over that area

**Tapu:** Restricted, set apart.

**Tararere:** Form of whakapapa recital naming a single line of descent from an ancestor, without showing intermarriages, or giving other kin on the line.

**Tātai Hikohiko:** Form of whakapapa recital condensing recital to more illustrious ancestors in an ancestral line and skipping others.

**Tauīwi:** Other peoples, Immigrants

**Te Ao Māori:** The Māori world.

**Te Kete Tātea:** One of three baskets of knowledge brought down from heavens by Tāne Mahuta for humans. This basket is the knowledge of the spiritual world from our whakapapa ātua [genealogy to the gods].

**Te Kete Aronui:** One of three baskets of knowledge brought down from heavens by Tāne Mahuta for humans. This basket is the practical knowledge of the natural world through whakapapa pūtaiao [Genealogy to the natural world].

**Te Kete Tūāuri:** One of three baskets of knowledge brought down from heavens by Tāne Mahuta for humans. This basket is intuitive and perceptive knowledge through whakapapa tīpuna [Genealogy to the ancestors].

**Tangi:** Bereavement or to cry.

**Te Wai Pounamu:** The place of Pounamu [Jade, greenstone]. The South Island.

**Te Whānau ō Waipareira Trust:** A non-profit urban Māori trust set up to achieve social goals for Māori in the western part of the city of Auckland.

**Tiaki:** To look after and guard (also see Kaitiaki).

**Tihei Mauri Ora:** Lit. Sneeze of life

**Tikanga:** Lit. Correct. Customs.

**Tikanga here:** Bureaucracy

**Tino-rangatiratanga:** Control of one's direction and destiny through active involvement and control of decision making processes and institutions.

**Tira:** Standing in line

**Tūhonohono:** The joining of people.

**Tohatoha:** Distribution.

**Tohu:** A sign

**Tukanga:** Process

**Treaty of Waitangi:** A treaty signed in 1840 by Māori and the Crown. Note that a number of tribes did not however sign the treaty, but the treaty was deemed to be binding on them.

**Tuakiri:** Lit. Beyond skin. A persons' identity.

**Tukanga:** Process

**Ure Tū:** Form of whakapapa recital naming male lines of descent.

**Ure Tārewa:** Form of whakapapa recital naming male lines of descent.

**Uruao:** Founding canoe of the Waitaha tribe of the South Island

**Wairua:** Spirit, the spiritual.

**Wairuatanga:** Spirituality.

**Waitaha:** One of the early Māori tribes that settled into the South Island.

**Waitangi Tribunal:** A tribunal established through the ("Treaty of Waitangi Act," 1975) originally without reference or input from Māori. The Tribunal is a permanent commission of inquiry charged with making recommendations on claims brought by Māori relating to actions or omissions of the Crown. Its initial mandate was limited to reporting on claims of breach of the Treaty of Waitangi regarding current or proposed government law and policy and powers were limited to non-binding recommendations to the government. Its lack of power also included not being allowed to deal with historic claims by Māori regarding contractual breaches and land confiscations by the Crown, which were the main source of on-going dispute for Māori. An amendment to the Treaty of Waitangi Act passed in 1985 allowed retrospective inspection of claims going back to 1840 and opened the door for Māori to have long standing and unresolved grievances reheard and settled.

**Wakawaka:** An area designated for use by specific whānau or hapū.

**Whakairo:** Carvings.

**Whakahaere:** Organise, govern, to chair (as in Kaiwhakahaere, Chairman).

**Whakapapa:** Lit. To layer, genealogy, history.

**Whakapiri:** Form of whakapapa recital naming common sources of connection.

**Whakaminenga:** Assembly, confederation.

**Whakamoe:** Form of whakapapa recital naming marriages included on the lines of descent.

**Whakatumanawa:** Lit. Beating heart, heart, emotions

**Wana:** Exciting, thrilling.

**Wehi:** Fear.

**Whānau:** Members of same family grouping including extended family members. However it can also be used for people who are not blood relatives or also for friends and associates.

**Whānaungatanga:** Kinship.

**Whāngai:** Adopted child

**Whāriki:** Weaving.

**Whatumanawa:** Emotions

## **Wāhinga Kōrero - Foreword**

In discussing my proposed topic with whānau, research colleagues, kaumātua and friends, I had a strong desire early on to research Māori governance, but I struggled to understand how to base this research in an appropriate theoretical framework and in a way that I could feel comfortable writing within. The question of “what is Māori governance?” and in what ways it differs to non-Māori governance was ever-present in my mind as the research question that I needed to focus on. Having gone through the university academic system learning various economic, management, social and accounting theories from largely a non-Māori perspective, these ideas were reflected in my initial PhD thesis writing. Something just did not feel right with what I was writing, but frustratingly I could not put my finger on the problem.

Subsequently I came to the realisation of the cause of the problem and the reason for my discomfort with what I was writing was due to the disjoint between my learnt academic knowledge versus my upbringing and actual perceptions of the world. My knowledge, understanding and connection to Te Ao Māori [the Māori world], was being subconsciously suppressed by myself, in my quest to write using my academically gained knowledge. I was trying to write as if I was not me and not connected to my research. This had direct effects, both conceptually and practically, in that my initial writing attempts inadvertently framed Māori governance from a non-Māori theoretical basis. I had spent 2 years part time trying to write for my PhD, but very few words came forth at that stage and I had grown increasingly frustrated at my lack of progress. Once I had realised what was blocking me from being able to write, things began to fall into place.

A kaumātua [elder] that I discussed my topic with early on forthrightly stated to me that “Eh, you want to study Māori governance! Well if you want to study Māori governance you need to start with the whakapapa [genealogy] of governance!” (personal communication, 2005). Notionally I understood what he said at that time, but his statement troubled me and was constantly in the back of my mind. I strongly felt that I had not yet come to a comprehensive appreciation of the depth of his implied meanings in his statement to me. It took several further years of thinking, personal growth and reflection to start to understand what his statement really meant and to get to the point of understanding of where that beginning is. I needed to understand governance by using an appropriate internally culturally validated methodology, something that starts from within a particular cultural point of reference rather than an external methodology.

Dr Linda Smith, a well-known Māori researcher and indigenous academic stated at the 2008 Māori Doctoral students hui [conference] in Whakatāne, Bay of Plenty, that Māori students often know what they want to write about in their PhD research (i.e. the end) but struggle to find the starting point for their research. Whakapapa is often translated into English as genealogy. However, it is much more than just a mere family tree of connecting lines and names. Whakapapa is the Māori theoretical and methodological basis for



understanding relationships, interconnectedness, the natural world and environment, of the present back to the beginning of life itself and of the present to the future. Whakapapa has been described as “a traditional method for expressing and maintaining relationships.” (Carter, 2003, p. 16). Within Māori thinking, the present or future does not exist without the past. Mahuika (1998) espoused in the title of his article that Whakapapa is the heart of Māori knowledge and understanding. Whakapapa forms the basis of Mātauranga Māori, [Māori epistemological knowledge]. Mead (2003) describes Mātauranga Māori as “not like an archive of information” but is instead “...a tool for thinking...informing us about our world and our place in it” (p. 325).

Whakapapa is thus the very essence of the basis for Māori knowledge and Māori being. The kaumātua was guiding me towards the theoretical basis and starting point that I tacitly desired to base this PhD from, but was finding such difficulty grasping. Whakapapa highlights and provides context for understanding various interrelationships and as I unknowingly referred to at the time as “connected space”. This phrase has subsequently become a key portion of the title and theme of this research. Within the Māori concept of whakapapa, it embodies an epistemological framework where patterns and relationships in nature are acknowledged through shared commonalities and experiences (M. Roberts, Haami, Benton, & et.al., 2004). This focus of this PhD research thus moved from Māori governance through a non-Māori perspective, to one of defining governance from a distinctly and culturally Māori viewpoint.

The academic theoretical framework for the expression of centering from a Māori context is commonly described as “Kaupapa Māori” research. Kaupapa Māori research is at its heart, a concept of undertaking research from a Māori cultural point of view. This may not seem a momentous step at first glance, but within the perspective of wider academic research, placing research into the framework of one’s own culture locates the research into an internally legitimised space for an indigenous researcher, focussing on the subject matter to give it its appropriate status and respect, mirroring the existing status within its culture. These are important cultural imperatives for an indigenous researcher studying indigenous issues. Conceptual space is created to enable greater contextual expression using the tools contained within the culture.

This use of conceptual space therefore offers an opportunity to construct a conceptual framework within which governance using a Māori perspective can be enabled. This avoids the potential for being prescriptive through the proffering of any one specific Māori governance model to which an organisation has to fit. Telling any indigenous group what their governance “is” does not support their rangatiratanga or properly acknowledge their mana. Instead the goal is to enable those who wish to use this framework to fully retain their rangatiratanga and mana.

In creating this thesis it is also at the same time, part of my own personal journey of cultural re-appropriation, to in some way, reverse the damage caused by decades of colonisation of previous generations within my whānau. To, in a small way, move towards

realising some of the hopes and dreams of those who have gone before me. The kaumātua was guiding me towards not only a basis for culturally legitimised research methodology, but also a deeper understanding of myself and of my connection to Te Ao Māori [the Māori world] and to this world.

Furthermore, of great interest to me is the possibility that the kaumātua understood that I might not know what he meant straight away, but that the meaning he wanted me to comprehend, that he gifted to me through his words, would become apparent to me at an appropriate time in the future. The connected space embodied by whakapapa from the Māori cultural point of view is not just the present, the here and now. It also encompasses the past, joining to the future; and that those times contemporaneously live together, embodied in the present. The present is the departure point for the future. Furthermore, was he in fact also guiding me towards an innate culturally Māori framework that I could view governance from and write about? If so what is the nature of this framework? This thought I found tantalising, and so again, the focus of my research shifted.

I was still however troubled, where did the kaumātua obtain that knowledge from that he passed on to me? Obviously, he must have been taught by someone or learnt from some other source. All new human knowledge is formed from our existing understanding of the world and so is based in some way on what someone else has discovered or learnt in the past. If that was the case, then who taught the people that taught the kaumātua that talked to me, who taught those people and so on? This starts a regressive cycle that eventually comes to a limit in terms of human existence. What then? You then have no choice but to delve into the metaphysical cultural realm of the demigods, gods and creation stories, then can go back no further.

This problem of regression was stopping me from being able to understand how governance could be defined to cover various forms of governance from small organisations to large, from localised human communities to supranational organisations. I felt that I finally reached a higher level of understanding after my dearest Japanese mother in law, Kyoko, passed away after a short illness, in the arms of my wife and me, during my PhD research. In her passing, I finally started to understand many things that she had both actively and passively taught me during her life, that I was not able to understand while she was alive. Of what this meant regarding my research into Māori governance I felt was monumental, and it was like being handed a key that has helped me unlock a new perception. I felt that I had finally started to understand my research. The result is the thesis that follows, and I dedicate this thesis to her memory. E te whaea, moe mai, moe mai, moe mai rā.

## **Wāhanga Whakarāpopototanga - Chapter Outline**

**Chapter 1:** This chapter opens up the discussion on governance. I introduce the overall governance landscape from a traditional Māori perspective and from a non-Māori perspective. The standard assumptions of non-indigenous governance are probed and governance debates on universality and of governance relating to indigenous people such as Māori. Indigenous knowledge and understanding of governance is reflected on, and the research question to be answered is posed.

**Chapter 2:** This chapter outlines the methodology of this thesis. A two-stage process is employed, firstly using Kaupapa Māori theory to balance and centre the discussion on governance from one largely based on non-indigenous governance theory to within an indigenous Māori basis. The Mātauranga Māori concept of whakapapa is introduced as the primary lens from which to conceptualise governance. The nature of whakapapa is discussed emphasising and its importance to Māori society.

**Chapter 3:** This chapter reviews governance literature in non-Māori and Māori perspectives. It traces the historic origins and concept of the word governance and its subsequent development within society. Current non-indigenous understanding of governance is traced back in its development through history.

**Chapter 4:** This chapter conceptualises an ideal Māori governance using the metaphor of the beginning creation story, that of the realms of Te Pō, Te Ao Mārama and Te Kore. From within this distinctly Māori worldview I speculate on what Māori concepts could fit an image of a conceptualised ideal Māori governance. I look at how this concept of governance relates to the wider non-indigenous literature on governance.

**Chapter 5:** The concluding chapter summarises the thesis and the arguments made in chapter four, for a distinctly Māori governance. That much governance literature has focussed on the reality of governance of Māori and Māori governance through its varied organisational but often imposed organisational structures. As part of a process of cultural reclamation, ideals of Māori governance have an important part to play in providing inspirational goals for Māori society, to be more Māori in its fullest sense.

## **Wāhanga Tuatahi: Kupu Whakataki - Chapter 1 - Introduction**

### **1. (1) The governance theory landscape – The Māori perspective**

It is correct from a Māori perspective, for us to begin our discussion on governance with an initial exploration of traditional Māori society. Māori socio-political behaviour is founded on an intricate weaved pattern of whakapapa [a set of complex genealogical frameworks] (Ballara, 1998). These frameworks connect Māori society at both at group and individual levels with the natural world, providing structure and their claim to both land and its resources (J. Williams, 2004). This provided Māori their mana whenua [territorial authority] and the ability to exert power over land and sea resources within its territorial boundaries. At this level, Māori hapū [clans] are a potent geo-political force with a need and capacity to defend its land and project its power.

Socio-political leadership of Māori society is based on whakapapa relationships within the kin group. This consists of a relatively flat hierarchy where hapū leaders can emerge from the wider kin-group based on their perceived skill level in given situations. A dynamic and fluid process of leadership selection takes place at this juncture, fundamentally rooted in meeting the needs of the closely-knit hapū community, thus ensuring continued support by their whānau. Those who were incompetent in leadership were removed (Bowden, 1979).

In Māori terms therefore, sovereignty and governance is held and shared firstly by those who hold a direct genealogical link from ātua [gods]. This is similar to the monarchs of Asia and Europe, their basis is the divine right of those kings and emperors, who were seen as direct descendants from the gods. However, within Māori society, these links were much less exclusive, with frequent examples of leaders who were not from primary descent lines (A. Mahuika, 1992). The whakapapa [genealogy] outlined below, describes descent from the beginning of creation through to Tahu Pōtiki, who is acknowledged as the founding ancestor of the Ngāi Tahu tribe of Te Wai Pounamu [the South Island] of New Zealand. In order to be a member of Ngāi Tahu you must descend from Tahu Pōtiki, essentially meaning that the entire population of Ngāi Tahu shares in this divine right to become a leader.

Kei ā Te Pō te timatanga mai o te waiatatanga mai o Te Ātua  
Nā Te Pō, ko te Ao  
Nā Te Ao, ko Te Ao Mārama  
Nā te Ao Mārama, ko te Ao Tūroa  
Nā Te Ao Tūroa, ko Te Kore Tē Whiwhia  
Nā Te Kore Tē Whiwhia, ko Te Kore Tē Rawea  
Nā Te Kore Tē Rawea, ko Te Kore Tē Tāmaua  
Nā Te Kore Tē Tāmaua, ko Te Kore Mātua  
Nā Te Kore Mātua, Ko Te Mākū (the damp)

Na Te Makū, ka noho i a Mahora Nui Ā Tea  
Kā puta ki waho ko Raki  
Nā Raki anō hoki tēnei aitanga, nā tetahi wāhine, nā Papatūānuku  
I puta atu ai ki waho, ā Tāne, nō muri mai i a Rēhua  
Tāne  
Paia  
Wehinuiamamao  
Turakahiahina  
Te Aki  
Whatiua  
Tū  
Roko  
Rū  
Uako  
Hua  
Puna  
Wherei  
Uru  
Kakana  
Waionuku  
Waioraki  
Aiohoutaketake  
Kamaukitahitōteraki  
Kairoa  
Kaipehu  
Kaiakiakina  
Tapatapaiawha  
Te Manuaeroarua  
Toi  
Rauru  
Ritenga  
Whātonga  
Apa  
Rokomai  
Tahatiti  
Ruatapu  
Pipi  
Te Aratūmaheni  
Rakiroa  
Rokomai  
Poupa  
Te Rakiwhakamaru  
Hounuku  
Houraki

Houatea  
Uenuku  
Kahutiateraki  
Ruatapu  
Paiea  
Tahu Pōtiki (Ngāi Tahu)<sup>1</sup>

Māori sovereignty is shared amongst the general population along with its leadership through a matter of degrees of separation. In the Ngāi Tahu context, historical leaders such as Tamaiharanui, Iwikau, Tūhawaiki and others could not claim leadership based purely on claims to senior descent alone, because such claims are subject to dispute from others (personal communication, 2011). Instead, they emerged due to their particular perceived skills, they were in the eyes of their whānauka [relatives] in their hapū, equipped to deal with the challenges that lay before their communities.

Hapū are thus the strongest and most effective traditional expression of takata whenua [people of the land], community unity and power. Through hapū, takata whenua asserted authority in situations that arose. Traditionally, hapū had sovereign power, and thus were referred to in the 1848 Treaty of Waitangi and the earlier 1840 Declaration of Independence. Historically, hapū resisted attempts, with varying degrees of success, to outside interference.

However, it is not possible for hapū to exercise rakatirataka [authority] over geographically and genealogically distant lands. Thus, Ngāi Tahu of the South Island does not have authority over any land in the North Island even though they are connected by genealogy to the north. Autonomy instead, is a driving prerogative of hapū, so overt efforts to exercise authority over another hapū or whānau through external force, potentially invited acts of utu [reciprocation] against them. The consequence of which could result in on-going blood feuds between rival hapū. The ultimate authority however, belongs to those who can whakapapa and who hold the most direct line of descent to the original inhabitant's ancestors, and who have maintained ahi kā [continuous occupation] and tūrakawaewae [domicile].

Māori society is traditionally governed by a complex series of norms, behaviours and relationships. Māori organisational structure is strongly based on whakapapa [kinship relations] (Ballara, 1998) and the resulting cultural norms contained within the whakapapa. Primarily, the fear of offence against breaches of tapu and mana governed the behaviour of individuals and groups. Trade between various hapū and whānau ensured that material needs were met; however, Māori spiritual needs were also seen as equally important.

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<sup>1</sup> This whakapapa is taken from Matiaha Tiramōrehu, a prominent Ngāi Tahu rangatira in the 1800's. See (Tiramorehu, Van Ballekom, Harlow, & University of Canterbury. Dept. of Maori., 1987).

Few leaders (if any) would knowingly offend ātua [god's] or tīpuna [ancestor's] mana [standing], as this reflected on the rest of the community membership who also shared these same ātua and tīpuna, thus providing a powerful governing force towards a leader's behaviour. To offend these ātua or tīpuna was to simultaneously offend your support base, risking isolation from them or even worse consequences. Therefore, the duty of Māori leadership was of upholding the mana [reputation and integrity] of both whānau and hapū.

Takata whenua [people of the land] relate to the world around them through a system of complex relationships and interconnectedness based on whakapapa. These are genealogical links with past ancestors and past events and locations. They can also be described as a form of historical precedent, offering us guidance on one's actions in the present. An example of this is Ngāi Tahu tribal histories which refer to the ritual of tapatapa. Tapatapa is a specific ritual of naming an area or region<sup>2</sup>, often after a noted ancestor. The outcome of this naming ritual was to have mana over the land and its environments.

Whakapapa in the context of remembered histories, allowed a community to recall precedents in order to determine its rules of behaviour. The most potent expressions of this relate to the concept of mana whenua [territorial rights], the authority of hapū and whānau over its land and resources. To have a legitimate claim over territory in the Māori tradition, a group would need to show their whakapapa from ancestors of that whenua [land] and be able to defend that whakapapa against any competing claims. This mana whenua whakapapa claim would link to precedent events of past-established claims to resources areas via the traditions of land tenure and property rights.

Traditional systems of ownership and control of land and property were defined by a complicated customary structure governing who had the rights to determine access to lands and its various resources, and when they could take eels, fish, birds and other important resources (J. Williams, 2004). Mana whenua and mana moana [territorial rights over water] relates to, but is not limited to, socio-political and occupational authority over a particular area.

A group's mana whenua status over an area is asserted by turakawaewae or ahi kā roa [continued presence], maintenance and utilisation of the resources in that area. This is not however just existing use rights, but also includes the expression and exercise of authority. Territorial jurisdictions were often strictly defined and vigorously defended (even though areas of overlap with other hapū or iwi could occur). Thus, the identity of mana whenua [the people who have rights over the land and resources] can be found by following Kā Tapuae Tīpuna [the footsteps of the ancestors]. Kā Tapuae Tīpuna is a poetic phrase which describes a traditional research process. A researcher can follow the locations of the takata whenua by identifying how and where they placed themselves on the landscape. Today,

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<sup>2</sup> Historically regions were called riu, in modern times the term wakawaka tends to be used

those old associations are still held by their descendants. They hold authority by mana tuku iho [mana inherited by birth right], or take tīpuna [rights by genealogy].

**The chiefs and elders of the Ngāi Tūāhuriri hapu ... based at Kaiapoi pā [Kaiapoi fortified village], were particularly jealous of their territorial rights and allocated territory and resources on land and sea, to the minor chiefs and heads of whanau, who apportioned the work and responsibilities among individuals (Evison, 1993, p. 6).**

This describes a system where lands were divided into riu [regions] or wakawaka [specific areas], identifiable by the tradition of tapatapa and the physical resources of the area. Mahika kai sites were an indicator of control and occupation of these areas, and could have included interests such as pā tuna [eel weirs], tohu [physical signs on the landscape], certain trees used for bird snaring, wāhi tapu [sacred sites], māra [gardens], harakeke [flax bushes] and kaimoana [shellfish] beds amongst others (personal communication, 2011). Rights of access and usage of these areas was defined by whakapapa and descent, which was hapū-based. Teone Tikao, a noted historical figure within the Ngāi Tahu tribe states “...one hapu would not go without authority on another hapu’s land to take eels...those...sites were handed down from the ancestors to their descendants from long ago.”, (Best, 1986, as cited in Tau, Goodall, Palmer, & Tau, 1990, p. 14).

Williams (2004) notes that this was “an absolutely inviolable rule...critical to the management of resources” (p. 116). Each hapū controlled and worked a defined set of land. Within each hapū riu, each whānau had exclusive rights to occupation and use of resources within a given riu. The giving of gifts sourced from that area to neighbouring whānau, hapū or iwi was considered an overt expression of right to take these resources. Gift giving was also an expression of mana, the “...general principle is that the exchange of gifts should add something to the mana of the partners and not in any way diminish their mana.” (Hirini M; Mead, 2003, p. 183). The principles, values and frameworks discussed here form the basis for traditional Māori life, particularly in the South Island. Through the upholding of mana, whānau and hapū served as the traditional primary institutions in which governance was actioned in Māori society.

## **1. (2) The governance theory landscape – The non-Māori perspective**

Governance theory is an attempt to understand, describe and predict complex human social interaction. Differing and evolving human organisational structures, organisational goals, legal standards, cultural norms, societal morals, physical, environmental and social conditions, social histories and human expectation, amongst others influence the shape and form of this “thing” that academics, the public, company directors and lawyers call governance. As a concept, it is very much a part of the fabric and lexicon of our lives. Somewhat surprisingly, theorists have conducted their research with a largely unstated assumption that governance is an integral part of society.



Kalu (2004) suggests that governance is profoundly connected to humanity. Perception of how governance is connected across diverse human cultures and over time is sorely lacking in the literature. He notes governance goes back in the very beginning of human existence in Africa millions of years ago. This acknowledgement is extremely rare in the field of governance and provides a much older basis for governance to that noted by most theorists who describe only the Latin and Greek origins of the word. In discussing the Diné (Navajo) Indian Nation, Benally goes one step further than Kalu, stating that "...all creation have attributes of leadership and governance innate to them and they all contribute to world governance." (Benally, 2006, p. 1). To acknowledge governance in humans' very earliest existence and amongst other living creatures brings into question a number of assumptions made by many non-indigenous governance theorists about governance.

The first assumption regards the promulgated governance universals and universality of governance. Universal governance principles, good governance doctrine and degree of governance convergence are keenly theorised and debated. What is immediately obvious is that governance research invariably takes a perspective based on Western intellectual frameworks of what governance "is" and then applies it as the universal standard of governance perspective. Surprisingly, even opponents of governance convergence and universal governance principles take this same approach. Resultant assumptions of universality have invariably failed to engage non-indigenous and non-western intellectual frameworks and perspective of governance. Researchers have thus avoided governance as a fundamental and innate humanistic activity across all peoples and that there is extant diversity in its knowledge and practice, instead only superficially glossing the connection and relationship between governance and humanity.

The second assumption relates to the origins of governance. When governance is discussed in its historical sense, it is usually limited to acknowledging its semantic origins in Latin and Greek, such as described in (U.N., 2006). However, is it safe to simply assume that governance started with the Greeks and Romans and did not exist in any other context with any other people, such as Kalu (2004) implies? There is no denying that the word origins started there, but does not mean that what the word describes did not earlier exist elsewhere within other cultures. In fact, it is much more likely that governance is in fact an implicit phenomenon of humanity; that it is "as old as human history." (T. G. Weiss, 2000, p. 795).

A third assumption is that in our modern understanding of governance, better (corporate) governance or good governance is the answer to what are perceived as governance problems and issues. Over the preceding decades with the rise of governance, corporate and market failure are seen as a failure of governance, and to which only governance can cure. Contrastingly, "governance is no panacea for business ills; it is a warning, not a warranty against failure." (Hendrikse & Hendrikse, 2004, p. 238). Many of those who promote governance as the "solution" are also simultaneously benefactors, having vested interests through involvement in the corporate or academic world in the "solutions" being offered.

Despite these assumptions and issues, there is no denying the large body of theoretical and practical knowledge built on Western concepts of governance and human organisation. There are an immense (and ever increasing) number of theories, meta-theories and conceptualisations of governance in existence. Unsurprisingly, governance is seen to be “imprecise, woolly, and when applied, so broad that virtually any meaning can be attached to it.” (Ferlie, Lynn, & Pollitt, 2005, p. 289). The term has enveloped over other pre-existing concepts and terminology, modifying and incorporating them into the sphere of governance. Other theorists claim overlap, blurred boundaries and bemoan that intellectual confusion and misunderstanding are rife within the field (Pattberg, 2006; Ziolkowski, 2005).

Ziolkowski’s research into corporate governance states that the confusion is due to inconsistency of methodological approach and lack of universally understood terminology. According to Ziolkowski, if this confusion and inconsistency were cleared up, (corporate) governance would be better defined and understood. The point Ziolkowski raises is a pertinent one and applies to any research field. However, putting internal logic and consistency issues aside briefly, whilst the framework for how we define something is essential in our understanding of a particular field of study, significant philosophical and conceptual issues exist regarding the framework used in the creation of definitions, as alluded to earlier.

Who is setting the standard that defines what governance is? Indigenous researchers such as Ladner (2000) and non-indigenous governance researchers such as Paquet (2009), strongly refute notions of universality. Do any of the current governance definitions or principles include any indigenous views at all? Bruhn (2009) attempts to reconcile differences between western governances’ claims of universal principles with Canadian Indian indigenous governance principles. Bruhn notes unease with this task and this appears to be because the theoretical claims to universality lie within solely a particular cultural framework. This has resulted in singular western cultural conceptions of governance and associated values, which are without reference to the differing values, concepts and understanding of Canadian First Nations people, Māori and other indigenous peoples.

The debate regarding universal governance principles (amongst other governance topics) therefore has largely taken place external to any comprehensive indigenous dialogue and input. Whether this has occurred purposely or ignorantly, the outcomes and implications for indigenous peoples are the same. As a result, definitions of indigenous governance, such as Lee-Nichols (2007), mostly take western definitions of governance as being the basis for what is indigenous governance. Indigenous people it would appear are not describing their own internal understanding of governance but instead it has been pre-defined for them through institutions that exist within non-indigenous contexts, ultimately restricting and limiting the theorising of indigenous governance to that which merely perpetuates a status quo non-indigenous understanding.

The behaviour of non-indigenous governance theorists can be viewed in several ways. If cynically viewed, it is a further forced intellectual prescription of indigenous knowledge and ways of being as irrelevant and unimportant to modern (indigenous) life. This reflects a wider historic intellectual ideology which actively undermined and ignored indigenous peoples' knowledge systems, relegating indigenous knowledge as inferior and irrelevant whilst western knowledge maintained "positional superiority" (L. T. Smith, 1999, p. 59). Alternatively, it presents a grand opportunity to reflect on and expand the current theoretical and practical knowledge of governance so that it more adequately reflects humanities cultural diversity and cultural understanding of itself.

Ziolkowski is refreshing in claiming that current understanding of corporate governance is "ethnocentric and chauvinistic" (2005, p. vi). This acknowledgement is a step in the right direction and is a step further than many other governance writers have gone. Another notable exception is Sharma (2002) in his PhD thesis on corporate governance within Aboriginal and Torres Strait Islander incorporated organisations in Australia. Accordingly, arguments and definitions that do not contain input or acceptance from indigenous peoples logically invalidate claims to universality, bringing into question the basis of theoretical arguments that promote or claim global applicability or acceptance.

Is the push for universality and conformity in governance merely an inevitable by-product of globalisation? Whilst the degree and scope of governance convergence and universality is undoubtedly contested, an increasingly interconnected global population is not denied by anyone. Whilst some see globalisation as a part of a neoliberal economic and political agenda, this increased interconnectedness presents many challenges to not only those who govern, but those who keep watch over the governors. Regardless of where governance research heads in the future, the field of governance represents a remarkable and dynamic array of theory and practice. Many opportunities for research and practice exist, providing a continuing source of fascination for those who delve into this realm of seemingly perpetual theoretical instability and confusion.

### **1. (3) The indigenous and Māori voice within governance research**

When starting to think of the space that governance occupies within Māori society, several questions firstly come to mind. What is the theoretical understanding of governance within Māori society, its organisations and culture? How do Māori concepts of governance relate to other governance, if related at all? What exactly are the Māori concepts of governance? Important issues must be considered before even beginning to explore the answers to those questions. A key matter is of how should we form the intellectual basis on which Māori governance is viewed. All epistemologies use specific ideological and cultural frameworks. Therefore, in viewing governance within a defined section of society, it results in only ever being able to observe from within the span of view allowed by that framework.

This is not to say that no relationships exist between differing cultural frameworks. Laws & McLeod (2004) note various elements of the social sciences, and in analysing these, at a broad level some connections to indigenous cultural understanding exist. In considering the paradigms of natural science and human science research, human science research is seen as “holistic”, “naturalistic” and “interpretive” (Zuber-Skerritt, 1992, as cited in Laws & McLeod, 2004, p. 3), words often used to describe aspects of Māori and indigenous worldviews. Indeed, in defining how Māori view the world, “Humanity has [a] kinship relationship with nature & cosmos.” (Henare, 2003b). However, the underlying ideological and cultural frameworks that support the social sciences may differ markedly and its outputs diverge from indigenous understandings. The key issue is that each epistemology has different nuances and will result in different views of the subject.

This may be problematic from an indigenous perspective if it does not adequately reflect the indigenous voice. Principally, if non-Māori theoretical approaches were to be used, it would almost certainly result in a need to somehow label and categorise Māori governance, to frame into some senior / junior, advanced / undeveloped, symmetric / diametric, concentric / eccentric relationship to other types of governance. This takes the subject matter outside of the cultural realm within which it sits. Categorisation and compartmentalisation of indigenous governance or any other indigenous field, runs real risks of tacit intellectual hegemony, despite researchers best intentions. Furthermore, appropriate acknowledgement and understanding of the subject matters cultural features, such as its tapu [sacredness], mana [integrity] and tikanga [customs], may be lacking, consequentially missing insights gained by using indigenous perspectives.

If governance is a fundamental human concept that spans cultural, spatial and temporal boundaries, indigenous and Māori concepts as viewed through their own cultural paradigms must by definition be equal in legitimacy or alternatively be no less legitimate than concepts theorised in any other intellectual paradigm. The fact that there is a need to actively state this in this research shows that for Māori (and indigenous peoples), the need to justify ways of being within academic space and society is still necessary. That indigenous knowledge has not yet reached positivistic status; that it just exists as “is” and is accepted as such.

Within Aotearoa New Zealand, Māori researchers have observed existing academic theory and methodology historically as constrictive to indigenous research and education, (Pihama, Cram, & Walker, 2002; L. T. Smith, 1999). There has been considerable friction within New Zealand’s academic system over the course of New Zealand’s history regarding efforts to create an intellectual space where Māori can fully express being culturally Māori.<sup>3</sup> This thesis purposely avoids using the term “mainstream” to describe academic

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<sup>3</sup> The first calls for Māori to be an academic subject at the University of Auckland were made in 1908, however it took until the early 1950s for it to be first “realised” (Webster, 1998, p. 157). The foundation of Māori education initiatives such as those instigated through the Māori educational institution which has

theory and methodology in comparison to Māori academic theory. This term and others similar to it, automatically predefines indigenous approaches as an outlier, implying lesser significance, compartmentalizing indigenous approaches and voice. It reduces the importance, relevancy and academic legitimacy of that approach.

Within Māori academic research, methods perceived to give balance and counterpoint are common (Hook, 2008). Commensurately, this thesis purposely avoids framing this research as an “addition” to theory in the form of critical analysis of current governance theory; or to place it within any particular governance theory discourse, however conceptually simple and logical it may be to do so. Nor is it intended for this research to be perceived as a mere romanticised vision of an idealised past. Instead, governance and Māori is a combination that spans the past, the present and the future, within which Māori strive to achieve the values, principles and ideals that exist within our culture.

In reflecting the views of the Mohawk indigenous researcher, Taiaiake Alfred, “indigenous forms of governance will never become a reality if they are not guided by traditional indigenous values” (Turner, 2006, p. 106). If Māori are happy with hybrid systems of values, structures and processes in which their values and culture are restricted or subjugated; then the status quo will remain. The key concern is that the debate on what Māori want in terms of organisational governance has not yet been adequately or fully expressed, let alone realised through their institutions. This is despite the continuing Treaty of Waitangi settlement process and renaissance of Māori culture and language. Research by Māori into governance is thus vital to the process of enabling a vision of a culturally, economically, spiritually and socially functioning and vibrant people.

Observably, Māori researchers have no obligation to follow any one particular theoretical paradigm within in their research, and so differing theoretical approaches have adherents (and by non-Māori who study Māori issues). Examples of Māori research diversity include post-modern theories reflecting emancipative and self-determinative themes. These include Marxist theory (G. H. Smith, 1997), post-colonial theory (Panoho, 2007) and Kaupapa Māori theory (Bishop, 1996) through to natural sciences research, such the complexity theory view of the Ngāi Tahu iwi [tribe] taken by (MacGill, 2007), and the new

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become Te Wānanga o Aotearoa, other university courses and the building of Marae on University grounds, such as at University of Auckland, were all subject to a great deal of opposition from non-Māori academics and also the wider public. In the case of Te Wānanga o Aotearoa, the only land deemed available for use by them within the Waikato town of Te Awamutu was a council owned former dump site (Walker R. , 2008, p. 119), but even the usage of that site was vigorously opposed by many of its local residents! Despite this opposition, Te Wānanga o Aotearoa has grown to now be one of the largest educational institutions in New Zealand and has a long-term vision to become a global education provider using a Māori philosophy to deliver education.

institutional economics view of Māori organisation of (Findlay, 2006).<sup>4</sup> Each author strives to express their research through an epistemological structure that they believe best suits and reflects the research they are undertaking such as the description of Post-Colonial theory, a theory that "...purports to privilege the position, the experience, and the history of the colonized into an analysis of contemporary life." (Panoho, 2007, p. 1). Academia is obviously the better off for this diverse range of research approaches; there is no one pre-eminent position from which research should be undertaken. Nevertheless, Māori researchers have tended towards using internally defined approaches such as Kaupapa Māori theory as their preferred research methodology.

Kaupapa Māori theory, is represented through the seminal works of those such as (Bishop, 1996; M. Durie, 2003b; G. H. Smith, 1997; L. T. Smith, 1999; R. Walker, 2004) and many others. These works have helped create an academic legitimacy for Māori based knowledge for subsequent researchers that did not exist previously in academia. Kaupapa Māori theory is a reaction against research that has historically demeaned, misrepresented and misunderstood Māori and their culture. Kaupapa Māori is furthermore understood as providing "an epistemological version of validity" (Bishop, 1999, p. 4) that had been lacking for Māori researchers in existing academic theory.

Indigenous approaches such as Kaupapa Māori based research are not though a rejection of non-Māori theoretical knowledge and research (G. H. Smith, 2003), despite being accused of doing so by academics such as Rata (2005).<sup>5</sup> In contrast, it is an acknowledgement and respect of Mātauranga Māori [Māori epistemological knowledge] as the fundamental basis for Māori cultural based knowledge. It is a knowledge that sustains and supports Māori, bringing balance to unequal power relations (R. Mahuika, 2008), challenging existing academic discourse on indigenous issues. Researching governance using an internal knowledge base provides an appropriate cultural pathway and foundation. Additionally, an indigenous researcher of indigenous issues has to satisfy not only institutional academic criteria but also not-insignificant whānau [family] and hāpori [community] expectations and obligations of the researcher and their research, which often takes precedence over academic requirements.

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<sup>4</sup> Note that many Māori (and indigenous people) view the term post-colonial with a degree of scepticism. (R. Walker, 2004, p. 8) notes a comment from a Hawaiian academic, Haunani Trask, who on hearing the term "post-colonial" for the first time asked "have they left". Walker goes on to note the impacts of then leader of the Opposition political party, National, Don Brash's infamous January 2004 "Nationhood" speech which called for an end to so called race based policies and the unilateral "expropriation" of rights with the Foreshore and Seabed Act 2004. This led to the subsequent rise of the Māori party to fight the foreshore and seabed issue and also the threat to the continuity of the Māori seats in parliament. These examples to show that the impacts of colonialism are not just historic but continue to be felt in the present day.

<sup>5</sup> The New Zealand academic Elizabeth Rata a prominent Pākehā [non-Māori] critic of Kaupapa Māori based research. She accuses those who undertake a Kaupapa Māori philosophy of a number of biases including cultural relativism and ethnocentrism.

How then to make inroads into this seemingly nebulous subject of governance whilst maintaining appropriate regard to cultural sensitivities required for indigenous Māori research? Governance within modern Māori society is a concept and activity framed and influenced by the colonial and postcolonial experience. A dynamic interaction of indigenous and non-indigenous elements of governance and culture is the reality of Māori organisations and people today within society. This dynamic represents, given historical and contemporary contexts, the fullest level of Māori cultural expression of traditional concepts allowed, within social, legal, organisational and environment constraints of what is an era of more subtle colonialism, a form of “post-modern imperialism” (Alfred & Cornassel, 2005, p. 597) that needs to be negotiated.

Notional boundaries and barriers within the modern liberal democratic nation that is New Zealand therefore represent steps to be taken towards reclamation and re-appropriation of culture, language, self-determination, ways of knowing, and expression of identity, as well as growth, for Māori. The focus of this research is “from the vantage point of their own intellectual and political traditions” (Ladner, 2000, p. 14). It is to literally peel back the layers of non-Māori governance understanding and structure to conceptualise governance from a distinctly Māori intellectual paradigm.

#### **1. (4) Key research question to be answered**

Post-modern and post-colonial society is the reality of Māori life. Accordingly, research into governance from a Māori perspective can potentially take two broad paths, one which reflects this consciously post-modern and post-colonial hybridified worldview, negotiating and incorporating non-Māori understandings of governance into a positivistic explanation of governance. Alternatively, governance could be contemplated and conceptualised as a normative ideal. Given that there are a number of writers of the former, there is more value in pursuing the latter because Māori societal emphasis on cultural renaissance revolves around reclamation of language, culture and ways of being. These are attempts to move closer to intrinsic cultural values and ideals.

In other words, Māori want to be more Māori, not less, they wish to strive to be closer to their cultural ideals, not further away from them. How values and ideals are interpreted within the present, has always been the question faced by any society and its people throughout history. This dynamic is not new. The values that a culture possesses are also its ideals to be strived towards. Cultural values can never be defined as irrelevant to daily life and mere lip service paid. Contrarily, they are at the core of what it means to belong to any particular society. It is from within this particular frame of thinking that the main research question of this thesis is posed.

The research question is,

**What is a conceptualised ideal basis for Māori governance?**

## **Wāhanga Tuarua: Tukanga - Chapter 2 – Methodology**

This section has several parts. Firstly methodological issues encountered during the course of this thesis are discussed, the research ethics involved, research assumptions and then the research methodology used. The methodology for this thesis engages a two-stage framework. Firstly, Kaupapa Māori theory is used to clear a space to allow the centring of the thesis within a culturally Māori paradigm. Then from that basis, I conceptualise an ideal basis for governance from a Māori perspective through the concept of whakapapa. In engaging Kaupapa Māori theory, its background is reviewed and its application within this research discussed. The fundamental concept of whakapapa is then analysed and discussed in detail.

### **2.(1) Methodological issues encountered during this thesis**

During the course of this study, a number of issues were encountered that required significant reflection and analysis. It is important to outline these issues to appropriately express the whakapapa [genealogy] of this research.

#### **2.(1)(a) Creating definitions of governance**

Multiple definitions of governance exist but how in fact do you create a definition from a concept? A definition is described as “a formal statement of the exact meaning of a word; an exact description of the nature, scope, or meaning of something; the action or process of defining.”, (“Concise Oxford English Dictionary,” 2008). Byers (2011) tells us that defining a concept allows us to “set limits so we can now say precisely what is and what isn’t an instance of the concept” (p. 4). He goes on to state however that there is an inherent gap in any definition; that you can never define something exactly and that there is an “intrinsic incompleteness that is inevitably associated with the conceptual” (p. 12). As an example, the digit “0” denotes “nothing”, however, it is defined by something that is not “nothing” i.e. nothing is defined by something, namely the digit “0” and is therefore inconsistent with the meaning of itself. There is always a residual element of vagueness and ambiguity, which is an intrinsic part of the thing defined.

Definitions are based on our perception and understanding of the phenomenon being looked at. This perception is influenced by our historical experience and understanding of the world. In other words, a path dependence relationship exists between what we know and how we define it. Looking at current conceptions and definitions of governance, these definitions have a path dependence from Greek and Latin cultural origins, developing within a Eurocentric cultural and epistemological framework. However for non-Eurocentric peoples, the base epistemological knowledge from which it arises is by logical inference, different.



It is stating the obvious to say that the Māori cultural base is different to those from the cultural base in which the word governance originally derived. However, this point has been lost in our perception of governance. To further stress this point, the antecedents of Māori culture are not derived from Greek and Roman culture i.e. there was no base word “Kubernan” in its history, neither Greek and Latin culture from which it developed its cultural base or understanding of governance. There was no concept of the Limited Liability Company or legal personality in pre-colonisation Māori history. These concepts and institutions were for Māori, first introduced to them from the beginning period of colonisation. Therefore the question must then be asked, if Māori (or any other indigenous or non-indigenous) people throughout their history have a “thing” called governance that exists ahistorically and is intrinsically linked to their societies, then what is its nature and how did their concept of governance enable their societies to function and be governed?

This thesis makes a foundational assumption that there is a base commonality amongst all peoples, of this thing called governance. As inferred earlier, governance cannot logically be solely a Eurocentric phenomenon, as this is tied to culturally imbued concepts such as government, state, legal-rational-bureaucratic organisational structure, power, transparency and accountability. Māori definitions of governance must therefore include the concepts of both “Māori” and “Governance” for it to be a distinctly Māori concept of governance. However, to try to understand and define governance in a Māori context, our definition of governance must also connect (from a Māori viewpoint) to a panhuman basis for governance inferred above, which links all peoples, over the full existence of human beings through time. To do this requires a fundamental re-evaluation of how governance has been defined to date.

## **2 .(1)(b) Concepts, conceptualisation and knowledge**

Concepts are ideas or notions that have been refined and developed over time. This aging process gives it depth, strength and resilience, allowing it to be adaptable and survive. A concept is also a guiding principle that helps determine how people act, and their perception of phenomena. Concepts thus affect perception and behaviour. They help us understand how the holder of that concept views the world and can be conveyed in multiple ways, including visually, orally and through writing such as this thesis. Concepts therefore strongly link to the formation of theory.

Jose (2009) describes that there are several ways to build a theory from concepts; the traditional way being that concepts are like building blocks set in a “rationally ordered arrangement” (p. 9) that creates a theory. He states that this methodology has a number of problems; particularly that concepts are “conflated” to mean the word that it describes. I.e. governance describes both the word and the concept, obliging the focus of researchers to turn to “untangling” the meaning of the word rather than on understanding the concepts context and contribution to the overall arrangement of concepts that make up the theory of governance. This he posits is the reason why governance researchers struggle to define governance.

Jose (2009) also puts forward an alternative Foucaultian construction of theory, starting with the premise that the word is not the concept. The role of a concept is not to explain the meaning of the word that it represents but instead to make that explanation of reality comprehensible. Indeed the problem for an indigenous researcher theorising governance is that the term governance “carries...prescriptive imperatives.” (Jose, 2007, p. 456). Furthermore, “Concepts are always embedded within the wider semantic fields of their particular host theories and discourses.”, (Jose, 2009, p. 11). Concepts are not value neutral and as such, its meanings are associated to related concepts.

Governance as an example of a concept contains associated concepts, such as ownership, power, control, accountability, transparency and stewardship. These have meanings representing values, understandings and practices unlikely to be reflective of how governance is understood or practiced in different cultures. Any definition of Māori governance must draw into its sphere, associated concepts sourced from Māori culture (as opposed to non-Māori concepts). This drives to the heart of how knowledge is created.

**Contrary to the view in good currency, knowledge is not discovered from the world but is constructed by inquiries, and there is not just one valid methodology to do the job, but a large variety of methodologies that can be developed from different sorts of inquiries...This richer approach to the production of knowledge entails that one does not restrict oneself to striving to “represent” what would be an objective reality out there, in the name of metaphysical realism, but would rather seek to match knowledge with reality, construct ones knowledge to fit with the empirical world one observes (Paquet, 2009, pp. xiv-xv)**

This thesis uses knowledge creation through focus on internal Māori knowledge, to match lived cultural realities.

## **2.(1)(c) Abstract concepts and reification**

Governance is an abstract concept. However, in acknowledging this abstraction, the issue of how to describe an abstract concept arises, especially given that natural sciences advocates needs to be “exact” in definition. One attempt to answer this conundrum has been through reification; that is to treat something as if it exists as a real physical object.<sup>6</sup> An example of reification is the personification of the corporate entity. Giving an abstraction a notional physicality allows us to interact with the abstraction.

Paquet (1999), states that social phenomena are reified and given concrete form because no two social phenomena are exactly identical or recurring. The act of reification allows for explanation and description of complex and multi layered human experiences. Reification is derived from a-posteriori materialist philosophical worldview, which acknowledges the existence of things only through observance and analysis, and from which experiential

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<sup>6</sup> The term “reification” was developed by Karl Marx and later Georg Lukacs, a Hungarian Marxist philosopher to describe a perceived objectification of human social relations taking place within society.

understanding is derived. Abstract concepts from a materialist viewpoint have no physicality and are not directly observable and so reification enables analysis. Thus whilst it is not possible to observe abstraction directly, you can observe the physical manifestation of it, such as a company governing board as a physical manifestation of the concept of governance. However, is it appropriate to deem a manifestation of governance to be the same as governance itself?

The concept of reification has somewhat controversially influenced research methodology of social sciences. The adoption of the natural sciences positivist viewpoint and understanding of the world, as explained through “mechanical cause-effect connections” (Paquet, 1999, p. 56) is one that some writers lament. There is a tendency towards “method and methodological procedures over content and meaning.”, (ibid). Suffice to say the use of natural science analytical approaches towards understanding diverse and complex social processes reflects a scientific reductionist mind-set within governance research. Subsequently, this is reflected in the language and theory describing governance.

The chief mission of language is to convey and communicate thoughts (Finegan, 1994). Problems in understanding arise from differences between the content, expression and context of what is being conveyed. Furthermore, word meanings change over time. Comprehension of the usage of specific governance words or terms within the context intended by the writer is necessary. Whilst many governance theorists actively acknowledge the abstract nature of governance, they have generally not looked at the issue of definition from linguistic or philosophical perspectives.<sup>7</sup>

The nature of abstract concepts makes the task of effective communication and shared understanding more difficult. An experience and understanding of a phenomenon such as governance, allows for an infinite number of interpretations, making the possibility of describing it in a way that unifies the understanding of the communicator and the receiver, a difficult if not impossible goal to achieve. As a corollary, if a concept (such as governance) were explainable using only one concrete noun, this would represent the perfect communication system i.e. a one to one mapping between content and expression with no ambiguity or synonymy (Finegan, 1994). This is also known as naïve realism (Byers, 2011). Technically this is possible within human communication, however it would remove much of what makes language expressive and it would take days to state even the most simple thoughts regarding the concept (Finegan, 1994).

Explanations and discussions of a thing are therefore a symbolic representation of the thing and are not the thing itself (Hayakawa, 1978). The word “governance” is merely a semantic representation of all of the knowledge humanly held about governance. It is a tight fit to cram all of our collective (and increasing) human experience of governance into 10

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<sup>7</sup> A notable exception and a good starting point for understanding some of the problems with existing definitions of corporate governance is Ziolkowski (2005).

alphabetic letters, let alone a concisely written definition of it from which is invoked a comprehensive collective understanding of governance. The difficulty of extrapolating a generally accepted definition or universals regarding governance becomes somewhat more understandable when faced with this huge (if not infinite) diversity of understanding and possibility of experience of governance.

Whilst it is plausible to describe an abstract concept in more concrete terms and in the process reifying the concept, what does this mean in terms of this reductionalist method progressively cutting out information like Occam's razor? Who decides what is included or excluded in undertaking this act, particularly with regard to indigenous and non-indigenous knowledge of governance?<sup>8</sup> Therefore, philosophical issues are closely connected to the methodological problems that governance commentators encounter in defining governance.

## **2.(1)(d) Criticality and the act of comparison in research**

The act of comparison is an important issue with regard to academic research from an indigenous perspective. In Māori culture, comparing the relative merits of one group to another, making subjective judgments and comments, is a sign of not showing appropriate respect, especially when the other party has no direct opportunity to rebut those arguments. Te Awekotuku (1991) has noted this in ethical principles regarding research within the Māori community. Particularly,

**Principle 1.** Aroha ki te tangata [a respect for people]

**Principle 6.** Kaua e takahia te mana o te tangata [do not trample over the mana of people]

The principles described by Te Awekotuku are reflective of wider Māori cultural attitudes. In New Zealand, comparison between Māori tribes is commonplace, and particularly in the print media. Tribes who have received substantial Waitangi Tribunal settlements often compared. In particular, the Ngāi Tahu and the Tainui tribe, who both received \$170m settlements at a similar time are frequently commented on, such as (Gibson, 2011; Hartley, 2003; New Zealand Sustainable Business Council for Sustainable Development, 2005). One tribal organisation is framed as more “successful” than the other, usually measured by who has the bigger pūtea [asset base], or who has made the most profit that year.

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<sup>8</sup> Hayakawa (1972) attempts to overcome this problem by what he calls the Abstraction Ladder, which is a series of steps moving from an abstract concept through to a connected concrete object. E.g. Explaining what Bessie the cow is, wealth → asset → farm assets → livestock → cows → Bessie (the “name” class of a cow, not the physical cow itself) → (Bessie) the physical cow itself (object class, not the name). In describing Bessie at higher levels of abstraction, it is difficult to understand exactly what “Bessie” is, but in moving from the abstract to the concrete, progressively more information about the abstract concept is cut out but as this occurs, the ability to comprehend what Bessie is, increases.

Alternatively, it is based on which tribe is suffering more internal strife and conflict compared with the supposedly more stable and financially successful other rather than

The issue of how can comparative statements ever show respect for people is a deep one. This begs the question; does the writing or research primarily benefit the writer and researcher over the people researched? How can or does research help uplift the peoples concerned, if this is a true objective of the academic research? Perhaps understandably "...Māori communities are wary and weary of Pakeha researchers." (Cram, 1993, p. 28) but the same principles also apply to Māori researchers. There are also contemporary examples of research undertaken by Māori, which have made some quite negative statements and controversial research findings regarding historic events and tīpuna to which they do not have whakapapa links to. The descendants of which have had no input or interaction whatsoever with the researchers concerned regarding the research. Unsurprisingly no attempts are made in this type of research to commit to upholding the ethical principles referred to by Te Awēkotuku or something similar, or to state where input or consent has taken place by the descendants of those being talked about in the research.

The key imperative however, for most Māori researchers is to maintain, respect and uphold the mana of the people who are the research subjects, and that their best interests **override** the researchers' research imperative. Where the people researched do not have control of the outcomes or accrue any benefits from the research, valid questions arise from an indigenous perspective as to the legitimacy of that research. The academic researcher consciously decides who the ultimate beneficiaries of their research are. The people who are the subject of the research have historically always borne the consequences of those decisions.

In line with these principles, this research does not attempt to value judge the perceived success or failure of governance within any particular Māori organisation. That instead is the decision of the constituency of each individual organisation to make. Instead, from an indigenous perspective, foremost is the acknowledgement that everything has a particular whakapapa [history] and therefore a context. The conclusion here is that only the people themselves can determine whether their institutions are successful or not and whether research that is about them, is valid.

## **2 .(1)(e) Objectivity, neutrality and the role of the researcher within their research**

Objectivity is viewed as the "hallmark of scientific knowledge" (Ruphy, 2006, p. 189), one that the influential sociologist Max Weber viewed as an important "goal" (Gray, 2007, pp. 82-83) in social science research. The image of the researcher was at once scientific, analytical and impartial, seeking out a singular truth regarding the higher order of things; gaining elevated status within society for this most noble of pursuits. Consequentially, it has been accepted practice for researchers to make the claim of objectivity and neutrality with regard to their research. An additional argument for objectivity is bound in the social nature of humans, that objectivity allows a space for "common ground in our subjective

experiences” (Babbie, 2008, p. 44) to study and solve problems. Researchers within a broad range of disciplines have though engaged in significant academic debate questioning whether objectivity or value-neutrality, a tenet of traditional research thought, is in reality possible or necessary.

It has been argued that objectivity and value neutral research is in fact, a myth. Postmodernist critics of the notion of objectivity are sourced within diverse research backgrounds, such as sociology (Gouldner, 1962), feminist studies (Harding, 1991) as well as indigenous Māori sources such as (Bishop, 1998; L. T. Smith, 1999). Therefore, “social science is not and has never been a neutral enquiry into human behaviour and institutions.” (Cameron, Frazer, Harvey, Rampton, & Richardson, 1999, p. 141)

This particular research is based on Māori epistemological principles, being founded on the Mātauranga Māori concept of whakapapa. This focus reinforces the sentiments of the above statement; that it is totally culturally appropriate (and in fact expected) that I as the writer, must locate and connect myself within and to the research, and have a clear understanding of the connections that I have to it. When Māori partake in any activity, customarily they would acknowledge relevant connections they share with what and who they are connecting to, be it a river, a mountain, an important social issue, a PhD research topic or to a particular person.

I am therefore not an independent and neutral observer, and make no claim as such. In fact, to attempt to do so would be paramount to denying my very own identity and those who have gone before me that I descend from, both Māori and non-Māori. My worldview is based on and modified by the histories, stories, knowledge and experiences, which physically and metaphysically formed me, written into the landscape of Aotearoa, New Zealand.

The following describes my innate connection to this research

He kapua, kei ruka i Aoraki  
Whakarewa, Whakarewa  
Ko Aoraki te mauka  
Ko Waitakitaki te awa  
Ko Uruao, Ārai Te Uru me Tākitimu ōku waka  
Ko Waitaha, Kāti Māmoe me Ngāi Tahu ōku iwi  
Ko Kāti Rākai, Kāti Huirapa, Kai Te Ruahikihiki kā hapū  
Ko Te Maihāroa te takata  
Ko Otākou te marae  
Ko Steven Kent tōku ingoa  
Tēnā no tātou kātoa

[The clouds above Aoraki]  
[Continuously suspended]

[Aoraki is the sacred mountain]  
[Waitaki is the river]  
[Uruao, Arai Te Uru and Tākitimu are the canoes]  
[Waitaha, Kati Māmoe and Kai Tahu are my tribes]  
[Kāti Rākai, Kāti Huirapa, Kai Te Ruahikihiki are the sub-tribes]  
[Te Maihāroa is the ancestor]  
[Otākou is the marae]  
[My name is Steven Kent]  
[Greetings to all]

The above mihi [introduction] highlights my Māori connection to the landscape of the South Island of New Zealand. It recalls the various migrations to the South Island, to a significant ancestor from whom I descend, whose legacy lives on through subsequent generations. Within the whakapapa, is tapped a rich vein of history, knowledge and understanding.<sup>9</sup>

My Scottish, English and French Polynesian ancestors, are as important as my Māori forebears, for without any of them I am not me. All Ngāi Tahu descendants have non-Māori sealers, whalers or mariners in their ancestry. Thus, the whole becomes greater than the sum of the parts. I am blessed to have a mixed ancestry. Brought up aware of the importance of my Ngāi Tahu identity, despite the loss of Te Reo within my whānau through beatings inflicted at school on past generations and the wider societal views towards Māori culture and society in which they lived their lives, which for them constricted the ability to just be. Within this thesis, I merely choose to highlight a particular side of my identity, from that specific cultural perspective. On a different occasion and in different circumstances I may choose to highlight aspects of my non-Māori side, something most Māori would also regard as equally important. Many Māori have visited Europe to connect to the origins of their Pākehā tīpuna and distant relatives.

I may be considered and labelled subjective and an “insider” concerning this research because of this view. Bishop (2005a) notes that cultural insiders undertake research in a more sensitive and responsive manner than those who are not insiders, but that they can also be open to axiological claims of bias. However, “the charge of lacking objectivity does not concern me: the so-called objectivity some insist on is simply a form of arid abstraction, a model or a map. It is not the same thing as a taste of reality.” (Marsden, 1992, p. 117). Furthermore, it is not unusual for Māori researchers to instead view the role of insider as a “key strength” (Edwards, 2009, p. 60) and so similar to Marsden, I reject the notion of the insider as a negative. Within qualitative research, “new tales from the field will now be

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<sup>9</sup> For an excellent and in-depth discussion of why it is important to acknowledge ones connection to research see (Carter, 2003)

written...they will reflect the researchers' direct and personal engagement with this historical period." (Vidich & Lyman, 1994, as cited in Denzin & Lincoln, 2005, p. 15).

This approach may be "new" in the sense that it has been framed as a "postmodern/poststructuralist approach" (Denzin & Lincoln, 2005, p. 14). However, it is not new for indigenous people to interpret and tell their own stories and histories within their own environments using their own epistemologies. This is in fact how any peoples' traditions, stories and knowledge are passed on to subsequent generations. The academic environment is now merely the forum for the portrayal and theorising. Academia is catching up to how it has always been for indigenous peoples.

Previously the academic environment was a domain of non-indigenous people, telling indigenous peoples' stories. The academic environment for the purposes of this research is synonymous with indigenous space, in order to frame and theorise, to tell the story from within. This invokes something much deeper than the claim to intellectual space for this research however. The appropriate articulation of the subject matter is critical. The indigenous researcher is merely a conduit for the subject matter and as such the researcher has a fundamental responsibility to maintain the innate essence of mauri [life force], tapu [sacredness], noa [normalcy], mana [integrity], wana [awe] and wehi [fear], regarding the subject matter.

## **2.(1)(f) The issue of translation**

Australian linguist Christopher Moseley, stated that, "each language is a uniquely structured world of thought, with its own associations, metaphors, ways of thinking, vocabulary, sound system and grammar – all working together in a marvellous architectural structure.", (Kuntz, 2009, p. 4). In translating the English word "governance" into the Māori language, both the word "governance" and its underlying concepts need to be understood from within historical, social and cultural contexts of the users of this word. The very act of translation itself is therefore "not value neutral" (Campbell, 2005, p. 29) and is normally an exercise which requires

- a) A source language from which the original text or idea originates
- b) A receptor language into which the information is to be translated
- c) A methodology for translation

A number of differing translation methodologies exist. Traditionally translation methodology has centred on the concept of equivalence of translation, ranging from formal equivalence translation (which retains grammatical form over function) through to functional and dynamic equivalence methods. These are largely Euro-centrally based approaches, and have given rise to accusations of historical and cultural relativism (Pym, 2009).



The Māori language, as with any language, has words for which there are no direct English language equivalents and vice versa. There is a particular difficulty because “these terms simply do not translate well into English” (Patterson, 1992, p. 13). The word governance itself is a prime example of the lack of equivalence, having no exact corresponding word in the Māori language. Another example of this lack of equivalence is the word “mana” from the Māori language. Most non-Māori New Zealanders have some appreciation for what the word means due to its common usage within New Zealand society by non-Māori, e.g., “She has a lot of mana”. However those not au-fait with the term would struggle to understand its full meaning as there is no one single direct English language equivalent which adequately describes the term. Although this word is commonly translated into the English language using words such as “prestige”, “authority”, “power” and “presence”, these words alone do not portray the conceptual depth and cultural constructs that underlie the meaning of this word. An understanding of the context in which a word is used is vital (C. W. I. T. R. Smith, 2000).

A further example of the issues in translation and subsequent understanding are given by (Muru-Lanning, 2010, p. 68)

<b>Māori</b>	<b>English translation</b>	<b>Māori translation</b>
Ko Waikato tōku awa	The Waikato is my river	I belong to the Waikato river

The difference between the English and the Māori translations are significant and hinge around the translation of the possessive particle “tōku”. Muru-Lanning (2010) describes how any “ō” possessive particles relate to things that are senior in relationship or unable to be controlled, to the speaker and “ā” possessive particles such as in the word “tāku” are conversely junior in relationship and able to be controlled. The literal translation of “tōku” as “my” causes the sentence translation to be the opposite of that which it actually means. The river in fact possesses the people not the other way around. With both ā and ō linguistically described as possessive particles the ō particle has incorrectly been given the same meaning in the English language and is clearly highlighted by Muru-Lanning as being incorrect, with significant implications regarding the correct portrayal of cultural understanding.

The word “translation” itself indicates a relationship of equivalence (between source and target languages) rather than a relationship of similarity which “necessitates difference” (Tymoczko, 2006, p. 23). The methodology of equivalence translation is being succeeded by a newer paradigm of cultural translation, taking into account the people involved (Pym, 2009; Tymoczko, 2006). However, from a Māori perspective, merely being taken into account still seems to lack a sense of deeper understanding and respect for the basis of the culture that exists internally. It is an effort in “reconciling different modes of thinking more than finding equivalent terminology.” (Cleave & Victoria University of Wellington. Institute of Policy Studies., 1989,46).

If understanding a Māori perspective of governance requires more than just transliteration and equivalent translation, what exactly does it then require? It requires nothing less radical than the existing concept of governance be completely stripped of its non-Māori cultural and theoretical framework, instead being formatted from a fundamental base sourced, founded and conceptualised from within a Māori cultural perspective. The question then becomes one not of how to find an appropriate equivalent translation to governance within Māori culture and conduct an extended theoretical discussion of such, but in fact is of recognition of self-generated internal Māori definitions, derived independent to the original Eurocentric cultural concept of governance, that exists, as is, and the explanation of such.

## **2 .(1)(g) Naming of oral sources**

In talking to people about this thesis, there are diamonds of information passed on within those conversations. That person may not necessarily wish to be named within this thesis. Where this is the case I have followed the convention of Williams (2004) in acknowledging their contribution to this thesis as a “personal communication” but have left their name out of this thesis as per their wishes.

## **2 .(1)(h) Acknowledging methodological limitations**

All research has limitations. However, do researchers acknowledge limitations inherent in their research as much as they should? A simple example of a research limitation is the period an organisation is researched over. Portrayal of an organisation in a certain light is easy to (unintentionally or intentionally) achieve, simply by narrowing or expanding the period studied. The fall from grace of many hitherto lauded prominent corporations over recent decades provide ample evidence for us to proceed with more caution than has been used previously.

Taking a snapshot of any organisation provides informative data but to then assign and assume organisational attributes, such as “good governance” to their activities, poses real dangers. Furthermore, to simply equate compliance with acting ethically, legally, environmentally sustainably or in the long-term is logically problematic. Furthermore, past performance is not an indicator of future “success”.<sup>10</sup> Therefore, caution also needs to be exercised with research that isolates and focuses on specific situational and conditional factors.

Studies can show further methodological weaknesses in assuming or attributing a condition to an organisation, without defining the measurement criteria by which they attribute those conditions. Such as a case study which has goals of highlighting examples of “successful”

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<sup>10</sup> There are numerous examples of “cooked books” where profits or returns have been artificially manipulated, resulting from fraud, complicity, lack of independence, governance controls and audit oversight. Enron, HIH Insurance, Bernard Madoff Investments are some notable examples.

organisational governance. Words such as “success” or “unsuccessful” are value loaded. Is “success” viewed on singular monetary terms, or other criteria? Is this the same criteria that indigenous people would use? Furthermore, if this organisation has succeeded, then is there any understanding of what has been lost by that organisation succeeding? Success at what cost to the social fabric of society, its workers and their families, the environment and human physical, spiritual and mental health?

Thus in research, correlation does not imply and evidence causation. Just because something is named as important does not mean it caused the condition ascribed. There needs to be justification for the position taken, whether it be empirical, non-empirical or otherwise. If there is no underlying framework stated, it is difficult to conclude the actual degree of causation.

## **2 .(1)(i) Negotiating the influence of non-Māori conceptions of governance**

Academic theory and practice of governance has been developed almost entirely without indigenous input, including Māori governance. Despite this, it does not mean that works on “Māori governance” should be negated for that reason alone. They merely reflect the situational reality for Māori. Indeed, without those writings, this thesis would not be possible. They reflect perceptions of Māori society and as such are important in marking thought processes, boundaries of understanding and influences on the writers and the subject matter at particular points in time. When faced with this picture, what is the way forward that can appropriately acknowledge this lived reality whilst re-focussing our gaze and basis from which governance can be conceptualised?

This issue is not a recent one as Māori have been subject to changing knowledge and understanding brought by interaction, colonisation and globalisation since the arrival of tauwi [other peoples] to the shores of New Zealand. In a Māori cultural context, firstly we would look to answer this question perhaps not by creating new unique solutions, but by drawing from the database of knowledge contained within our past. One of the most famous statements about how this complexity can be negotiated is the “E tipu, e rea” letter penned by Sir Apirana Ngata, which states,

**E tipu e rea mō ngā rā ō tōu ao. Ko tō ringa ki ngā rakau ō te Pākehā hei ara mō tō tinana. Ko tō ngākau ki ngā taonga ā ō tipuna Māori hei tikitiki mō tō māhuna. Ko tō wairua ki tō Atua, nāna nei ngā mea katoa.**

**Grow and branch forth for the days of your world. Your hand to the tools of the Pākehā for the welfare of your body. Your heart to the treasures of your ancestors as adornments for your head. Your spirit with God who made all things. (S. M. Mead & Grove, 2001, p. 48)**

The statement which is known as “The Challenge” (Hill, 2004, p. 44), acknowledges the influences of Western technology, the knowledge of which will provide you with work; and of Western religion which will provide you with spiritual guidance and support. Simultaneously the statement obliges that you should remain true to a core understanding

of what it means to be Māori, a legacy passed on from previous generations. This is also a reflection of ideals of the Young Māori Party (which rose to the fore in the early 20<sup>th</sup> century and of which Ngata was a member). They wanted to uplift Māori and saw that resistance strategies towards the state were of limited effect. They saw the way to achieve a strengthening of Māori society through “constructive engagement” (p. 45) with Pākehā society.

The reaction of Māori in the 19<sup>th</sup> century to colonisation, which brought new technologies; new cultures and new knowledge, were “pragmatic solutions” and “innovative responses” (Ballara, 1998, p. 21) to wide-scale change in circumstances. Māori in the early years of colonisation were extremely active in their up-take of new knowledge and technology. The enthusiasm to learn writing resulted in high levels of literacy (Haami & New Zealand Ministry for Culture and Heritage, 2004). The transition from stone to steel chisels in whakairo [carving] (Bennett, 2007) and the building of flourmills in the early part of colonisation and trade (Petrie, 2004) are all examples of uptake of new technologies. These provided fresh outlets for expression of culture, economic expansion and extended boundaries of knowledge.

At what point, however, does the influence of non-Māori thinking and technology begin to degrade traditional Māori processes, values and understanding? The nexus would seem to lie with the locus of control. Where control is imposed over Māori, the effects have resulted in a history that Māori are fully aware of but have not yet recovered from. This history has evoked reactions evidenced in the writings of Māori researchers such as (Bishop, 1996; L. T. Smith, 1999; R. Walker, 2004). The response of those researchers has been to express aspirations to “balance”, “shift” and “re-focus” the discourse in ways that return control to Māori. Using this particular stance, complexities and layers of non-Māori meaning can be negotiated and acknowledged to produce knowledge which is not exclusivist, instead engaging the core cultural basis of Māori knowledge, to be constructive for society in its totality.

## **2.(1)(j) Cross cultural issues**

Cross cultural issues exist within research (Mules, 2007). Consequently, it is of vital importance to understand underlying Māori concepts and values within appropriate and intended cultural contexts. The introduction of different “ways of knowing” has profoundly influenced Māori culture, from both outside but also importantly internally. Difficulties exist as to what can be defined as being Māori. In this regard, Smith (2000) differentiates Māori knowledge philosophies into two types, Māori and tangata whenua. The Māori philosophy represents understanding modified by colonisation shifting locus of control and contextual framing away from Māori, whereas the tangata whenua philosophy represents an understanding of the world within a Māori controlled space that incorporates outside influences into its being (ibid). A tangata whenua perspective allows an evolving and changing culture, as opposed to being static and confined to being a museum relic.

Māori culture historically was largely oral in nature (Ballara, 1998), and still generally remains the case today but as with any other culture, multiple mediums for communicating and disseminating its culture existed historically and exist contemporarily.<sup>11</sup> Information, knowledge and wisdom are transmitted through whakapapa kōrero, kaupapa kōrero [specific discussion topics/matters], waiata [songs] and haka [dances], as well as visually through artistic works including whakairo [carvings], rāranga [weaving], knowledge of physical landscape and its marker tohu [signs] and pūrakau [stories] explaining the significance and reasons for them. These point to the cultural richness contained within these mediums which encapsulate a “a whole spectrum of values — the essence, indeed, of their being.” (I. H. Kawharu, 1984, p. 237).

Euro-centric cultures in contrast, privileges the written word over oral sources. Historically, writing was seen as the mark of a “superior civilisation” (L. T. Smith, 1999, p. 28). However, writing can merely entrench errors through “compiled prejudice” (E. Durie, 1999).<sup>12</sup> Privileging of certain types of evidence is apparent within New Zealand society, such as where informal oral evidence is deemed inferior to written scientific evidence, even though the evidence may be from someone highly knowledgeable in their subject matter, but whom lacks formal qualifications.<sup>13</sup> Academic social sciences have been constrained by a view that disregards certain types of evidence contained within human knowledge as “irrelevant if not meaningless” (Paquet, 2009, p. xv), due to where it comes from or the method used to obtain that knowledge.

In a similar regard, the Māori language, is a means to transmit cultural knowledge, the decline of the language has resulted in, “suppression...of ways of knowing but also the language for ‘knowing’.” (Martin, McMurchy-Pilkington, Tamati, Martin, & Dale, 2003). These “ways of knowing” are in academic terms, methodology. In a western academic sense, methodology defines how something is understood, the research space and the elements contained within that space. An empirical material knowledge system of scientific reason tests for existence; that which cannot be evidenced through scientific criteria, does not exist. However, oxygen existed before it was measurable. According to strict application of empirical logic, it would only come into being on recognition of it.

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<sup>11</sup> It is common to hear the term “kanohi ki te kanohi” [face to face] used when Māori are deciding how to resolve an issue. The first priority is to meet and air the issue at hand, to understand it by being physically present, listening and then discussion and debate.

<sup>12</sup> See Waitangi Tribunal (1995). In Section 4.9.3 the Tribunal notes an “unjustified bias in favour of written evidence” by the Crown in its historic dealings with Māori. They state that an “important feature of oral evidence is its public nature... retold in a public forum, thereby testing the authenticity and accuracy with other members of the iwi at hui and tangi”.

<sup>13</sup> See Ogonowska-Coates & Ifopo (2008). This article highlights Ngāi Tahu efforts to reverse environmental degradation within its waterways. They note the Environment Courts’ stance that scientific evidence of environmental degradation is given far more weight than oral evidence, and that oral evidence is “not good enough for the court” to prove degradation.

Western methodology has historically rejected indigenous measurement and experiential criteria subjugating indigenous knowledge and worldview, drawing strong boundaries between the known and the (non-existential) unknown. Western knowledge has similarly colonised the theoretical space of indigenous knowledge deeming it as inferior knowledge. However, it is overly simplistic to think of non-scientific knowledge as inferior knowledge. Indigenous knowledge, which contains values, concepts and wisdom, has enabled long-term survival. Whakapapa based knowledge enables a more balanced knowledge.

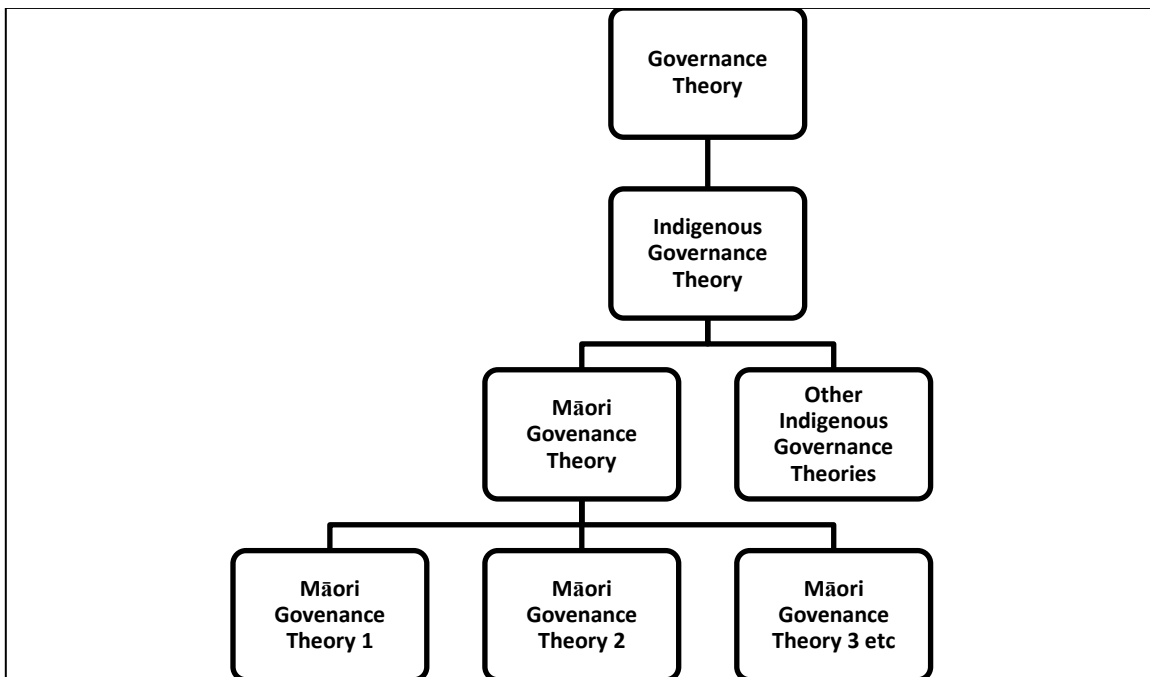
The Māori perspective enabled through whakapapa does not view research as a zero sum game. Additionally, there is no simple binary “either-or” relationship between Māori and non-Māori research, instead there exists only comprehensive simultaneous existence. The responsibility of the indigenous researcher is to acknowledge and fulfil obligations appropriately. What is emphasised within a whakapapa methodology is the appropriate understanding and acknowledging of various interconnected relationships and its power as a physical, social, spiritual and cultural construct to understand the world and our place within it.

## **2 .(1)(k) The act of classification**

Using standard academic social or natural science research methods, there is a need to “locate” and/or “categorise” the subject matter. Thus, “Classification...is inherent in any course of scientific investigation.” (Mukherjee, 1983, p. 2). The act of classification uses a methodology known as taxonomy. Taxonomy is based on the lexical concepts of hyponymy and its related concept of part/whole relationships. Hyponymy is where one thing is seen to be “a kind of” another thing, e.g. a ‘Labrador’ is a hyponym of the term ‘dog’ (Finegan, 1994, p. 167). Part/whole relationships imply that the relationship between two things is through one being “a part of” the other (p. 167), e.g. a ‘hand’ is a part of the ‘arm’. Classification criteria and methodology are common to all human cultures and languages.

Classification criteria exist because all societies seek to classify things they see or understand into structures, in order to understand the world around them. Using a standard social or natural science based academic methodology it would be expected to place Māori governance within existing known taxonomies of governance. Conceptually and notionally, Māori governance would logically be defined as a subset of indigenous governance, of which indigenous governance is a further subset within the broader theory of governance. This particular method of categorisation is outlined in Figure 1 below.

Figure 1: Relationship of Māori Governance Theory to Governance Theory



This approach is problematic from a Māori or indigenous viewpoint. The semantic and connotative meanings of the word “subset” when applied to Māori governance implies less than the whole or minor, or perhaps worse, imply being less developed or advanced. Māori concepts of governance become subjugated and corralled within this imposed classification hierarchy of governance. Furthermore, this taxonomy does not emanate from any internal Māori cultural understanding of where its governance could or should be located.

The form of classification given above uses a scientific classification basis that groups by perceived similarities and hierarchically orders them. This type of classification methodology is based on Linnaean and Darwinian evolutionary taxonomies of biological species of the 19<sup>th</sup> century. The Darwinian taxonomy in particular assigns a hierarchy of lower and higher levels to species. Darwin’s classification system was contemporary with scientific writings which explored humans and their racial origins. Indigenous and non-white peoples were usually portrayed negatively, classifying races into superior or inferior categories, such as occurred with the research into craniometry attempting to link (and justify) perceived lower intelligence of certain races. Whitt (2009) contends that pursuit of knowledge through science during this time was also a form of statecraft, used as a way of extending the empire, a period of discovery and colonisation by Europe of the new world.

Writings of that period contained assumptions that indigenous people were of a different race or alternately were humans degenerated to their present state. As such, indigenous people were classified as lower levels of species to colonisers and scientists, using Darwinian type taxonomy as the basis for their conclusions. Accordingly, scientific

taxonomical classification has a clouded history for indigenous peoples. The methodology used to create the governance hierarchy above is a form of scientific reductionism. It seeks to “classify”, “represent” and “evaluate” (L. T. Smith, 1999, p. 43). Scientific reductionism has formed the basis of much non-indigenous academic research into indigenous people and as such it is considered contradictory to most indigenous cultures worldview (Hook, 2008), including Māori.<sup>14</sup> Interestingly, some physical scientists are now turning full circle and rejecting the notion of reductionism (Byers, 2011; Kauffman, 2008).

On the other hand, the scientific community refers to indigenous taxonomic systems as “folk taxonomies”. These systems may include things non-biologically similar compared to a scientific classification. Modern scientific classifications use biologically and DNA connected groupings. However, this taxonomy states nothing of the items interaction with surrounding environments. Indigenous taxonomies on this basis provide richer and deeper sources of information about the items. The legitimacy of indigenous taxonomies is verified through its usage over time and represents “well tested” theory, providing a means of survival, balancing mechanisms and source of growth for indigenous peoples.

Bradford & Mere (2002) propose that whakapapa is the traditional system of classification for Māori, In their example of whakapapa that discusses the Kumara [Sweet Potato] they refer to its whakapapa being an “encyclopaedia of information” (p. 411). Bradford & Mere provide compelling evidence that whakapapa was never solely about physical genealogy. Instead, it encompasses a comprehensive set of knowledge, including the phenomenological and metaphysical, biological, temporal, spiritual and moral features. The description of this type of knowledge as a folk taxonomy, contains an inference that it is ‘informal’ or at a ‘lower level’ of knowledge than scientific knowledge. However a number of Māori scientific writers surmise differently, suggesting that the concept of whakapapa is essential to undertaking any contemporary scientific research deemed important to Māori (Cheung, 2008; Hudson, Ahuriri-Driscoll, Lea, & Lea, 2007; G. M. Stewart, 2007).

In terms of this research, understanding Māori governance using the Mātauranga Māori “lens” of whakapapa taps an established and comprehensive indigenous taxonomy to facilitate enquiry and enable understanding. The classification of Māori governance within an indigenous intellectual paradigm allows contextual understanding of the concept within its surrounding intellectual landscape. Simultaneously it increases relevance to Māori, a people who whilst living contemporary life as part of a global society, seek not only to retain knowledge that is the basis of their cultural identity and being, but to also look

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<sup>14</sup> (Durie M. , 2005, p. 301), proposes a third hybrid alternative, that of using aspects of both indigenous and non-indigenous systems to gain the benefits that both systems can offer and to more accurately represent “contemporary Māori realities”. See (Cheung, 2008) for an understanding of how these seemingly divergent methods are negotiated in practice within a scientific arena. Cheung discusses the perceived ‘dilemma’ as a Māori scientist holding both scientific and indigenous worldviews and how this is in fact an advantage rather than a disadvantage to research. This approach builds on Homi Bhabha’s ideas of hybridity, See (Bhabha, 2004).



forward into the future using their cultural understanding and basis, to grow that knowledge and understanding.

## **2.(1)(I) Understanding how Māori define themselves and Māori identity**

Because this thesis covers Māori governance, it is essential to understand what is meant by the term “Māori”. Māori have endured various imposed definitions and measures of ethnicity and identity by the state over the course of colonisation. However, state and societal views of Māori have been covered in detail by others such as (Kukutai, 2004; Meredith, 2000) and bear no repeating here. Most relevant to this thesis is in understanding how Māori define themselves and the methodology used.

A Māori person can be defined as someone “who has the potential to identify as a tangata whenua person through whakapapa korero” [interconnectedness discourse] (T. Smith, 2000, p. 53). Smith notes that “whakapapa korero are discourses held by tangata whenua as being important narratives which define their identity” (ibid). Thus, whakapapa is how Māori self-identify. Māori have always taken an inclusive and pragmatic perspective of their own identity. An individual who identifies a whakapapa (genealogy) link to one or more Māori ancestors, no matter the quantum of Māori blood of the person in question, is regarded as being Māori (Nikora, 2007), inheriting certain rights and obligations from that blood connection. Looking at Ngāi Tahu’s case, to be eligible to be recorded on the Ngāi Tahu tribal register, you must be able to prove descent from,

**...persons, being members of the Ngaitahu tribe living in the year eighteen hundred and forty-eight whose names are set out in a list appearing at pages 92 to 131 (both inclusive) of the book containing the minutes of the proceedings and findings of a committee (commonly known as the Ngaitahu Census Committee) appointed in the year nineteen hundred and twenty-nine, the book being that lodged in the office of the Registrar of the Maori Land Court at Christchurch and marked ‘Ngaitahu Census Committee Minutes 1929’ (Ngai Tahu Maori Trust Board & Ngai Tahu Census Committee, 1967)**

If you can prove descent from a tīpuna on this list, you become eligible to register. Waymouth (1998) however considers this approach a legal-rational-bureaucratic process which suppresses whakapapa discourse. Waymouth furthermore gives an excellent account of how identity within the Ngāi Tahu tribe was influenced to receive their Treaty of Waitangi claim settlement in 1998. The main point raised is how representation and identity pre-colonisation differs to the present; that Ngāi Tahu never existed as a collectivised entity until the land claims and treaty process. This is because “The Crown prefers, when resolving Treaty grievances, to settle with “large natural groups” which may comprise a combination of claimants.” (Law Commission, 2002, p. 2). Given that Ngāi Tahu dealt with the Crown for a total of 149 years in its claims process, the totalising effect of this interaction is considerable.

Historically, Māori seldom if ever acted in large natural groups (that of iwi [tribal] or waka [canoe] confederations). If it did happen it occurred usually only as a reaction to external

threats, with the association being dissolved when the threat disappeared (Ballara, 1998). The normal *modus operandi* was at a *whānau* and or *hapū* level. As an example, although *Ngāti Māmoe* and later *Ngāti Tahu* gained a foothold in the South Island through occupation and *Take Raupatu* [conquest]; it is through intermarriage to the *tangata whenua* [original occupiers] (the collective of *Waitaha* and their descendants), that secured *Kāti Māmoe* and *Ngāti Tahu* their *Take Tīpuna* [inheritance from ancestors] and *Mana Whenua* [rights to the land]. Indeed, Walker & Amoamo (1987) note that “Land seldom changed hands by right of conquest.” (p. 44).

A classic example of this within *Ngāti Tahu* is the *hapū* of *Kāi Tūhaitara*, from which many *hapū* such as *Kāi Tūāhuriri* and *Kāti Huirapa* eventuated. *Tūhaitara* was of *Ngāti Tahu* descent and it is through her marriage to *Marukore*, who was of *Ngāti Māmoe* (and *Waitaha*) descent that *mana whenua* was transferred to *Ngāti Tahu* (J. Williams, 2004, p. 50). Generations who occupied through conquest have as Gallagher (2008) calls it *Mana Tangata* [rights as people] only. If there was no intermarriage and *Waitaha* were cleared from the land, *Mana Whenua* rights would accrue through the process of *ahi kā* [Lit. burning fires], land rights by proof of continuous occupation. Because the various tribes intermarried, that is the primary source for or rights for *Ngāti Tahu*. With reference to the *Kāti Māmoe* migration to the South Island,

**Over the years they came to dominate *Waitaha* by strategic marriages and war and the Southern tribal communities began to become known as *Ngāti Māmoe* over the length of *Te Waipounamu*, even though they were basically *Waitaha* in their descent (O'Regan, 1992, p. 7)**

In discussing how Māori obtain rights to land,

**...visitor land rights could only be secured by inter-marriage, thus giving their off-spring an ancestral link to the land. In other cases visitors would use *whakapapa* to identify a distant common ancestor to provide a link to the soil... A link to the land by ancestral connection was referred to as *mana whenua*, a link by suppression of the original inhabitants was called *mana tangata*. It was highly desirable to have both. Ancestral links to land was remembered and portrayed by *waiata*, 'myths', *whaikorero*, *waahi tapu* and the naming of parts of the land after ancestors. (Gallagher, 2008)**

Although *Ngāti Tahu* is a mixture of *iwi* and *hapū*, contemporarily they are mostly referred to as *Ngāti Tahu*. Interestingly In the ("*Te Runanga o Ngai Tahu Act*," 1996), which sets up the legal body corporate entity representing the *hapū* and *iwi* of *Ngāti Tahu*, namely *Te Rūnanga o Ngāti Tahu*; only *Ngāti Māmoe* and *Ngāti Tahu* are mentioned as the constituent *iwi*. In addition, it mentions the five “primary” *hapū* of *Ngāti Tahu* namely, *Kāti Kurī*, *Kāti Irakehu*, *Kāti Huirapa*, *Kāi Tūāhuriri* and *Kāi Te Ruakihikihi*. Contrast this with Williams (2004, p. 86) who gives an excellent example of how identity was previously viewed by Māori, with one certain *kaumātua* [elder] at each different sitting of the Smith-Nairn Commission of 1879, giving a total of three different *hapū* names, which also differed to the *hapū* name given by that *kaumātua* in a census. Indeed (Caldwell & *Te Rūnanga o Ngāti Tahu*, 1996) note that the tribe has large numbers of *hapū*, far in excess of the five given in

the TRONT Act. There is also no provision for this to increase i.e. for additional hapū to appear.

The process described by Williams (2004) is formally known as ethnic mobility. This is "...when persons change their ethnic or racial affiliation over time, or in different contexts." (Kukutai, 2004, p. 88). In this case, it is an expression of different contexts of identity. However, the word "change" contains connotations of choosing one over the other as if they are separate entities that cease to exist when one particular one is chosen. The kaumātua referred to by Williams was not "changing" anything in that sense as they all reflect different parts of a connected and integral whakapapa based identity. This contingent use of whakapapa by Māori is strongly confirmed by Ballara (1998). For Ngāi Tahu, whakapapa embodied through a multiple hapū and iwi identity, have been subsumed into an overall singular primary tribal identity through the treaty claim process over 149 years, and is incapable of expansion in the types of ways that occurred traditionally.

## **2. (2) Research Ethics**

Ethical considerations for this research are considered in two areas, Māori cultural ethics and academic research ethics. Māori cultural ethics involve basing this research within a framework that adheres to a process which follows Tikanga Māori [Māori customs]. In Māori cultural terms, the quest for higher knowledge puts oneself into the Māori cultural framework of tapu [sacredness] (R. Walker, 2004), wairuatanga [spirituality] and māhakitanga [humility] towards the subject of research and anyone involved in the research. Te Awēkotuku, 1991, as cited in Smith (1999) in this regard, expresses a set of responsibilities that researchers have towards Māori people,

- 1 - Aroha ki te tangata (a respect for people).**
- 2 - Kanohi kitea (the seen face - that is, present yourself to people face to face).**
- 3 - Manāki ki te tangata (share and host people, be generous).**
- 4 - Titiro, whakarongo...kōrero (look, listen ... speak).**
- 5 - Kia tūpato (be cautious).**
- 6 - Kaua e takahia te mana o te tangata (do not trample over the mana of people).**
- 7 - Kaua e māhaki (don't flaunt your knowledge). (p. 120).**

It is essential for the researcher to start from the correct foundation to allow the research to take place in the appropriate cultural environment; that one's ancestor's support and guide the researcher on their journey. It is also important to mihi [to acknowledge] my research supervisors, whānau, friends, kaumātua [elders] and other supporters for their presence in similarly guiding and supporting me, and to actively acknowledge the mauri [life-force], mana [integrity] and tapu [sacredness] of each individual who has been involved in this research. There is a need to engage with each person surrounded by the warmth and aroha [love] of the tīpuna [ancestors] and treat their knowledge passed on to us with respect and dignity. It is with the awareness and hope that this knowledge is subsequently disseminated and used positively to contribute to Māori and wider society. The goal of Māori and

indigenous researchers is generally not focussed on individual gain, but instead on contributing to the collective good.

Māori and indigenous academics have an overriding duty of care regarding Māori tikanga processes within their research. In spite of this foremost need for authentication within Māori society, the academic university system itself is generally only concerned with ethical issues when the research involves human or animal research subjects, and within that sphere, primarily concerned with achieving compliance to specified rules and ticking the correct boxes on the right forms. For research to be properly authenticated and accepted within Māori society requires connection and engagement to its communities, participating in its maintenance and improvement, be it in the kitchen washing the dishes or otherwise, and of working constructively to solve the issues that they face.

## **2. (3) Research Assumptions**

All research is based on assumptions. An assumption is the prima facie accepting of something as true without needing to provide proof of that fact. The following assumptions are defined and framed as norms intended to guide this thesis. They are based on ontological intuition arising from a holistic and indigenous view of the world.

**Assumption 1:** Conceptions of Māori Governance must be defined from within the cultural domain of Mātauranga Māori [Māori knowledge] to maintain internal validity as a distinctly Māori concept.

**Assumption 2:** Governance is a fundamental pan-human concept.

**Assumption 3:** Governance is a fundamental pan-historical concept.

## **2. (4) Kaupapa Māori theory**

Kaupapa Māori theory developed and influenced academic research and also work practice from the 1990s onwards. Large numbers of Māori researchers have incorporated Kaupapa Māori theory into their research, despite a small number of vocal but prominent non-Māori critics of the theory. Those criticisms are engaged by a number of Māori researchers (and briefly covered in this research). The criticisms raised have not however lessened the influence of Kaupapa Māori theory on Māori research. If anything, Kaupapa Māori theory is even more prolific; used by ever-increasing numbers of Māori researchers.

There appear to be several reasons for the popularity of Kaupapa Māori theory. Royal (2006a Kaupapa Māori and Mātauranga Māori. para.1) describes Kaupapa Māori theory generally as, “any particular plan of action created by Māori, expressing Māori aspirations and expressing certain Māori values and principles and values. Kaupapa Māori theory provides an alignment of personal and cultural values to research that other non-Māori

theories in comparison may lack. Many non-Māori academic theories explain human behaviour through isolating the researcher and the behaviour from the overall schema of human existence. This method of segregating and abstracting portions of human existence inevitably results and reflects a tendency towards simplistic, reductionalist and essentialist conceptual frameworks. Scaling back to the complex lived realities of human existence subsequently proves difficult. Furthermore, abstraction and theorising human existence to the point of impracticality ultimately serves no purpose other than to the researcher, an overly narrow and ultimately self-serving research endeavour.

A further explanation of the popularity of Kaupapa Māori theory arises in the opportunities for Māori researchers to engage cultural values and knowledge which maintain cultural identity in a manner similar to Emery (2008) or alternatively to re-establish them within the researcher themselves, their whānau, hapū, iwi and their communities. This is especially apparent in the writings where the research represents a dual journey of awakening of identity and transformative change, such as with Bishop (1996). There is a reclaiming and relearning of previously suppressed identity and culture. This research is similar in that it has resulted in many periods of nohopuku [contemplation], personal learning and growth. This is not something which just Māori researcher's experience however. Non-Māori academics who engage Māori culture are also equally challenged to better understand themselves and resultantly become "transformed", as was the case with Reilly (1996).

A third reason popularising Kaupapa Māori theory lies in the utility of the theory. The theory is not limited in application by the type of research undertaken. Whether it is research in the social sciences such as management and organisation studies research of Muru-Lanning (2010) and Ruwhiu (2009) the education research of Smith (2003) or the natural sciences research of Cheung (2008). Kaupapa Māori theory is applied to wide areas of study. Few academic theories contain such potential for application, indicating its perceived utility. Royal, provides one further reason, stating that this type of theory has been popular with Māori since the 19<sup>th</sup> century as a way of differentiating "Māori values, principles and plans for action from those held by non-Māori" (para. 2). The theory therefore acts as a platform for voicing and communication of a distinctly Māori opinion, as seen in Awatere (2008). The overall message given by researchers who use Kaupapa Māori theory is that there is a distinct Māori voice, it is guided by distinctly Māori values and that it has not been subsumed into the negating cultural elements of colonisation and globalisation.

## **2. (4)(a) The history and development of Kaupapa Māori theory**

According to Walker, Eketone & Gibbs (2006),

**Kaupapa Māori research developed as part of a broader movement by Māori to question westernized notions of knowledge, culture, and research. Kaupapa Māori research has been used as both a form of resistance and a methodological strategy, wherein research is conceived, developed, and carried out by Māori, and the end outcome is to benefit Māori. (p. 331)**

Pihama, Cram & Walker (2002) traces the development of Kaupapa Māori theory from the raised political consciousness of the 1970s through to cultural revitalisation activities in the 80s. This increased consciousness is linked back to the politicisation and activism arising from the American civil rights movement and Vietnam War in the 1960s and early 70s, where questions of equality, rights, freedom of speech and the role of the state, were being asked. Several key events in 1970s New Zealand brought Māori issues into the collective awareness of New Zealand. The first was the land march from Northland to Wellington lead by the then 80 year old Kaumātua [elder] (later to become Dame) Whina Cooper in 1975, and the land occupation of Takaparawha [Bastion Point, Auckland] by the Ngāti Whātua tribe in 1977-8 and its subsequent breaking up by authorities. Both events were subject to considerable media attention, broadcast via television into New Zealand households, similar to how the Vietnam War was shown through television in the previous decade. It is also has been subsequently repeated in the world through the internet, enabling knowledge and information transfer for movements in the 21st century.

The land march and occupation of Takaparawha garnered new levels of sympathy and support from the non-Māori community, and involved a kaupapa [agenda] that Māori, expressing concerns regarding unresolved land and sovereignty issues, were keen to support. Subsequently, the 1980s saw the birth of the Kōhanga Reo [language nest] movement to teach the Māori language to young children because of the perceived decline of numbers of native speakers. Other events included the South African Springboks rugby tour to New Zealand and also the extension of the powers of the Waitangi Tribunal through the passing of the ("Treaty of Waitangi Amendment Act," 1985). These events provided the formative conditions for Kaupapa Māori theory.

Pihama, Smith Taki & Lee (2004) have summed up the focus of Kaupapa Māori theory as resistance and empowerment. This mirrors the ideology behind the events of the preceding period. Māori expressed resistance and opposition towards state indifference to land claims and discrimination and agitated for greater empowerment to Māori society. Thus, the goals of Kaupapa Māori theory according to Smith (1999), are of political action aimed at decolonisation, upholding the Treaty of Waitangi and as a research methodology.

Before Kaupapa Māori, the term Taha Māori [lit. Māori side] was used, having come out of the education arena (Sissons, 1993) in the 1980s. Before Taha Māori, the term Māoritanga was used.<sup>15</sup> <sup>16</sup> Whilst Kaupapa Māori is a relatively modern expression connected with

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<sup>15</sup>Sir Apirana Ngata defined Māoritanga as “an emphasis on such Māori characteristics and such features of Māori culture as present day circumstances will permit, the inculcation of pride in Māori history and traditions, the retention so far as possible of old ceremonial, the continuous attempt to interpret the Māori point of view to the Pākehā in power” (Ngata, 1940, pp. 176-177).

<sup>16</sup> The term “Māoritanga” is widely attributed to Sir James Carroll, He used it at a speech in 1920 in Te Kuiti urging the audience to “hold fast to your Māoritanga”. However according to the Te Matahauriki Institute,

themes of resistance and emancipation, there has been a continuous statement by Māori highlighting the importance of Māori culture, language, land and taonga [things highly prized by Māori] to Māori and a need to have balance restored.

The main interest in Kaupapa Māori theory within this thesis is its utility as a methodology to enable distinctly Māori thought. This does not mean to enable control or power over research in the non-Māori connotations of those words per se, but rather the placing of the research within an accepted cultural medium, leading to outcomes that benefit Māori hapori, iwi, hapū and whānau. Kaupapa Māori theory is “legitimated from within the Māori community because it is based on historical precedence of culturally constituted validation processes.” (Bishop, 1996, p. 13). This has always existed for Māori, only the term, Kaupapa Māori and the forum, is new.

The theory has collectivistic outcomes and challenges the basis of individualistic research. The benefits of research that may accrue to the researcher are secondary in importance. In contrast, academic research on indigenous peoples historically as previously noted has often primarily benefitted the researcher, with outcomes towards the research subject being secondary in importance, if of any importance at all. This type of research ignores research methods that maintain, respect and enhance the mana of the research subject.

Eketone (2008) refers to Kaupapa Māori theory being connected to two main theoretical streams; Marxist/Socialist based Critical Theory and Constructivism (Native Theory). The Marxist/Socialist Critical Theory stream aligns with the works of Friere and his views on dialogue and oppressed classes in education and society (Bishop, 2005b), Gramsci and his concept of hegemony (G. H. Smith, 1997) and Foucault with his work on power and knowledge “seeking to challenge and transform oppressive structures” (Eketone, 2008, p. 1). Constructivism is “concerned with social construction and validation of knowledge” (Ratima, 2008, p. 1). Smith, acknowledges alignment with critical theory in areas of conscientiation through deconstruction of hegemonic force, resistance through reaction and pro-action and through reflective change (praxis) (G. H. Smith, 2003).

Kaupapa Māori theory is an approach to privilege indigenous voice within an academic system that has historically done the opposite. Definitions of knowledge have excluded indigenous understanding and worldview. Some see this as a clash between positivism and post-modernism (Thomas, 2001), others a shift from the legacy of colonialism to a new post-colonial order. For others still it reflects the opposition to Māori centred knowledge within academia, such that “...only science has a place in the work of a university.” (Rata, 2007, p. 38)

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the word was being used 10 years earlier at a hui, (also held in Te Kuiti), and has been identified as far back as 1844 (Te Mātāhauariki Research Institute & University of Waikato. School of Law, 2000).

Rata is a staunch Pākehā academic critic of Māori culturally centred research, accusing it of being racist, antidemocratic and with antecedents in Nazi ideology (2008, p. 3). Rata implies that Māori knowledge is not real knowledge, that Māori in academia practice ethnocentrism (Rata, 2005), cultural relativism and of practicing cultural determinism that attempts to silence critical enquiry by those not of their ethnic origin (Rata, 2007). Rata's works represent resistance and denial of non-western knowledge. However, a criticism of they type of research proposed by Rata is that "Science and technology produce 'know how' but is nothing without 'know why' – a means without an end, a mere potentiality. The real problem is to turn the potential into reality in order to achieve authentic existence." (Marsden, 1989, p. 5). Marsden presents a compelling argument to bring the debate back into the practicalities of life rather than the impractical abstract theorising of academia.

The notions of science and its place as the foundation of knowledge have been increasingly questioned both externally and internally. Kauffman, a scientific theoretical biologist states that "Science is not, as Galileo claimed, the only pathway to truth.", (Kauffman, 2008, p. xii). Additionally,

**For too long western philosophy has occupied center stage, and has maintained itself there, in part, by proposing a dichotomous relationship of the privileged western "progressive" self to the "backward" (Other) perspective of non-western, indigenous knowledge systems. (Wilmer, 1999, p. 1).**

Rata's privileging of western scientific based knowledge resists and questions the legitimacy of Māori epistemologies whilst existing western epistemologies are seen as a given because they are ingrained and deemed integral to the academic system and society. Kaupapa Māori theory is perceived to have negative views towards scientific rationality by writers such as Rata. However, Kaupapa Māori theory is critical of scientific rationality only to the extent that it denies and suppresses alternative ways of knowing and being, such as that based in Māori culture.

This type of claim, helped define the reasoning as to why Kaupapa Māori, which synthesised in Māori educational departments and institutions (Paki, 2007), in fact, exists. The formation of Kaupapa Māori theory helped create an intellectual space, where Māori theoretical and conceptual knowledge approaches are facilitated and intellectual power structures balanced. It is not intellectual power enabled in a dominant or hegemonic sense but instead existentially founded within Māori cultural understanding and practice (Bishop, 1996). It ultimately is about tino-rangatiratanga [self-determination] and destiny through spiritual and conceptual guidance from the past, "Pākehā researchers have failed to recognise the existence of cultural differences, and assumed that the Pākehā way of doing things is a universal norm." (R. Jones, Crengle, & McCreanor, 2006, p. 61).

In terms of the theoretical framework that Kaupapa Māori encapsulates, several researchers have promoted what they see as inherent principles of Kaupapa Māori research. Smith (2003), refers to the following principles,



- 1) **The Principle of self-determination or relative autonomy**
- 2) **The Principle of validating and legitimating cultural aspirations and identity**
- 3) **The Principle of incorporating culturally preferred pedagogy**
- 4) **The Principle of mediating socio-economic and home difficulties**
- 5) **The Principle of incorporating cultural structures**
- 6) **The Principle of a shared and collective vision / philosophy (pp. 8-11)**

These principles resonate with Māori researchers who use Kaupapa Māori theory. They point to a holistic collective approach to research rather than as an individualistic activity; the ability to enable their lived culture within their research. In addition to the principles above, other researchers have attempted to identify important aspects of culture. The following is a list of values regarding Māori tourism, based on Smiths classification as well and other sources,

- 1) **Wairuatanga [Spirituality]**
- 2) **Whānaungatanga [Kinship]**
- 3) **Ngā Matatini Māori [Māori diversity]**
- 4) **Kaitiakitanga [Guardianship]**
- 5) **Manākitanga [Hospitality]**
- 6) **Tino Rangatiratanga [Sovereignty]**
- 7) **Kotahitanga [Unity]**
- 8) **Tūhono [Alignment]**
- 9) **Pūrotu [Transparency] (Zygadlo, McIntosh, Matunga, Fairweather, & Simmons, 2003, p. 23)**

Zygadlo et al (2003) also contemplate the term Ngā Matatini Māori [Māori Diversity], as a cultural value. A literal translation of this term is “The many faces of Māori”. This highlights the extant diversity within Māori society, providing a cautionary note that Māori society is complex and textured, not singular. Continual attempts to lump Māori into singular notional groups are highlighted where “ethnicity has replaced traditional whakapapa” (Carter, 2003, p. 6). Humans tend to view in terms of binary (opposite) relationships (L. T. Smith, 1999) and western scholarship seeks to define by classification, separation and demarcation. Contrarily, Māori culture defines by inclusion rather than by separation and reductionism. Kaupapa Māori theory therefore provides a more relevant methodology better aligned to lived reality.

## **2. (4)(b) The content and context of Kaupapa Māori theory in this research**

Kaupapa Māori theory is often used as a tool enabling critical analysis, resistance and emancipation to enable positive outcomes for Māori. However, whilst its utility to help facilitate positive change for Māori should not be undervalued, its usage for emancipative reasons should logically decrease over time as imbalances reduce. Māori are however a long way from being in that position. In this thesis, Kaupapa Māori theory methodology is not purposely used to create resistance, provide critical analysis of a hegemonic other, or even to privilege indigenous voice. This is because doing so acknowledges a conflicting, opposing and antagonistic relationship with a significant other that does not adequately reflect the complex interlinked nature of actual lived relationships. Furthermore, the use of

the word “privileging” draws us into the very dialectic binary dichotomies disparaged in this thesis. The question of the form of methodology for this research becomes thus a vexing question.

Kaupapa Māori theory is therefore used in this research to enable a naturalistic state, allowing focus on the connective nature of whakapapa and development of understanding. This stance may represent a slight shift from how others have used Kaupapa Māori theory previously. Ideas in this thesis are as much as possible, expressed in considered, natural and respectful ways, actively acknowledging the basis on which this research is undertaken.

Through engaging whakapapa, relationships cease to be viewed as simple, binary and linear, instead transforming into complex, layered and fundamentally interconnected mechanisms enabling active interaction within theoretical and practical space. The conceptual entity that is the significant hegemonic other disappears and transforms, entering into a larger connecting space which actively acknowledges and respects the whakapapa and mana of everyone and thing within it. Inter and intra-relationships are considered and vitally important within the overarching schema of fundamental interconnection that is whakapapa. Significantly, whakapapa does not ignore or subjugate history or conflict. It furthermore also acknowledges and fully reflects any divergent viewpoints.

## **2. (4)(c) Mātauranga Māori**

Nepe (1991) locates Mātauranga Māori in the metaphysical world, distinct to Māori, and differentiated from other knowledge through the way Māori conceptualize and understand relationships such as the past, present and future, the dead and the living. Breaking down these thoughts the metaphysical world, refers to the nature of human belief that deals with the principles of knowing, existence and being (Marsden, 1989) in order to understand the “ultimate reality” (p. 11). Māori view the universe as process, interconnected and “bound together by spirit.”, (p. 9).

Those principles are encapsulated in creation stories that describe a Māori perspective on the origins of life. An example of this perspective is contained within the following karakia [prayer] which describes how Ngāi Tahu is connected to the land that is Te Wai Pounamu

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<sup>17</sup> This Karakia refers to Tū te Rakiwhānoa. This demigod is noted as being from Waitaha tribal traditions, not Ngāti Māmoe nor Ngāi Tahu and is further reflective of how the collective body known as Ngāi Tahu is based on the whakapapa of the earliest inhabitants to the South Island and from which all Ngāi Tahu claim descent and mana whenua status, even though notably they are not specifically mentioned in section 2 of the ("Te Runanga o Ngai Tahu Act," 1996) which describes the meaning of Ngāi Tahu.

<sup>18</sup> Note that the Ngāi Tahu version of creation differs to other tribes in that Rakinui's (Ranginui in the North Island dialect) first liaison is with Pohārua ō te Pō and from which children included Aoraki, Rakiroa, Rāraki and Rārakiroa, which thus makes Papatūānuku the mother in law of Aoraki.

**Nā te Ao, ko te Ao Tūroa.  
Tana ko te Ao Mārama  
Nā te Kore  
Tana ko te Kore te Whiwhia.  
Tana ko te Kore te Kerekere  
Tana ko Kore te Tāmaūa.  
Tana ko Mākū.  
Ka moe ia i a Mahoranūiatea,  
Ko te Raki  
Ka moe a Raki i a Pohārua o te Pō  
Ko Aoraki me Rakamaomao tāna a Tāwhirimātea  
Ka Tū te Rakiwhānoa  
Uira ki te Mahaanui a Māui  
Ko te Ao Takata  
Tihei Mauri Ora<sup>19</sup>**

**From the first glimmer of light  
Emerged the long standing light until light stood in all quarters  
Encompassing all was a womb of emptiness, an intangible void intense in its search for  
procreation until it reached its ultimate boundaries and became a parentless void with the  
potential for life  
Thus moisture emerged and coupled with Mahoranui ā Tea  
A cloud that grew from the dawn  
From this union came the heavens, who coupled with Pohārua te Pō  
The breath of life found in the womb of darkness  
The first child was Aoraki  
Who stands as the supreme mountain of Ngāi Tahu and Rakamaomao, source of the southern  
winds  
Rakamaomao begat Tāwhirimātea, parent of the winds and then it was that Tū te Rakiwhānoa  
emerged and made the Southern Islands fit for habitation  
Thus lightning flashes to the Canoe of Māui and to the world of humankind  
It is the breath of life and I stand alive! (Office of Treaty Settlements & Te Rūnanga o Ngāi  
Tahu, 1997, pp. 1-3)**

The karakia provides a condensed version of the creation stories of the emergence of light from darkness and the eventual emergence of primal ātua [gods]. The karakia then moves to the most revered and prominent physical feature of Te Wai Pounamu for Ngāi Tahu, the mountain Aoraki [Mt Cook]. Rakamaomao is important in this story because Rakamaomao is the ātua who turned Aoraki and his brothers to stone whilst they were attempting to get back to the heavens. The karakia then connects to the stories of the Waitaha god Tū Te Rakiwhānoa, whose work is still seen in the physical features of Te Wai Pounamu today. An example of which is the holes made from raking the South Island whilst making the land habitable for humans. From these holes emerged water springs that are still a part of the landscape today. The Karakia then moves through to the eventual arrival and presence of Ira Tangata [mortal humans] on the landscape.

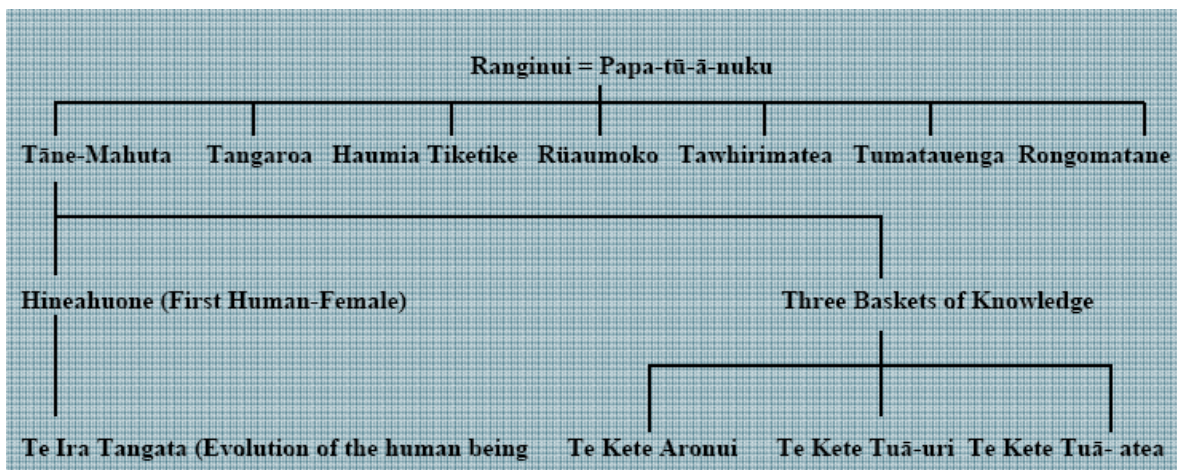
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<sup>19</sup> This piece was used as an opening Karakia [prayer] in Ngāi Tahu's 1997 Deed of Settlement document. It is a creation story of how the universe and humanity came into being.

Within these stories that are touched on above are fundamental concepts such as tapu [sacredness] and noa [normalcy], wairuatanga [spirituality], take taunaha [discovery and naming of the land] and whakapapa, to name but a few. The most essential element of the karakia is that of the whakapapa contained within it. It underpins the whole karakia because it links the elements together and provides continuity connecting the past to the present and to which connecting narratives can be expressed. A Māori worldview acknowledges the innate being of all things, as expressed through the metaphysical concept of Mauri [life force]. All living things possess Mauri, existence and health depends on it (Marsden, Henare, & New Zealand. Ministry for the Environment., 1992). Mauri is diminished or enhanced through various human and non-human actions. By understanding whakapapa relationships, it is possible to monitor and take actions that maintain the balance of Mauri in the person or object.

A further example of this is the story reflecting the whakapapa described in Figure 1, below. Knowledge was obtained by the actions of Tāne Mahuta [God of the Forest]. He was the God who separated his parents from their all-encompassing embrace. Tāne Mahuta and his siblings were unable to grow due to the darkness created by their parents embrace. Only on separating his parents, did it enable light to enter the domain where their children dwelt, allowing them to grow. Tāne Mahuta then later obtained the three baskets of knowledge for humans after ascending through the various stages of heaven to the highest heaven to retrieve them. The relationships are illustrated through that whakapapa.

Figure 2: Whakapapa of Ranginui and Papatūānuku and the three baskets of knowledge



Adopted and abridged from (Paki, 2007, p. 15)

Carter (2003), describes the three baskets as follows,

**Te Kete Aronui: Is the practical knowledge of the natural world through whakapapa pūtaiao [Genealogy to the natural world].**

**Te Kete Tūāuri: Is intuitive and perceptive knowledge through whakapapa tīpuna [Genealogy to the ancestors]**

**Te Kete Tuātea: Is the knowledge of the spiritual world from our whakapapa ātua [genealogy to the gods]. (p. 32)**

The above whakapapa indicates that from a Māori perspective, knowledge is tapu due to its origins in the metaphysical realm. Because it is sacred, it also needs to be nurtured and treasured (Marsden, et al., 1992). Thus, typically Māori learning situations begin and end with karakia. The origins of knowledge and its journey to humanity are implicitly acknowledged. Furthermore, interestingly the concept of whakapapa extends to represent relationships of literally anything to anything else. Thus, knowledge is shown as descent from Tāne Mahuta, represented on the same level as human beings. Perhaps Pahi was recognising knowledge as contemporaneous with humanity. This seemingly unassuming whakapapa points to a depth of meaning and understanding that belies its appearance on paper.

Care should be taken however not to frame Mātauranga Māori as mere historic idealised knowledge. Knowledge is contingent for survival and as such, it changes, grows and develops as circumstances and surroundings of humans change. Mātauranga Māori represents a naturalised and legitimised way of knowing, not a lesser one subjugated within a larger hierarchical theoretical linear framework based on constructs of power and control. Modern academic theory is increasingly sceptical of global systems of thought, tending towards narrative knowledge contained within storytelling over formalised knowledge systems (Lyotard, 1984, as cited in Kvale, 1996). These narrative stories, whakapapa, perceptions and understanding of the world form the basis of Māori cultural understanding of the world.

## **2. (4)(d) Distinguishing Kaupapa Māori theory and Mātauranga Māori**

Kaupapa Māori has been defined as “the Maori way or agenda, a term used to describe traditional Maori ways of doing, being and thinking, encapsulated in a Maori world view or cosmology.” (Henry & Pene, 2001, p. 235). Whilst describing Kaupapa Māori theory, what they are describing could also be taken as a description of Mātauranga Māori [Māori knowledge]. Kaupapa Māori theory is based on Māori knowledge, its values and concepts (Tangaere, 2001). However, is Kaupapa Māori theory synonymous with Mātauranga Māori?

The answer to that is according to Smith (1999) is no. Smith differentiates Kaupapa Māori theory stating this it is not exactly “the same as Māori knowledge and epistemology” (p. 188) but rather sees Kaupapa Māori theory as a “way of framing” (ibid). Smith goes on to state that Kaupapa Māori is also a way of “abstracting...reflecting...critically engaging...Māori knowledge” (ibid). Royal (2006a) further clarifies the difference, noting that Mātauranga Māori is a body of knowledge that of itself is not a cause for action, whereas Kaupapa Māori is about creation of an intellectual space for a particular ends.

Kaupapa Māori theory allows us to begin conceptualising Māori governance from a Māori perspective.

## **2. (5) The concept of Whakapapa**

Whakapapa is viewed multiplicatively. Simultaneously, researchers see whakapapa as a system (Bradford & Mere, 2002), a mechanism for transmission (Pihama, 2001), a concept (Paki, 2007), an analytical tool (J. P. H. Graham, 2009a) as well as being a value in-itself (Wenn, 2006). Smith (2000) sums up its nature in the title of his article “Nga Tini Ahuatanga o Whakapapa Korero”, which translated means “the many aspects of whakapapa discussions”. There are indeed many aspects to whakapapa.

Whilst whakapapa is used as a basis for this thesis, it is vital to acknowledge and emphasise its meaning to Māori, whakapapa is foremost a taonga tuku iho [treasure passed down (from the ancestors)] (Carter, 2003; Pihama, 2001) and steeped in tapu [sacredness]. Whakapapa is held with sanctity because it links the living world to those who have passed on, the spiritual world and connects us to a metaphysical world of the gods and to the very beginnings of life. The use of whakapapa within a research context must mirror the understanding, respect and tapu in which whakapapa is held in Māori society. Whakapapa also connects the present to the future.

Whakapapa is a framework (Edwards, 2009; Haami & New Zealand Ministry for Culture and Heritage, 2004; Te Rito, 2007) used to understand relationships within their phenomenological world. This occurs through whakapapa providing a structure that allows the relationships between objects to be portrayed into literal mind maps (M. Roberts, 2010). Roberts goes on to state that this was achieved through whakapapa acting as a mnemonic for “storage, recall and oral transmission”. When a whakapapa was recalled, it would be a skeleton which was then “clothed in flesh” (Marsden, 1989, p. 9) through the addition of supporting narratives which provided meaning to the whakapapa. This makes whakapapa a highly intuitive, flexible and intricate methodology for understanding the world.

### **2. (5)(a) What is Whakapapa?**

Whakapapa is a word that has two parts, “Whaka” [To] and “Papa” [Board or layer, Earth, Base or foundation, of Papatūānuku the mother earth god]. The layering of genealogy is one on top of the other (Te Rito, 2007). In other words, the beginning is the base layer with subsequent generations layered on top. This is opposite to western concepts of genealogy, the present generation being at the bottom, and previous generations above. In a metaphorically Māori sense, your genealogy is the foundation on which you stand. Additionally, humans stand on the whenua [land], which is Papatūānuku, from whom Māori claim descent within the creation stories. The concept of whakapapa is literally realised through our mere standing on this earth and that which the ancestors also stood on,

the symbolic and metaphoric connotations of this, further provide a strong source of identity and belonging.

Whakapapa is about identity, understanding of oneself and of connection to things around you. If you are aware of your own personal foundations, it gives you a sense of security and inner peace. The knowledge, acknowledgement and enablement of identity through whakapapa offer an understanding of how you belong to the world around you. Whether someone engages a particular cultural identity is subject to a mixture of personal circumstances and individual choice, but the potential to do so, exists endlessly, through the whakapapa that connects a person to their particular framework of cultural identity.

The Māori concept of whakapapa is not to be confused with Foucault's notions of genealogy, which attempts to deconstruct existing perceived "truth" and show the complex un-linearity of history. Although both are means to comprehend the past, whakapapa is not deconstruction of history, instead being construction of knowledge and comprehension of interconnection. Furthermore, whakapapa does not just relate to the purely historic, it has the capabilities of "movement and expansion" (Carter, 2003, p. 13). Whakapapa enables the acquisition of new knowledge (J. P. H. Graham, 2009a).

## **2. (5)(b) Particular characteristics of Whakapapa**

Some characteristics of whakapapa have been touched on, but it is now time to explore whakapapa in more detail.

### **2. (5)(b)(i) *Whakapapa as a means for survival***

Whakapapa is "a knowledge base for the survival and welfare of the group" (T. Smith, 2000, p. 53). Survival within nature requires understanding the symbiotic nature of human existence with the environment that surrounds humans. This has been termed as Traditional Ecological Knowledge (TEK). The processes of nature are complex and interconnected. Whakapapa provides a means for storage, comprehension and understanding of information through describing patterns, constants and variables that surround any one particular environmental resource. Indeed, in Williams (2004) study of the Ngāi Tahu tribes traditional resources, he posits that TEK was used by early Ngāi Tahu to actively manage resources. Whakapapa and its related narrative stories provide a folk taxonomy (M. Roberts, 2010) which indicates temporal and spatial relationships, moral guidelines and bio-physical inter-relationships. Whakapapa was a Māori TEK mechanism that enabled survival and growth in the environment of the South Island.

Roberts (2010) furthermore describes whakapapa as a mind map of the phenomenological world. This mind map being a cognitive template in which spiritual, spatial, temporal and biophysical information about a particular place (or event, or thing) is located. Whakapapa knowledge therefore provided the means for an indigenous management of resources (J. Williams, 2004). Williams posits that the Ngāi Tahu tribe, far from their historic portrayal

as mere hunter gatherers at the mercy of the environment, instead had “robust practices for the sustainable use of renewable resources” (p. 1).

Knowledge was embedded within whakapapa and expressed through mahika kai [food gathering location] management practices, based on mana whenua and mana moana [genealogical rights to land and sea and its resources]. The knowledge of mahika kai required knowledge of genealogical whakapapa rights to the area, seasonal availability, how and when the resource could be best harvested, resource preserving techniques, the division of labour required to undertake the harvesting, appropriate karakia [prayers] and management of the resource so that it did not become exhausted. Williams (2004) paints a picture highlighting that survival required a complex and comprehensive understanding of human and ecological factors, all bound by whakapapa.

## **2. (5)(b)(ii) *Whakapapa as a repository of wisdom***

To the Greeks, wisdom was a virtue. Wisdom still maintains an important place within the social fabric of what it means to be human for many peoples today. Wisdom is something that helps guide decision making and a societies’ direction. Wisdom ensures short and long-term survival through gauging the “correct” course of action, individually or collectively. For Māori, kaumātua [elders] are relied on for their wisdom and advice (Wenn, 2006). Interestingly, age alone is not seen as a key factor in obtaining wisdom by some non-Māori researchers. Indeed “Age is not, in and of itself, a variable that is valid for indexing the development of wisdom.” (R. Sternberg, 2005, p. 6). If age is not what makes a person obtain wisdom, then what does? Sternberg comments that gaining experience alone does not result in wisdom, it is instead how that experience is utilised and the ability to profit from it that determine the development of wisdom (ibid).

In contrast, for Māori, life experience does not just lie with what has been gained within any one individual’s life alone. Within Māori culture “...the importance placed on seeking guidance for future actions from the wisdom of the past deeds of ancestors and mythical heroes” (M. Roberts, et al., 2004, p. 21). Māori tap into the collective experience of past generations left through the legacy of whakapapa, in addition to personal life experience. The Māori world view is “deeply informed and influenced by...traditions relating to the origins of the world” (T. A. C. Royal, 1996, p. 5).

An important feature of whakapapa from which wisdom is derived, is its symbolic nature (Marsden, et al., 1992). This can be contrast with concepts of genealogy. The knowledge and meanings contained within the symbolic elements of whakapapa are often latent and lack meaning in isolation. They require a broader understanding of the context in which the whakapapa resides to understand the wisdom it contains. In doing so, whakapapa provides a repository not only just for knowledge necessary for short-term survival, but also acts as the place of storage for human wisdom, enabling long-term survival. Perhaps not surprisingly, the image portrayed by early ethnographers of Māori whakapapa is as historic



knowledge. Contrastingly writers such as (M. Roberts, et al., 2004; J. Williams, 2004) are clear that whakapapa is also contemporary. Indeed it "assists understanding and helps identify values which underpin transformations occurring within the contemporary context." (T. Smith, 2000, p. 53)

Whakapapa is contemporarily engaged and used for survival by Māori. It is not just to remember "history". Roberts et al (2004), in discussing scientific genetic modification and Māori, gives an insight into how the wisdom contained within the concept of whakapapa is actually engaged. Whilst these may seem disparate subjects, genetic modification is essentially a whakapapa discussion as effectively this is talking about the mixing of genes from different species. An important point regarding whakapapa is that,

**Traditional narratives include among their several functions, that of imparting moral rules or guidance...while science purports to be value free, indigenous knowledge systems, being rich in narratives, are deliberately value laden. That is, in addition to providing knowledge about the world, they also seek to provide moral rules and ethical guidelines that dictate proper conduct towards one another and one's environment. (M. Roberts, 1998, pp. 66-67).**

Whakapapa gives clues to potential positions on issues such as genetic modification through precedent, similarity and other features noted in the whakapapa. It can provide moral guidance on an issue, something that scientific taxonomy alone is unable to achieve.

## ***2. (5)(b)(iii) Whakapapa as a mechanism for understanding self***

"Our whakapapa is our identity. It makes us unique and binds us through the plait of the generations – from the ātua to the whenua of Te Waipounamu." (Te Rūnanga o Ngāi Tahu, 2002, p. 4). Whakapapa is a powerful tool for understanding yourself. Royal (1996) expresses how we are literally whakapapa, "The individual...is the contemporary, physical world expression of their whakapapa." (p. 3).

Through understanding whakapapa, you receive insight into your identity as a person. Alex Nathan, Kaumatua in the Te Roroa Report (WAI 038,6.2, 1992), as cited in Carter (2003) gives an example of how whakapapa links history with personal identity,

**The physical presence recalls the name. The name recalls the event. The event recalls the whakapapa. The whakapapa recalls the connection between things past and things present. The connection between things past and things present is the element, which gives....pride and identity (p. 13)**

Tipuna (2007) thus regards whakapapa as essential to a "Māori world-view of identity, time and place" (p. 8). In addition to understanding ones identity, Cultural identity is strongly linked to wellbeing (Edwards, 2009). The connection between whakapapa and wellbeing is through the security of knowing who you are, which gives you the strength to negotiate difficult periods in life (p. 27). Wenn (2006) interviewed 40 kaumātua on what values were integral to hauora [health], and noted whakapapa as being one of the most commonly

identified values. Having a strong web of interconnection provides opportunities to be physical active and support if you become unwell. Whānau are viewed “as the basis of Māori wellbeing and therefore were seen as an integral part of any person’s treatment” (Kiro, 2001, pp. 324-325).

Again, whakapapa is also seen by Kaumātua to both “contain ones history and future” (Wenn, 2006, p. 160). Whilst initially this may appear paradoxical, on closer inspection it is quite a logical statement. If human life is viewed in terms of a path-dependence methodology, their future is guided by what has happened in their history. Therefore, if someone is born with Ngāi Tahu whakapapa, they are guided and influenced by the accumulated history and understanding of Ngāi Tahu history, what it represents and of understanding their place within this whakapapa.

Thus, Ngāi Tahu whakapapa links them in various degrees to Rapuwai, Waitaha, Māmoë and Tahu lineages and for others to Wairaki on the West Coast as well. Whakapapa links them to the non-Māori early sealers, whalers and seafarer’s, adventurous, brave and tough people from the British Isles, Europe, French Polynesia, the Mediterranean, the Americas and Australia. In addition, it links them to the early migrants seeking a better life in New Zealand. It connects them to physical landscapes, places and events in both the South and North Island, back to all places where their ancestors originated from. Thus, no matter where a person may reside, whakapapa provides an anchor for them where ever they may go and supports them in their endeavours.

## **2. (5)(c) Methods of expressing Whakapapa**

Whakapapa is expressed principally in two different ways, orally or through physical objects, both man-made and natural. Orally, whakapapa was expressed through whai kōrero [oratory], whakapapa kōrero [whakapapa discussions] in a variety of situations such as traditional whare wānanga and in waiata. In terms of physical representation, methods such as whakairo [carving], mahi tauira [weaving], tāmoko [tattooing] (Haami & New Zealand Ministry for Culture and Heritage, 2004) are prominent. Whakapapa is expressed through specific hapū and tribal whakapapa hui [gatherings], family gatherings and reunions. Whilst the methodology for communication might differ, the underlying embodied messages remain the same.

### **2. (5)(c)(i) Oral methods of Whakapapa expression**

There are a number of techniques and ways of portrayal employed to describe and explain aspects of a whakapapa and descent. The following list is compiled and adapted from (Te Rito, 2007), (Ngata, 1972), (Ngata, Buck, Sorrenson, Alexander Turnbull Library Endowment Trust., & New Zealand Māori Purposes Fund Board., 1986), (Haami & New Zealand Ministry for Culture and Heritage, 2004) and (Hirini M; Mead, 2003) amongst others, and are listed as follows,

**Aho Ariki:** Senior chiefly line of descent.

**Aho Wāhine:** Female lines of descent.

**Karapitipiti:** Shows grandparents, siblings, children and parents.

**Tāhū:** Sets out the main lines connecting the main ancestors of a tribe from which one descends.

**Tātai Hikohiko:** Condensing recital to more illustrious ancestors in an ancestral line and skipping others.

**Taotahi:** Stating single lines without those of their wives or husbands.

**Tararere:** A single decent line from an ancestor, excluding intermarriages and other kin on the line.

**Ure Tū/Ure Tārewa:** Stating male lines of descent.

**Whakapiri:** Stating common sources of connection.

**Whakamoe:** Marriages included on the lines of descent

These various techniques could be used to express whakapapa relating to a particular type of whakapapa kōrero or for various means such as,

**Kōrero Pūtake:** Whakapapa of origins (pre canoe migrations to Aotearoa)

**Kōrero Whakawhānaungatanga:** Whakapapa relating to family connections

The key idea regarding these various techniques is not simply that there are multiple ways to highlight whakapapa; but that whakapapa is not limited to just lineal descent patterns as understood within the non-Māori understanding of the word genealogy (C. W. I. T. R. Smith, 2000). The method used fits with the context and reason for the occasion, highlighting the contingent and flexible nature of whakapapa.<sup>20</sup>

This nature can give rise to dispute and controversy through varying interpretations of a particular event, history or whakapapa. This was evidenced by land court hearings in the 1800s, which put differing versions of whakapapa and narrative into an adversarial and

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<sup>20</sup> I have on several occasions been introduced to other Ngāi Tahu people at tribal hui by Dr Terry Ryan MBE (an acknowledged whakapapa expert both by Māori and non-Māori alike). For each person that I was introduced to, the whakapapa given by Dr Ryan regarding who I descended from differed. This was because the whakapapa being used, was that which connected me to the person I was being introduced to. This method of sharing connection, called whakapiri, is at the same time both extremely powerful and emotionally deep.

non-Māori validation and judgement process. Head (2006) highlights how on occasions whakapapa in this environment, was purposely manipulated to achieve certain outcomes. Despite this, in general terms the validity of whakapapa from the viewpoint of the holder of that whakapapa represents reality, as they understand it. If knowledge and experiences differ then alternative interpretations and truths may arise. Diversity is acknowledged through the debate surrounding the various interpretations of how particular tīpuna or elements within the whakapapa are connected. These debates cannot then be reduced to singular right or wrong answers. Instead, they represent an on-going dynamic within which identity is framed and understood.

At an individual level, a simple question like “who are you” when asked in a Māori context has “more profound levels of meaning” (Reilly, 1996, p. 390) than just asking for your name. The question can elicit substantially different answers from Māori depending on who is asking the question and the context in which the question is asked. Answers can differ significantly depending on circumstance and occasion. Reasons for this are numerous.

Firstly, there is a significant tapu (sacred) element to whakapapa and given only to someone trusted to receive it. Such is the case for Ngāi Tahu with Dr Terry Ryan MBE being handpicked by tribal elders (Turei, 2005), to work on updating whakapapa records held by the tribe. He is also the recipient of tuku whenua [gifting of land] by a senior kaumātua within Ngāi Tahu, Riki Te Mairaki Ellison, to validate his status within Ngāi Tahu as someone who holds equivalent status as if they were in fact a tribal member.<sup>21</sup>

Secondly, a person stating whakapapa may intentionally focus on whakapapa to highlight their relationship to the person asking the question (being the whakapiri method as noted earlier). A different questioner could elicit a completely different response. These are by no means an exclusive list of reasons, but instead further highlight that whakapapa is important and used in dynamic and contingent ways by Māori. Durie (2003a) describes this Māori concept through the term tūhonohono. This is a search for the commonality between things and events in order to identify associations and create relationships.

## **2. (5)(c)(ii) *Whakapapa expressed through physical objects***

Whakairo carving represents a key media for representation of whakapapa. Most marae [meeting houses] contain multiple carvings representing important ancestors, stories and events. Over history, carvings have developed, becoming more ornate; however, the symbolism remains the same. Whakairo is not just restricted to Māori ancestors. Many marae may also have Pākehā ancestors or those who were important in an areas' history, such as Otāwhao marae in Te Awamutu, which has a carved poupou [post] of General

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<sup>21</sup> These acts give a person the mana and sanction to allow them to live and work within a tribal territory and in Dr Ryans case, to deal with something of great tapu [sacredness] for Ngāi Tahu.

Cameron. He fought battles against Māori across the North Island and was involved in the invasion of the Waikato and the nearby siege of Orākau in 1864.

Additionally, seemingly plain objects can also represent whakapapa, such as the uncarved poupou in the Te Kotahitanga Marae at the Unitec Institute of Technology, Auckland. This piece symbolically represents the whakapapa of the wood used in the marae carvings and of the whenua [land] where the wood came from. Other forms of physically represented whakapapa include the prolific rock art paintings in the South Island. Although the stories of many of the paintings are yet not fully understood, meanings and representation have been correlated to particular whakapapa kōrero for a number of them. Some of the most famous of the rock art pictures are those of bird figures, which relate to Pouākai [birdman] kōrero narratives.

Natural objects similarly can be imbued with multiple layers of whakapapa, hidden to the naked eye. An example of this is the sacred rock Te Rongomai ō Te Karaka located in the Waitomo area of the King Country district of the North Island. Notably it was blown up to make way for a small hydroelectric scheme in 2010 (Holoway, 2010). Unfortunately, because there is no physical representation of the whakapapa on the physical object, such as memorial plates or being directly inscribed with names, it was viewed by many unsympathetic to issue as “just a rock” stopping progress. Those same people would assumably be aghast if it was an engraved concrete memorial plaque with their family ancestor’s names on it, blown up. Then to rub salt into the wound, to have to endure seeing the demolition explosion cheered and celebrated on site by the companies involved. All this for the sake of a few extra megawatts of electricity into the local power supply...

## **2. (5)(d) Storage of Whakapapa**

There is an array of technology for recording and storing whakapapa additional to memory. One major culturally non-Māori technology introduced to Māori during colonisation was that of printing of writing. Māori were quick to take up the new technology of writing (Haami & New Zealand Ministry for Culture and Heritage, 2004). A result of various governmental land claim commissions, laws enabling individualisation of land title and legal proceedings regarding the loss of land, resulted in whakapapa being recorded in written form. The encroachment of colonisation also resulted in the extensive recording of whakapapa for posterity.

Within modern tribal structures, the formalise Māori tribal organisation is created within a legal format that usually prescribes the need for a “register of members” to be kept. This is a list of those who whakapapa to specific identified tribal ancestors. Given the size of some tribal entities, this can result in there being tens of thousands of members. Organisational structures usually use electronic databases to record and store member information and many hapū and iwi such as Ngāi Tahu, keep records that include whakapapa for those members, on computer, in addition to paper records. There are two motivations for this information, a statutory motivation and a communications motivation that “serves the

purposes of both tikanga-kāwanatanga (e.g. registered membership of an incorporated society) and tikanga-a-iwi (e.g. information dissemination).”, (Tomlins-Jahnke, 2005, p. 108).

In order to have a “correct” list of “members”, there are usually formal processes for checking registration applications, signed off by someone with significant experience and expertise in tribal whakapapa. Interestingly, eligibility to register can vary significantly between tribes. In Ngāi Tahu’s case, it is based on descent from those listed in the document known as the “Blue Book”, as set out in Section 7 of the (“Te Runanga o Ngai Tahu Act,” 1996) being,

**members of Ngai Tahu iwi living in the year 1848, whose names are set out in the list appearing at pages 92 to 131 (both inclusive) of the book containing the minutes of the proceedings and findings of a committee (commonly known as the Ngaitahu Census Committee) appointed in the year 1929, the book being that lodged in the office of the Registrar of the Maori Land Court at Christchurch and marked “Ngaitahu Census Committee Minutes 1929”**

Some issues arise from the storage of whakapapa information within corporate databases. These include the ease with which records can be entered or altered; potentially without the knowledge of descendants concerned. In addition, there are issues surrounding how tribal organisations “manage” whakapapa. Traditional mechanisms for ensuring robustness of whakapapa are hindered within legal-bureaucratic organisational structures that are highly subject to the whims of those who control the organisational structures.

With the use of recording whakapapa for membership purposes, whakapapa is transformed from whakapapa into a non-Māori concept, “membership”, with resulting implications. Indeed Ngāi Tahu variously calls the department that deals with whakapapa and registration, “Tribal Services” and “Membership Services”. Previously it was internally and externally known as the “Whakapapa Unit” and is still called that today by its tribal members. Concern about the effects of corporatisation on whakapapa are noted by Carter (2003). Kelly (2002), on the other hand posits, “The management of the whakapapa by the contemporary leadership - Te Rūnanga o Ngāi Tahu - constitutes the adhesive that holds together the individual members”. This comment can be criticised on a number of levels, primarily because it reduces whakapapa to a mere tool enabling administration and management of tribal members, stripping away any wairua [spirituality] and tapu [sacredness] of the whakapapa. Contrastingly, Carter (2003) and her earlier master’s thesis Waymouth (1998), view whakapapa as the primary cohesive basis for the whānau, hapū and iwi that make up Ngāi Tahu, being imbued with tapu and wairua.

A further increasingly popular source of recording whakapapa is for individuals to record it in genealogical databases available over the internet. This similarly poses issues in terms of validation and also of ease of access to information by non-descendants of the particular whakapapa. Further issues raised revolve around the reduction of whakapapa to mere data and names, what this does to the tapu nature of whakapapa. Royal (1996) raises concerns in

this area, that “technology is seen as history, not humans” (p. 1). Furthermore, without the corresponding layers of narrative, whakapapa become just lists of names to which there is little emotional attachment.

## **Wāhanga Tuatoru: Mātātuhi Arotakenga - Chapter 3 - Literature Review**

In this section, the governance literature from various perspectives, non-Māori, Māori and indigenous are reviewed.

### **3. (1) Non indigenous governance**

Non-indigenous writings make up by far the overwhelming majority of the available literature on governance. Diversity of opinion is inevitable. Carver (2010) proposes that governance is a social construct rather than a natural phenomenon. On the other hand, Turnbull (2008) noting the work of Wiener (1948), infers instead that governance is a science, best based on biological frameworks found in nature. One thing is not in doubt; the overwhelming majority of governance literature has been written in the period from the late 1980s onwards, making governance a relatively recent addition to academic theory in comparison with other theories. It is pertinent for us to now delve into governance in more detail.

#### **3. (1)(a) Definition and scope of non-indigenous governance**

Governance is a multi-disciplinary topic. It is researched in academic fields such as Political Science (Rhodes, 2007), Economics (Williamson, 2005), Law (Bebchuk & Hamdani, 2009), Business History (Toms & Wright, 2002) and Sociology (Fox & Ward, 2008) as well as being a sub-disciplinary field in its own right under various monikers such as “Governance Studies”, “Corporate Governance” and “Global Governance Studies”. Governance is also the subject of significant cross-disciplinary governance research, such as (Kooiman, 2003; Paquet, 2009). In fact, almost any field you could care to name now engages the term governance, giving rise to numerous and multiple conceptions, definitions, models, modes, theories and interpretations of governance. Schneider & Bauer (2007) believe the concept has become overextended, being used as a blanket term for things previously described using different terminology.

Indeed, Robichau (2011), in discussing corporate governance incurs that researchers attempts at refining governance knowledge merely serves to “reinforce disagreement” and “undermine theoretical advances” (p. 116). Perhaps most intriguing as Bevir (2010) describes it, is the absolute ubiquitous nature of governance; it now being a key concept in many disciplines (Jose, 2009). Despite this, the only thing that theorists unanimously agree on is that there is a lack of agreement on anything regarding governance. A pertinent question regarding Bevir’s observation is why has governance become so widespread in academia and organizational practice?

Pierre & Peters (2000) surmise that its popularity is due to the concepts capacity to cover a range of institutions and processes involved in governing. Governance is considered a



wider concept than that of government (Leftwich, 1994). Paradoxically, it is the perceived broad utility and usability of the concept that allows the extensive theorising and resultant diversity theorists simultaneously bemoan; that makes it so popular. Kooiman (2003) poses that governance is a societal response to increasing societal diversity, dynamics and complexity, where governance is seen as a shared responsibility of public and private actors and not just solely a governmental activity, as understood historically.

Given this increased complexity, accordingly the concept needs to be broad, dynamic and flexible enough to incorporate new methods, models, theories and modes of governance, as well as those not yet created, developing or not yet well understood. Governance can be seen as a metaphor the increasing perceived complexity and interconnection of human society. The concept of governance according to theorists such as (Bevir, 2009; Erturk, Froud, Johal, & Williams, 2004; Rhodes, 2007) represents new and different types of governing, as opposed to governance through traditional state bureaucratic and administrative structure and process. According to Bevir (2009), interest in governance has arisen in conjunction with late 20<sup>th</sup> century changes to the state, resulting from neoliberal policy reforms of the 1980s.

These policy reforms located in Anglo-American countries promoted minimalisation of the state, market and support for welfare reform. This phenomenon is also known alternatively through the term “New Public Management”. Reforms were in no small part due to the influence of neoclassical economic thinking by economists such as Alan Greenspan and Milton Friedman in the US, who influenced their governments’ rationale on free market policies. Their economic views are further sourced in the classical economics of Adam Smith (1776). Smiths’ work came at the beginning of the industrial revolution and discussed competition, market forces (termed in his words as “invisible hand”) and freedom from state intervention. Efforts to control or reduce competition (such as monopoly behaviour and state intervention) were to be avoided. Interestingly, Murray (2001) notes that Adam Smith referred to concerns about directors’ alignment with stockholder interests, highlighting the identification of what is considered a key contemporary corporate governance agency issue, over 200 years ago.

Governance theory has drawn heavily on free-market theories, focusing on shareholder and organisational financial performance (Van der Berghe & Louche, 2006). The basis of current governance theory according to Piore (2004) is an individualistic normative economic model of behaviour within a competitive economy. Problems of social organisation are resolved by competition within a free market economy. This thinking is derived from a sociological basis that follows a strong tradition of “separation of realms” (p. 143), of the economic and the social, to enable economic development. Recently, in addition to the social, environmental matters increasingly feature within governance theory. It is appropriate to look in more detail now at the historical development of governance and its main threads of understanding.

### **3. (1)(a)(i) *The etymological roots and history of governance***

In discussing governance's beginnings it is noted that,

**Governance originates from the word 'govern', from the Latin gubernare and the Greek kubernan, "to steer". Governance is the action or manner of steering or directing. The governing body is the one who steers or directs an entity. (U.N., 2006, p. 37).**

From these same Greek and Latin origins, the related words Government, Governor and Governing are derived. Pattberg (2006) and Perera (2011), refer to these Greek and Latin etymological origins, however, few go into any historical detail or trace the development of the term and its usage through history. The term governance is used in Plato's "Ship of State" metaphor in "The Republic", written in 380 BC with Plato providing a criticism of how they were being governed by the state at that time. Plato suggested an alternative based less on democracy and more on social justice. Governance at that time was a function of the state, involved rule and methods of control and interaction between state and non-state actors.

From those origins, the next significant development is during the emerging empires of Great Britain and Europe in the Middle Ages. Osborne (2010) traces the usage of three contemporary meanings of governance given in the Oxford Shorter Dictionary to differing stages of Middle to Early Modern English, that of

- 1) "the action of....governing; government"...also including "control...",
- 2) "authority....function of governing" and
- 3) "conduct of life, business or behaviour" (p. 88).

These meanings are still easily associated back to the original Greek concept of "steering". From Osborne's analysis the original meaning of governance in Greek has broadened in scope, obtaining meanings that could be used by non-state organisational structures, particularly the corporation.

Initially the English concept of a corporation evolved as means for the Sovereign who held absolute powers; to delegate limited self-governance power to towns, guilds, abbeys, and universities through royal charter (Turnbull, 2011). Charters were usually granted without time limit. Turnbull notes that the late Middle Ages saw the rise of mercantile entities that eventually evolved into the corporations known today, with the first royal charter for commercial purposes granted in 1407 (ibid). Subsequently the English East India Company in 1657 and French East India Company in 1664 followed, formed by subscription under charter to undertake trade and governed through a board of governors (ibid). This was essentially privatisation of empire building. Whilst the charter was without time limit, those who invested did so on the basis of investing in a specific venture or for a fixed period.

Subsequently it was the Dutch East India Company in the Netherlands granted a 21 year charter that invented the concept of investing in a company rather than a specific venture (Turnbull, 2011). This concept was developed further through the English East India Company, giving rise to the investment in shares that had a perpetual life. This corporate form continued to evolve and in the UK, entities were able to achieve limited liability in 1862, France 1863 and Germany 1884 (T. Clarke, 2004b). The original concept of governance as an instrument of states and sovereigns had over the course of several hundred years, become diffused into non-state organisations, starting with chartered entities, eventually spreading into corporate organisational forms that became basis of the modern corporations known today.

### ***3. (1)(a)(ii) Some underlying concepts of governance***

At the core original meaning of governance, the act of “steering” involves a number of underlying concepts helpful to trace current understandings of governance. An important concept of steering is that of power. The helm used to steer with in Plato’s Ship of State symbolises an office, “a source of power” (Keyt, 2006, p. 195). This power is contested because many people want to control the ship. Thus in order to steer a ship, control is also necessary. Experience is further required to use the ships equipment and resources, the environmental elements and navigation skills to get to the destination. Another concept is that of responsibility, which has been entrusted to the steerer. With responsibility comes the concept of accountability, to the people who have entrusted their lives and cargo to get to their destination successfully as well as the crew, therefore, trust is also required. These underlying concepts involved with the notion of governance as steering are seen in the usages of governance in the middle ages and subsequently within modern understandings of governance.

### ***3. (1)(a)(iii) The Government versus Governance distinction***

Contemporary governance is seen as wider than government, being associated with non-state organisations. The government/governance distinction is particularly a noted phenomenon arising out of the neoliberal policy reforms from the late 1980s, as opposed to being a historical phenomenon in the development of the concept of governance during the middle ages. The distinction between government and governance in its modern understanding is thus acknowledged by various governance theorists such as (J. Graham, Amos, & Plumtre, 2003; Lemos & Agrawal, 2006; Rosenau, 2007) to name a few. Rosenau & Czempiel (1992) note this difference as being that of state governance being enforceable by a formal authority, as opposed to governance enabled through shared objectives and goals.

With this new type of governance arising out of public policy reform in Anglo-American countries, key to these new arrangements were altered relationships between the state,

markets and civil society, a shift towards de-centred governance mechanisms (Jessop, 1999). Jessop posits that this change came about due to the perceived failure of interventionist policies and the state in the 1970s. Governments struggled with inflation then stagflation affecting their economies from the late 1960s onwards and were seemingly unable to control their situation (Paquet, 2009). Government was subsequently portrayed as central to the problem (Erturk, et al., 2004) by political leaders, notably Ronald Reagan and Margaret Thatcher were prominent. If government was the problem, then less government was the solution, enabling markets to just get on with their job more efficiently through the removal of the encumbrance of state bureaucracy. According to Stoker (1998), governance is seen as being a “reinvented form of government which is better managed” (p. 18).

De-problematisation of government occurred through a process of devolution, reduction and contracting out of existing state roles and responsibilities to a range and mixture of non-state organisations. Indeed this was “a drift from Big-G government to small-g governance” (Paquet, 2008b, p. 245). “Interactive processes in markets and networks” (Bevir, 2007, p. xxxvii) was envisaged as the replacement for the state’s hierarchic rule bound state structures. In removing state authority, corporate governance, as expressed through procedural regulation, compliance frameworks, effectively became the mechanism of control in its absence (Erturk, et al., 2004). The resulting governance was not an actively envisaged outcome by proponents of less government though. Due to the vacuum created by the “fragmentation” (Rhodes, 2007, p. 1245) of public service systems, governance conveniently filled the resultant gap in co-ordination and control, providing proxy mechanisms for compliance and control.

### ***3. (1)(b)(iv) The World Bank report 1989 and Good Governance***

#### **3. (1)(b)(iv)(1) The World Bank report 1989**

A key term used within governance is that of “good governance”. It is widely noted in governance literature that the term originated from a 1989 World Bank report on Sub-Saharan Africa, e.g. (Chowdhury & Skarstedt, 2005; F. Weiss & Steiner, 2006). This is not strictly correct. A cursory search of internet and academic databases (noting that historic books and journals may have been added to the internet and optimisation of database search functions occurred subsequent to many of those contemporary governance writings), brings up multiple references to the term “good governance” that predate the 1989 World Bank report. Examples include (Williamson, 1983, p. 360), (Hodgkinson, 1971, p. 369), (Dunham, 1944, p. 646).

It is beyond the scope of this thesis to explore the precise origins and meanings in those articles, suffice to say that the World Bank report represents the beginning of the “contemporary notion” (Leftwich, 1994, p. 370) of good governance. The 1989 World Bank report is a turning point from which good governance subsequently entered the everyday vernacular of academics, politicians and bureaucrats. The report noted that countries in need of development and humanitarian aid have a mixture of economic, social,

environmental and political problems (World Bank, 1989). As a way of ensuring aid was used for the purposes it was given, and to encourage economic and political transformation, good governance was seen as a way of incentivising development reform.

Good governance following the World Bank report became increasingly used as a way by which donor organisations and countries could place conditions on recipient countries to encourage reforms (Nanda, 2006). Good governance subsequently became elevated to become a “prerequisite” (p. 269) to receiving aid. Less than ten years after the report, good governance’s perceived importance was reflected by the then United Nations Secretary General Kofi Annan,

**“Good governance is perhaps the single most important factor in eradicating poverty and promoting development. By good governance is meant creating well-functioning and accountable institutions - political, judicial and administrative - that citizens regard as legitimate, through which they participate in decisions that affect their lives, and by which they are empowered. Good governance also entails a respect for human rights and the rule of law generally. Support for good governance has become an increasingly important element in the development-related work of the United Nations. (Annan, 1998, p. 13).**

In addition to the United Nations, good governance became a stipulated precondition of development and reform in other global organisations such as the World Bank and access to financial support. Additionally it is used as criteria by other key international institutions such as, the International Monetary Fund (IMF) and the Organisation of Economic Cooperation and Development (OECD). On the other hand however, some view the term negatively, “The word “good” is condescending and even imperialistic.” (Johnson, 1997, p. 2).

Weiss & Steiner (2006) acknowledge a normative aspect of governance, which is used prescriptively by institutions as a condition to countries receiving help. “...that aid conditionality is not the most appropriate approach to strengthen good governance in developing countries.”(Santiso, 2001, p. 2). Plumptre & Graham (1999) agree that good governance is a term based on values and cultural norms. The imposition of conditional development and related economic ideologies is seen as problematic, such that this approach is ineffectual in achieving any real positive policy change (Nanda, 2006). Instead Nanda indicates that a more collaborative approach including better integration with cultural contexts and histories is vital, a viewpoint shared by Santiso.

Development itself is a post WWII initiative having a number of guises, labelled through terms such as “human development”, “economic development” and “sustainable development”, closely linked to industrialisation, globalisation and international corporations (Perera, 2011). Indeed Bevir (2003) also links governance to globalisation and in its neoliberal underpinnings. (Corporate) Governance and the quality of that governance are seen as key to economic development and long-term sustainable growth. In addition to international aid and development, good governance is significant in other areas, such as corporate governance (discussed below); human rights, whether good governance helps

achieve goals with human, civil, cultural, economic, political and social rights, and lastly international law and that transnational issues are successfully negotiated.

### **3. (1)(b)(iv)(2) Good governance in corporate governance**

There is no agreed definitional basis for good governance (Turnbull, 2011). Despite this, there has been a constant call for better “good governance” from the media, public, academia and practice. This call is driven by perceived governance failures. This call is problematic, everyone wants better governance, but no one really seems to be able to say with any widely accepted authority, what that better governance actually is. The definitions of good governance reflect the discursive, conceptual and changing theoretical thinking. Indeed good governance notes “remains a highly subjective concept” (Chowdhury & Skarstedt, 2005, p. 18). One particular perception of good governance distinguishes its external and internal organisational factors.

Good governance can be seen as combination of “some type of large investors with legal protection of both their rights and those of small investors” (Shleifer & Vishny, 1997, p. 739). This definition contains a mixture of internal and external factors. This definition also notably restricts itself to large corporates, the subject of much governance research, focuses on agency theory (discussed later in more detail), and ignores the role of stakeholders and environmental matters. Brown & Caylor (2004) take a different tack, not defining good governance directly; instead using a composite measure of 51 internal factors encompassing eight corporate governance categories to associate certain factors with firm performance, which they equate with good governance. The eight categories are

- 1) **Audit**
- 2) **Board of Directors**
- 3) **Charter/Bylaws**
- 4) **Director Training**
- 5) **Executive and Director Compensation**
- 6) **Ownership**
- 7) **Progressive Practices**
- 8) **State of Incorporation**

They find that internally controllable factors of “good governance, as measured using executive and director compensation, are most highly associated with good performance”. They subsequently note that “good governance, as measured using charter/bylaws, is most highly associated with bad performance” (p. 1).

Brown & Caylor's work builds on the research of Gompers, Ishii & Metrick (2003), who use 24 governance factors to equate to good governance. These factors form what they call the ‘G-Index’. This research found a negative correlation between the G-Index, organisational value and long-term dividend returns. However, Brown & Caylor note that the G-Index is skewed towards charter/bylaw factors, which they posit, have less association with good governance compared to other factors included in their study. However, world events

subsequent to both of these studies may see the factors included in those studies reviewed in another light, thus how you define good governance, which in their case is “firm performance”, will influence how you measure it.

Corporate governance directors and commentators such as promoted by (Committee on the Financial Aspects of Corporate Governance & Cadbury, 1992), have eschewed good governance based on legislation and regulation, instead promoting a self-managing system encapsulated in corporate governance codes of practice and an economically efficient markets hypothesis. Some question whether the imposition of good governance is nothing more than an application of “neo-liberal agenda” (Anderson, 2008, p. 31). The neo-liberal reformist environment promotes a minimalist approach towards organisational activities. An inevitable consequence of corporate and market failure is increased tension between the promoters of a hands off approach of neoliberal theory with those who suffer the fallout of that failure.

Subsequently corporate and market failure are seen as an abuse of that minimalist freedom, putting pressure on regulators to more strictly control corporate activity. The ("Sarbanes Oxley Act," 2002) is a prime example of a crisis based reaction in the US. Reactions to corporate failure have not universally resulted in stricter regulatory measures in different countries. All have taken differing approaches, the US notably taking an increased regulatory approach in contrast to European countries (Discussed in more detail later).

### **3. (1)(b)(iv) *Definitions of governance***

There are simply an immense number of governance definitions. As already noted previously with good governance, how you define governance influences what you subsequently “model and measure” (Al-Marhubi, 2004, p. 394). Many theorists note the struggle to “satisfactorily” defining governance. Issues surrounding the limitations of definitions have already been covered and do not bear repeating again here. Suffice to say that governance writers have mostly not portrayed the inability to effectively define governance as a human linguistic descriptive limitation. This section therefore focuses on definitions put forward in the literature. Due to the range and variety of definitions given in the literature, a set process has been used to be able to quickly identify the detail of the definitions highlighted..

### **3. (1)(b)(iv)(1) *Method of analysis***

The following questions were devised to help understand what is actually being theorised and defined, and to assemble that information in a logical and understandable way.

- 1) Is the governance definition given,
  - a. a universal definition covering all forms of governance (governance in total, in its complete and utter entirety)? or is it,

- b. a definition of a particular form of governance (e.g. corporate governance, public governance, global governance)? or is it,
- c. a definition of a particular model of governance (e.g. multi-level governance model , market governance model) and is representative of its particular form of governance?
- d. What is the nature of the scope of the definition? e.g. macro, meso or micro etc

The potential answers to these questions would include the,

- 1) Yes – Universal / No - Not Universal
  - 2) Yes - Form - (and state the form/s of governance) / No – Not a form
  - 3) Yes - Model – (and state the model of governance)
  - 4) Macro, Meso, Micro
- 2) What is the theoretical basis of the definition, i.e.
- a. **the theoretical disciplines** that the definition is based on? (e.g. political science, anthropology, sociology, psychology et al), and what are
  - b. **the particular underlying theories** that the definition is based on? (e.g. agency theory, institutionalism, stewardship theory et al), and what are
  - c. **the particular theoretical elements** that make up the underlying theories

The potential answers to these questions would include the,

- 1) Name of the theoretical discipline
  - 2) Names of the theoretical sub-discipline/s
  - 3) Theoretical sub-discipline elements
- 3) What themes are portrayed in the discussion?

The answers to this question will outline any themes discussed and are usually indicative of the theme in the wider literature

The terms used in the above list of questions are defined as follows

**Form:** A form is a type of thing that is made up of constituent parts, and when combined creates something distinguishably different (either partially or wholly) from all other forms (that may use some or many of the same parts but in a different combinations and or weightings or nuances).

**Model:** A model is a simplified or condensed representation of a particular form in its entirety or of specific parts of that form. In practice, the name of the model may also be the same as the name of the form of governance it represents e.g. A market model of governance is a model of a form of governance called “Market Governance”. A model is thought to express some ontological representation of human reality.



**Theory:** From a natural science perspective, a theory is an idea that explains a certain phenomenon. The idea has been “well tested” through empirical methods and so similar tests can be expected to produce similar results. From a social sciences perspective, it means ideas or a body of knowledge containing assumptions and principles. A theory can be used both positively to explain and analyse behaviour, i.e. Why it is, why it happens, and also normatively to make predictions of future behaviour. Importantly the difference between a hypothesis and a theory is that a hypothesis is “untested” or “not well tested” and so does not have the body of knowledge built up which confirms the idea according to the logic of the theory.

**Theme:** A theme is a broad or central idea or message. For the purposes of this research, it can be conveyed in two areas, reflected within a single document only or alternatively is espoused within the broader writing on the topic. As such, themes reflective of the literature are of key interest.

### 3. (1)(b)(iii)(2) Governance Definitions

Assumptions are often made regarding about the degree of agreement regarding what governance “is”. “Although it is difficult to agree on a precise definition, there is a consensus that governance broadly refers to the manner in which authority is exercised.” (Al-Marhubi, 2004, p. 395). Because governance literature is largely sourced in Anglo-European cultures that share some broad similarities, this possibly leads to a greater degree of agreement than if there was more knowledge of other cultural understandings of governance. In terms of this definition within this article the following characteristics are apparent,

	Question	Comment	
1	Definition	<i>Definition Type</i>	<i>Form of governance</i>
		<i>Form/Model Type</i>	<i>Corporate Governance</i>
2	Theoretical Discipline	<i>Theoretical Discipline</i>	<i>Economics/Political Science</i>
		<i>Underlying Theories</i>	<i>Agency Theory</i>
3	Themes	<i>Groups governance theories into Political, Cultural and Economic types, Determinants of good governance subject to a mixture of Political, Cultural and Economic factors.</i>	

Stoker (1998) defines governance as being concerned with “creating the conditions for ordered rule and collective action.” (p. 17).

	Question	Comment	
1	Definition	<i>Definition Type</i>	<i>Form of Governance</i>
		<i>Form/Model Type</i>	<i>Public Governance</i>
2	Theoretical Discipline	<i>Theoretical Discipline</i>	<i>Political Science</i>

		<b><i>Underlying Theories</i></b>	<i>Public Administration theory</i>
<b>3</b>	<b>Themes</b>	<i>Identifies governance as a wider concept than government. Governance as a problem - Governance framed as a challenge to formal and constitutional understandings of government.</i>	

Bevir (2010) further defines collective action as “...theories and issues of social coordination.” (p. 1)

Institutions are thus not necessarily created for economic efficiency reasons alone (Al-Marhubi, 2004). There is a public good that is also a feature of public institutions. Contrastingly, corporate governance as is seen to “deals with the ways in which suppliers of finance to corporations assure themselves of getting a return on their investment.” (Shleifer & Vishny, 1997, p. 737),

	<b>Question</b>	<b>Comment</b>	
<b>1</b>	<b>Definition</b>	<b><i>Definition Type</i></b>	<i>Form of Governance</i>
		<b><i>Form/Model Type</i></b>	<i>Corporate Governance</i>
<b>2</b>	<b>Theoretical Discipline</b>	<b><i>Theoretical Discipline</i></b>	<i>Corporate Finance</i>
		<b><i>Underlying Theories</i></b>	<i>Agency Theory</i>
<b>3</b>	<b>Themes</b>	<i>Shareholder value maximisation important, Legal means to protect shareholder investments needed</i>	

Governance theory is underpinned by strong economic rationalist views with corporate governance being about “...the creation of wealth.” (Monks, 2005, p. 108).

		<b>Comment</b>	
<b>1</b>	<b>Definition</b>	<b><i>Definition Type</i></b>	<i>Form of Governance</i>
		<b><i>Form/Model Type</i></b>	<i>Corporate Governance</i>
<b>2</b>	<b>Theoretical Discipline</b>	<b><i>Theoretical Discipline</i></b>	<i>Economics</i>
		<b><i>Underlying Theories</i></b>	<i>Agency Theory</i>
<b>3</b>	<b>Themes</b>	<i>Corporate Governance failing. Long-term Shareholder value maximisation important, CEO Remuneration must match long-term company performance</i>	

The focus is on economic efficiency arguments including the organisational power and controls needed to achieve these ends, combined with the removal of market impediments and bureaucracy. Corporate governance theory views the corporation’s prime responsibility as being shareholder wealth maximisation. One of the first major documents focussed on corporate governance was the Cadbury Report, who define corporate governance as, “...the system by which companies are directed and controlled.” (Committee on the Financial Aspects of Corporate Governance & Cadbury, 1992, Para 2.5)

		<b>Comment</b>	
<b>1</b>	<b>Definition</b>	<i>Definition Type</i>	<i>Form of Governance</i>
		<i>Form/Model Type</i>	<i>Corporate Governance</i>
<b>2</b>	<b>Theoretical Discipline</b>	<i>Theoretical Discipline</i>	<i>Economics</i>
		<i>Underlying Theories</i>	<i>Agency Theory</i>
<b>3</b>	<b>Themes</b>	<i>Shareholder value maximisation important, Market knows best and can self-regulate with some adjustments to current practice, promotion of minimal regulation</i>	

The Cadbury Report was commissioned in reaction to a series of company failures to provide recommendations to improve corporate governance in the UK and give greater confidence to investors in UK markets. This underlies a key set of relationships between principals and agents.

Corporate governance involves a set of relationships between a company's management, its board, its shareholders and other stakeholders. Corporate governance also provides the structure through which the objectives of the company are set, and the means of attaining those objectives and monitoring performance are determined. (OECD, 2004, p. 11)

		<b>Comment</b>	
<b>1</b>	<b>Definition</b>	<i>Definition Type</i>	<i>Form of Governance</i>
		<i>Form/Model Type</i>	<i>Corporate Governance</i>
<b>2</b>	<b>Theoretical Discipline</b>	<i>Theoretical Discipline</i>	<i>Economics, Finance, Political Science</i>
		<i>Underlying Theories</i>	<i>Agency Theory, Public Policy,</i>
<b>3</b>	<b>Themes</b>	<i>Efficient Markets, Rule of Law with clear regulatory responsibilities. Shareholder rights and equity. Effective governance through appropriate disclosure and transparency. Importance of codes of conduct</i>	

"...we use "environmental governance" to refer to the set of regulatory processes, mechanisms and organizations through which political actors influence environmental actions and outcomes." (Lemos & Agrawal, 2006, p. 298),

		<b>Comment</b>	
<b>1</b>	<b>Definition</b>	<i>Definition Type</i>	<i>Form of Governance</i>
		<i>Form/Model Type</i>	<i>Environmental Governance</i>
<b>2</b>	<b>Theoretical Discipline</b>	<i>Theoretical Discipline</i>	<i>Environmental Studies, Political Studies</i>
		<i>Underlying Theories</i>	<i>Globalisation, Global Warming, Hybrid governance,</i>

			<i>Decentralised governance, Political theory</i>
<b>3</b>	<b>Themes</b>	<i>Governance as a tool to enable environmental governance. Current environmental governance practice ineffective in stopping environmental degradation and so needs modifying</i>	

“the sum of regulations brought about by actors, processes as well as structures and justified with reference to a public problem.” (Enderlein, Wälti, & Zürn, 2010, p. 2),

		<b>Comment</b>	
<b>1</b>	<b>Definition</b>	<i>Definition Type</i>	<i>Form of Governance</i>
		<i>Form/Model Type</i>	<i>Multilevel Governance</i>
<b>2</b>	<b>Theoretical Discipline</b>	<i>Theoretical Discipline</i>	<i>Political Science, Public Policy</i>
		<i>Underlying Theories</i>	<i>Globalisation, Network Theory</i>
<b>3</b>	<b>Themes</b>	<i>Governance portrayed as the “Public problem”, how to govern for the common good. Governance solutions may be actioned on multiple levels, including the use of public and private actors, which needs proper coordination to maximise efficiency of the solution.</i>	

Although there are many definitions of governance, which may attempt to globally and inclusively define governance, none are in fact globally applicable definitions of governance. Each operates within their underlying theoretical discipline, as reflected through their definition of governance having the flavour of their underpinning theoretical discipline.

### **3. (1)(b) Major Governance theories**

Governance has a large number of theories and meta-theories. In this section, the major governance theories are reviewed, as well as some important areas of governance research.

#### **3. (1)(b)(i) Corporate Governance theory**

Corporate governance is one of the key sub-topics within governance. (Du Plessis, Bagaric, & Hargovan, 2011) trace the beginnings of corporate governance research to (Berle & Means, 1932). Corporate governance is subsequently noted by (Charreaux, 2004) to have developed in the financial disciplines, focussing on large Anglo-Saxon corporations. Ziolkowski (2005) identifies 17 different theories and meta-theories within corporate governance. These are as follows,

- **Agency Theory**
- **Class-hegemony Theory**

- **Cultural Theory**
- **Cybernetics Theory**
- **Financial Theory**
- **Institutional Theory**
- **Intellectual Capital Theory**
- **Managerial Hegemony Theory**
- **Network Governance Theory**
- **Organizational Behaviour Theory**
- **Political Theory**
- **Power Theory**
- **Resource Based Theory**
- **Resource-Dependency Theory**
- **Stakeholder Theory**
- **Stewardship Theory**
- **Transaction Cost Theory (p. 362)**

Several theories within corporate governance dominate, namely agency theory, stewardship theory and resource dependence theory (Nicholson & Kiel, 2007). Interestingly Nicholson & Kiel have not included stakeholder theory, which is proposed as a broader alternative to agency theory. Nevertheless, regardless of the underlying theory, many writers state that corporate governance theory and practice is in a state of failure (Monks, 2005; Paquet, 2009; Turnbull, 2008). Seemingly, the rise of governance is mirrored by the rise of corporate and market failure. Has all the effort put into corporate governance ameliorated the extent of corporate and market failure?

It is difficult to conjecture on that point without more extensive investigation. In any case, governance failure is a prominent topic within governance research (perhaps cynically due to the wealth of case studies and situations that corporate collapses and market crises keep providing academics). However, organisational and market failure is not just a recent phenomenon. Famous historic economic bubbles include the South Sea Bubble in 1720 and the preceding Dutch Tulip and Bulb bubble of 1636-7, have occurred hundreds of years before current governance issues. Corporate failure and fraud historically, have arisen on a reasonably regular basis. Given this understanding, has the last 30 years seen an increase in market turmoil and corporate malfeasance leading to organisational failure greater than other periods in history?

This is hard to ascertain but Friedman (2000) perceives that the plethora of corporate scandals appear connected to the backdrop of market globalisation and information and finance democratisation. Lack of adequate corporate governance is widely used to explain large corporate and market collapses. The 2009 subprime lending crisis in the US, earlier WorldCom and Enron collapses all being seen as lacking satisfactory (corporate) governance controls, structures, processes and regulatory oversight to adequately protect shareholders and stakeholders.

In discussing the types of solution that should be taken in response to corporate collapses, one commentator notes that “The informing energy of business is greed; solutions that are

not based in economic incentives will certainly fail.” (Monks, 2005, p. 109). This statement is the atypical neoclassical economic and neoliberal response to failure. The solution is claimed to be found in more market (Jessop, 2000), rather than increased regulation and monitoring. (Sama & Shoaf, 2005) discussing the USA’s (“Sarbanes Oxley Act,” 2002) expand on Monks’ basic premise regarding greed, identifying reasons for the corporate failures as a “lack of transparency, disclosure and adequate oversight, combined with unbridled greed.” (p. 179).

The answer according to Sama & Shoaf (2005) is globally coordinated but localised solutions based on a mixture of rules and principles governance (2005, p. 184). Briefly, rules based governance refers to governance controlled through regulation and legislation based on a set of standards and practices. Principles based governance is governance based on a set of principles and related guidance, which is voluntary in nature. Free market proponents thus advocate principles based approaches over rules based ones. An example of principles based governance is a code of practice like the UK Corporate Governance Code (Financial Reporting Council, 2010a). An example of rules based governance is a mandated standard like the (“Sarbanes Oxley Act,” 2002). Both methods have advantages and disadvantages. shown in the following table summarising (R. A. Jackson, 2004)

Table 1 Advantages and Disadvantages of Rules vs. Principles based Governance

Type	Advantages	Disadvantages
<b>Rules Based Governance</b>	-Consistency -More easily enforceable	-Need to be enforced -May not necessarily reflect actual circumstances truly and or fairly by being followed. -Is more rigid
<b>Principles Based Governance</b>	-Voluntary -More diversity and flexibility -Promotes openness in decision making	-Less consistency -Enforcement more difficult

The (“Sarbanes Oxley Act,” 2002) is an example of the US’s rules based reaction to governance failure in the form of increased codification. Contrast with the principles based reaction that took place in Europe (Sama & Shoaf, 2005). The introduction of this act swung the US towards a rules based governance system. What mix provides the best system of governance? Given the on-going market turmoil, these questions weigh heavily on politicians and regulators. The rules versus principles debate links to the convergence/divergence debate as differing countries enforce a differing mixture of rules versus principles governance. In order to achieve governance convergence, controlling mechanisms need to converge.

A key issue in convergence/divergence literature focuses on the extent that governance is converging or diverging (Grandori, 2004). Whilst seemingly a simple question to ask, the

issue is vexed Clarke (2011) and contested. To answer the question, (Yoshikawa & Rasheed, 2009) note that it involves issues of how convergence is defined, what elements are converging, what the different models are and what it is converging to, the drivers and impediments to convergence, whether it should or should not converge, the evidence for convergence. In addition, linkages to globalisation and global governance also exist.

According to Yoshikawa & Rasheed (2009), the broad definition of convergence, that of “isomorphism” of governance practice within companies from different countries, is not a practical definition to work with. They instead define convergence in two ways, convergence in form and convergence in function. Convergence in form means an increasing similarity of legal framework and institutions across different countries. Convergence in function is where different countries may have different rules and institutions but perform the same function as each other. The elements that can converge are a countries governance systems, rules, regulations, structures, and processes. Governance models are based on different mixtures of these features and occur at both state and corporation levels.

There are three main governance models discussed within convergence literature which are classified by countries that use them. The first being the outsider market based corporate governance model of the USA, UK and many related commonwealth countries. It has characteristics of dispersed share ownership, emphasis on shareholder value and the principal-agent relationship. The second type is the insider model prevalent in continental Europe and Japan. This model emphasises close business network relationships, are largely bank funded and have narrow ownership (as opposed to the equity funded dispersed ownership model of the USA and UK). The third type is the family owned corporations within the Asia-Pacific region, which have different cultural traditions and goals to the first two models. Other models include the French and Scandinavian models, which have differing legal origins (La Porta et al, 1998, as cited in Guillén, 2000). These remaining types do not appear to have widespread currency in the literature as separate categories.

What model governance is converging to, involves several possibilities. It could be towards one of the above models, it could be a mixture of two or more models or it could be a normative model different to existing models (Yoshikawa & Rasheed, 2009). Factors noted to lead to convergence are based around globalisation and efficient markets. Globalisation is seen by Guillén (2000) as a process that results in increased flows of goods, services, money, people and information. These interactions increase the connection between differing states and peoples. Globalisation is seen as a homogenising process based on values of liberal democracy and capitalism (Kalu, 2004).

Efficient market arguments focus on how governance system changes and innovation engenders greater system efficiency within global interactions. Zattoni & Cuomo (2008) propose an alternative explanation based on institutional theory, focussing on improvements to organisational legitimacy within a global market. Legitimacy however can both compete against and complement each other (Scott, 2001).

The degree of convergence and the effects of convergence have proponents on both sides of the debate. Proponents of convergence include the G7, OECD and many leading Western business and law schools (T. Clarke, 2004b). Clarke (2011) notes that there has been no consensus historically or currently exists as to whether convergence is in fact occurring. Branson (2004) is an opponent of convergence and is nothing short of scathing of convergence proponents stating alternatively they are “culturally chauvinistic” (p. 18), being “culturally insensitive” (p. 43), “pontificating” (p. 22) and their scholarship “inbred” (ibid). He indicates that the evidence provided by proponents does not in fact point to convergence. A key issue he raises is that cultural diversity mitigates against convergence, a view shared by Yoshikawa & Rasheed (2009). They note limited evidence for convergence, which is more in form than substance. Localised issues “hinder change or create “hybrid” practices” (p. 388). The governance changes made focus on efficiency and market legitimacy, not convergence.

Changes over the last twenty years have particularly focussed on regulatory frameworks. Interestingly

**Valuable lessons have been learned from the series of corporate collapses that occurred in different parts of the world in the early part of this decade. Since then, UN member States have undertaken various actions to strengthen their regulatory frameworks in this area in order to restore investor confidence, and enhance corporate transparency and accountability. (United Nations Conference on Trade and Development (UNTAD), 2006).**

This statement is confusing, given that subsequent to their report the world has been grappling with even greater global market and financial crises than that which gripped it at the beginning of the millennium. It would appear that contrary to their statement above; instead, there has been little progress in learning from the crises of the 1980s and 1990s. Clarke (2004a) notes the nature of governance crises,

**Corporate governance crisis and reform is essentially cyclical. Waves of corporate governance reform and increased regulation occur during periods of recession, corporate collapse and re-examination of the viability of regulatory systems. During long periods of expansion, active interest in the conformance aspects of governance diminishes, as companies and shareholders become again more concerned with the generation of wealth, rather than in ensuring governance mechanisms are working appropriately for the retention of wealth, and its use for agreed purposes. (T. Clarke, 2004a)**

In an interesting physical scientists view of these matters,

**Rationality is another casualty of this crisis; in fact, rationality is often the first thing to go in a crisis. That’s how you know it is a crisis! The stock market...shows us so clearly that the assumptions of absolute rationality and objectivity are fallacious. (Byers, 2011, p. 183)**

One of the big issues with the market and financial crises is as Byers indicates, the assumption of “the ‘procedural rationality’ of perfect markets guaranteeing market success”



(Jessop, 2000, p. 12). Perfect markets are therefore more imaginary than real. Despite this, one of the catch calls of each market crisis that has occurred in the last few decades is that of the need for more accountability of those primarily responsible and involved in the crisis. This is because accountability is a concept that “conveys an image of transparency and trustworthiness.” (Bovens, 2006, p. 5).

This word accountability is etymologically derived from accounting and means in governance terms fair and equitable governance, and is often used as a substitute for the word governance (Bovens, 2006). Accountability has also been described as a power relationship where autonomy is constrained (Keohane, 2006). Within the meanings of accountability, several types exist, often referred to in terms of an “accountability framework” with varying mechanisms, controls and actors that form each type. According to Grant & Keohane (2005), there are seven accountability mechanisms in global governance, as follows,

- 1) Hierarchical
- 2) Supervisory
- 3) Fiscal
- 4) Legal
- 5) Market
- 6) Peer
- 7) Public (p. 36)

The idea of accountability is also particularly nascent regarding issues of coordination and global governance and to whom should global governance structures be accountable, the people who fund the structures, the people for whom the structures work or some other mixture. The question of who is accountable links back to the question “who runs the show” (Erturk, et al., 2004, p. 711) and who benefits. Paquet (2008a) is of the opinion that “nobody is in charge” (p. 4). If Paquet is right, this has the perverse effect of making the act of attributing blame a near impossible process. Kirkpatrick (2009) identifies the cause of the current financial crisis as the failure of organisational risk assessment frameworks and of governance oversight and understanding of organisational risk management. Blame becomes attributed to the systems failure to respond in a timely and appropriate manner rather than focus on the individuals who took advantage with responsibility ultimately obfuscated. In addition to this, Ahrens, Filatotchev, & Thomsen (2011) raise an important question in asking where the corporate governance researchers were during this current crisis period?

The failure of financial markets was perhaps mirrored by the failure of governance researchers to adequately foresee or forewarn of what was to come. However the truth of the matter is that some governance researchers, such as Erturk, Froud, Johal, & Williams (2003), gave clear and accurate predictions of what would happen. Bezemer (2011) provides a well-reasoned list of researchers and commentators who did in fact predict the

current crisis. Those who predicted the crisis, such as US markets commentator Peter Schiff, were heavily criticised by many other market commentators for their predictions.

Whilst the current crisis has caused many problems and on-going concerns, would the capital lost by investors and cost to economies compare to the collective money, time and effort spent on corporate governance by practitioners, regulators, directors, contractors, commentators, companies and academics if calculated? Is there in fact a tangible cost benefit relationship to corporate governance activities? It is unreasonable to form an opinion either way from mere speculation on whether society is in fact any better off from having the type of organisational governance arrangements currently seen in modern society, but would be worthy of more comprehensive study elsewhere.

### **3. (1)(b)(i)(1) Agency Theory**

Agency Theory is the most influential theory within governance to date and particularly within corporate governance. It is perceived by some to hold a “disproportionate share of the empirical literature” (Ahrens, et al., 2011, p. 315). The basis of agency theory is an implicitly simple model representing the relationship between two sets of actors within a corporation, namely

- 1) Principals e.g. The owners of shares in the corporation
- 2) Agents of the Principals e.g. company management and directors

This theory comes out of work by Alchian & Demsetz (1972) and Jensen & Meckling (1976), both building on Berle & Means (1932), who wrote about ownership and control in organisations, explaining the firm as “a nexus of contracts among individual factors of production” (T. Clarke, 2004b, p. 4). Berle and Means were concerned with corporate power and management control in large US organisations and how management were increasingly insulated from stockholder and societal pressure. The central idea being that separation of ownership and control is problematic (Fama & Jensen, 1983). Dilution of shareholding would lead to reduction in pressure exerted on managers to align interests with shareholders (Mizruchi, 2004). The primary concern being that management was not making enough money for the stockholders (Demsetz, 1988), instead diverting funds to maximise benefit to themselves (known now as the “agency problem”). The timing of their book following the stock market crash of 1929 meant that government regulation was largely the means used to solve the issues of that period. Nevertheless, Berle and Means’ discussions regarding alignment of interests formed the foundations of agency theory and of transaction cost economics theory (discussed later).

Agency theory posits that agents are prone to self-interest, moral hazard and are risk averse. (Michael C. Jensen, 1993), notes four main forces that control the firm,

- 1) **Capital Markets (via share price and threat of takeover)**
- 2) **Legal, political and regulatory systems (Company, criminal and other laws and regulations)**

**3) Competitive markets (Market competition encourages higher levels of performance to avoid the risk of losing your job)**

**4) Internal control mechanisms of firms, (Monitoring activities)**

These controlling forces mediate management (agents) self-interest. Principals as residual risk bearers are alternatively focussed on value maximisation of their investment. In addition, limited information is available to principals to aid decision making (a condition called bounded rationality), and the possibility that information asymmetry (where one party has greater access to information) between Agent and principal also exists. Information is viewed as a commodity that can be purchased and has a cost (Eisenhardt, 1989). Given that certain control methods may be weak and ineffectual, Fama & Jensen (1983) propose boards as important sources of information to monitor management on behalf of shareholders to help mitigate agency problems.

Agency problems are seen by McColgan (2001) as conflicts of interest. Agents interests are not aligned with principals interests and suboptimal value maximisation on investment occurs leading to increased transaction costs (through increased monitoring needed), borne by the principal. In order to reduce this conflict, transaction costs and maximise investment value to principals, alignment of interests is key. Corporate governance is thus seen as essential to “harmonize” (Eisenhardt, 2004, as cited in Ziolkowski, 2005, p. 365) agency conflicts. In a similar vein, Hart (1995), in viewing the firm as a nexus of contracts, proposes incomplete contracts occur due to transaction costs of writing comprehensive contracts and that Corporate Governance is needed to minimise these costs.

Agency theorists specify efficient markets as a solution to the agency problem, with Clarke (2004b) identifying three specific areas, corporate control, management labour and corporate information, where the efficient markets assumption operate in relation to the agency problem. Within these three areas, differing corporate governance mechanisms exist to ensure control and monitor agent alignment. These may include bonding tools through management performance based pay schemes and incentivisation, audits and decision control frameworks. The first two in particular have been the subject of considerable debate and discussed here.

### **3. (1)(b)(i)(1)(a) Executive remuneration**

CEO and executive pay has been researched for over 50 years and in contemporary times has focused on two areas, “overall levels of pay and the apparent lack of relationship between those amounts and company performance” (O'Neill, 2007, p. 692). Executive’s remuneration gained particular prominence in the 1990s. This was due to it being period of “value skimming” (Erturk, et al., 2004, p. 691) by executives where there were sharp increases in executive remuneration. In 1980 CEO pay in the US was 42 times average pay, by 2000 it was 525 times average pay, settling back to a mere 344 times average pay in 2007 (Lindenman & Maloney, 2008). Increases in company share price made up 80% of total shareholder value increases in the 1990s and so provided justification for significant

remuneration increases. Share prices in the period increased due to decreasing interest rates encouraging investment into markets combined with increased institutionalised savings from changing population dynamics and momentum investment from buoyant market sentiment (Erturk, et al., 2004).

Investor focus during the period had therefore turned away from core fundamentals of profit on earnings and instead emphasis placed on stock price appreciation. With the market tide rising overall, many executives in “new economy” companies benefited, without having done “anything substantial” (Erturk, et al., 2004, p. 690) to justify share price rises. Executives during this period increasingly were remunerated via stock options, as it was effectively risk free to them and benefitted the company due to its treatment as a non-expense item for accounting purposes, keeping it in the balance sheet and therefore not affecting organisational profit. In the US, part of the reason for these actions were due to salary tax deductibility being limited to one million dollars which encouraged stock options as remuneration and thus management actions which increased company share prices (Rittenberg, Johnstone, & Gramling, 2010). These issues were however a phenomenon confined not just to the 1990s, with similar actions also occurring at US companies Bear Sterns and Lehman Brothers during the period 2000-2008 (Bebchuk, Cohen, & Spamann, 2009).

Putting aside the moral argument as to whether executive remuneration is justified, a key issue that Bebchuk, et al (2009) touch on is whether remuneration through stock options incentivises excessive risk-taking or not. They find the standard narratives of executives losing out when companies go under, not supported by the evidence found for the two organisations they studied; that executives ended up significantly cash positive through cashing in stock options in the years leading to the downfall of the two companies researched. Corporate strategies implemented by CEO’s to boost stock prices in periods preceding stock option redemption are also not uncommon.

In the wake of the latest global financial crisis there has been a move to “avoid rewarding executives for short-term gains that do not reflect long-term performance” (Bebchuk & Fried, 2009, p. 1916). There is increasing agreement that executive remuneration should be tied to the long-term performance of the company and that effective oversight by boards is “a key challenge” (OECD, 2010, p. 8) to overcome. This change in thinking is subsequently being reflected in governance codes. The UK Corporate Governance Code notes the need to remunerate in line with long-term company performance, “The performance-related elements of executive directors’ remuneration should be stretching and designed to promote the long-term success of the company.”, (Financial Reporting Council, 2010a, p. 22).

This statement is a definite change from the earlier Greenbury Report (Study Group on Directors' Remuneration & Greenbury, 1995) which linked long-term company performance with remuneration only weakly, through disclosure of “...how the performance measures relate to longer term company objectives and how the company has performed over time relative to competitor companies.” (p. 27). Only time will tell whether

any measures implemented to reflect this change in thinking will help mitigate the types of corporate problems prevalent in the last 20 years. Some commentators are not optimistic, viewing that we live in a world where governance is nothing more than an “ineffectual proceduralism” (Erturk, et al., 2004, p. 711).

### **3. (1)(b)(i)(1)(b) Audit**

The audit is an important part of the armoury of corporate governance monitoring mechanisms. Audits are undertaken both internally by internal company auditors and externally by contracted independent auditors. It is common for larger company boards to have an audit subcommittee of the main governance board who interact with both internal and external auditors. External audit is the primary audit mechanism investors rely on in making their investment decisions. The external auditor’s general role with regard to financial statement auditing is “the process of attesting to assertions about economic actions and events” (Rittenberg, et al., 2010, p. 7). In other words, a check that published corporate and financial information is reliable and materially free from error and fraud.

The role of the external audit is to provide confidence to investors and stakeholders and reduce risks and uncertainty for parties who wish to make investment decisions and those who deal with the organisation in some way. Audits focus on organisations internal controls, checking that they are working satisfactorily, providing assurance to organisational stakeholders that it is being run appropriately. Auditors should be free from conflicts of interest and be independent.

The Enron and WorldCom corporate collapses in the US highlighted issues of auditor (and board audit committee) independence (Kirkpatrick, 2009). In Enron’s case its auditors, Arthur Anderson had lost independence because they had built a conflicted business relationship with Enron through providing various consulting services in addition to its audit work, making it susceptible to Enron management influence (Palepu & Healy, 2003). Approval of accounting transactions which removed losses off balance sheet often resulted in “lucrative consulting contracts” (Rittenberg, et al., 2010, p. 10) for Arthur Anderson. Arthur Anderson made incorrect decisions regarding the legitimacy of financial transactions Enron were creating to boost earnings and company value. Arthur Anderson even went so far as to shred documents to prevent improprieties in its audits being revealed after Enron was investigated by the Securities and Exchange Commission (Palepu & Healy, 2003). Enron proved Arthur Anderson’s downfall and was the largest auditing firm failure in world history to date, showing that even auditors are susceptible to the same unethical and illegal behaviours as the companies they are auditing.

### **3. (1)(b)(i)(1)(c) Criticism of Agency Theory**

Criticism of agency theory is almost as ubiquitous as agency theory itself, focussing on almost every aspect of the theory. In discussing a key tenet of wealth maximisation,

**This view of an organisation has however been extensively challenged by many writers, who argue that the way to maximise performance for society at large is to both manage on behalf of all stakeholders and to ensure that the value thereby created is not appropriated by the shareholders but is distributed to all stakeholders. (Crowther & Jatana, 2005, p. 366)**

Agency theories primary focus is shareholder wealth maximisation, ignoring other important stakeholder relationships and the environment (Grandori, 2004; Lynch-Fannon, 2003). Similarly, agency theory has “extremely positivist assumptions” (Ziolkowski, 2005, p. 366) amplified by overly simplistic explanations focussing on the principal’s interests. Interestingly Erturk, et al (2004) suggest that key corporate governance writers omitted crucial meanings from Berle and Means’ work and significant academic debates in the 1950s and 1960s in developing agency theory. They propose that Berle and Means in fact envisaged a corporation where technocratic managers would “balance a variety of claims from various community groups” (p. 686).

Some consider agency theory “uninformative and naïve” (Erturk, et al., 2004, pp. 679-680) because it ignores political, economic and social elements of governance. Charreaux (2004) suggests that the theory is based on an “economic Darwinism” (p. 4). Roberts (2004) also criticises agency theory on the basis that it is individualistic in nature, not taking into account the creation of more inclusive and broader views, such as provided in stewardship type theories. He claims stewardship reflects more diverse interests and to better reflect the changing understanding of organisational roles and responsibilities.

Perera (2011), negates one of the foundations of agency theory, that of the problem of dispersed shareholding and control, suggesting that shareholding is much more concentrated in large corporations than agency literature has suggested, meaning that lack of shareholder control is in fact a much smaller issue than the theory implies. Similarly, a response to criticism of the lack of socio-political aspects of agency theory has been to acknowledge this deficiency and propose a modified agency model. Lubatkin, Lane, Collin, & Very (2007) take inferences from embeddedness theory and attempt to socialise agency theory,

**We advance the thesis that an agent’s attitude (propensity) for behaving opportunistically, the bounds of the principal’s rationality, and the mix of governance mechanisms used to minimize agency problems are interrelated in a social process of co-evolution... whether the agent behaves in a self-serving, opportunistic manner or as a good steward is embedded, or partially determined by the firm’s social context, as is the boundedness of the principal’s rationality (p. 44).**

Roberts (2004), urges a greater use of ethics in the theory, noting its individualistic tendencies,

**What is uncomfortable about these accounts of how an ideal of both shareholder value and responsibility is made to play upon the minds of directors is that ethics comes to be understood and practised in terms of how the self is seen – the ethics of narcissus. ...that ethics, following**

**Levinas, should be understood in terms of sentience and the ‘responsibility for my neighbour’ that this assigns. ([Abstract])**

The effect of these types of modifications to the theory brings it closer to theories like as stewardship & stakeholder theory. Interestingly, Michael Jensen, one of the acknowledged founders of agency theory in a reflective interview on his academic life, discusses the reasons for organisational being. In the interview, he reflects a modified view of the tenets underlying agency theory compared with later proponents of the theory. Of value maximisation, he views as merely a scorecard to assess the success of business strategy and laments that his arguments on this were never fully developed (Michael C Jensen & Walkling, 2011). Erturk, et al. (2004) seem to have correctly surmised that the underlying tenets of agency theory should have been broader than agency theorists have espoused. Large numbers of agency and governance theorists have taken value maximisation as foundational. Furthermore, Jensen states,

**But, I now believe the answer to that question for a business enterprise is that it must be committed to something bigger than itself, something bigger than value maximization... People aren’t going to get up every morning and come to work with passion to maximize the value of the stock... (Michael C Jensen & Walkling, 2011, p. 12)**

This represents a significant shift in thinking from pure economic motivations, to significantly being sociologically grounded. The on-going crises in corporate organisations and markets have raised further serious doubts about the effectiveness of agency theory in practice, and indicate that modified or different tools and approaches are needed to combat the issues facing humanity today. It however still remains a key and central theory within governance theory and practice.

### **3. (1)(b)(i)(2) *Transaction Cost Theory***

Transaction cost theory is an economic theory to which Ronald Coase, an economist and academic, acknowledged as the theories founder. He was interested in the way economic activity was organised in firms. Traditional microeconomic theory included only production and transport costs and ignored other costs of doing business, such as the costs of entering, executing and managing contracts. Introduction of these costs into economic models enabled researchers to more accurately account for and understand firm behaviour. Coase (1937), and later Williamson (1975) proposed that organisations exist to minimise economic transaction costs that would otherwise be higher within market mechanisms (Ouchi, 1980).

This gives rise to the first behavioural assumption of transaction cost economics, that of opportunism. Opportunism “refers to lying, stealing, and cheating, but it more generally ‘refers to the incomplete or distorted disclosure of information, especially to calculated efforts to mislead, distort, disguise, obfuscate, or otherwise confuse’ partners in an exchange” (Barney & Hesterley, 1996, p. 118). It is costly for firms to determine who is

behaving opportunistically and who is not; safeguards are therefore needed to reduce opportunism.

The basis of the second behavioural assumption lies with classic organisational theorists such as Taylor (1912), Brech (1948) and Fayol (1949). They advocated organisations as rationally constructed, existing to solve problems of social order and administrative management (Calman & Sinclair, 1999). The assumption of rationality was noted to have limits in that those who engage in economic transactions are “‘intendedly rational’ but only limitedly so” (Simon, 1947, as cited in Barney & Hesterley, 1996, p. 117), giving rise to the assumption of bounded rationality.

Actors are bounded or limited by the information that they possess to undertake economic transactions. The key difference of this theory to neoclassical economics is the shift from viewing organisations as a means of production to the organisation as a means of governance (to minimise the transaction costs of organisations) and that some forms of governance are better than others depending on the type of transaction being governed (Macher & Richman, 2008). Barney & Hesterley (1996) criticise transaction cost theory in three areas, its focus on cost minimisation over strategizing, that it understates the cost of organising and that it neglects the role of social relationships in economic transactions.

### **3. (1)(b)(i)(3) *Resource Dependence Theory***

This theory relates to the distribution of power in an organisation (Ziolkowski, 2005), and is influenced primarily by the sociology and management disciplines (Pettigrew, 1992, as cited in Nicholson & Kiel, 2007). A key assumption of the theory is that “firms are constrained by and can affect their environments” (Hillman, Withers, & Collins, 2009, p. 1420). External resources affect an organisation and consequently the organisation reacts to mitigate those effects. As an example, company directors play an essential role in providing important resources or obtaining resources externally (Hillman, Cannella, & Paetzold, 2000). Directors bring important skills, knowledge and attributes, which companies rely on to help achieve organisational goals. Thus, the type of directors employed on boards varies in relation to organisational operating environments. The external environment is uncertain and linkages that directors have to this external environment helps reduce organisational uncertainty.

This results in the ability of the firm to better achieve its goals (Ziolkowski, 2005), resulting in lower organisational transaction costs (Hillman, et al., 2000). The theory is used as a primary explanation for why organisations undertake merger and acquisition activity, that of reducing competition, manage interdependence and to diversify operations lowering risk with external organisations it trades with (Pfeffer, 1976, as cited in Hillman, et al., 2009). Ziolkowski notes that a limitation of the theory is that it focuses on resource obtainment as a measure of governance effectiveness as opposed to resources use (and the relative efficiency of that usage).



### **3. (1)(b)(i)(4) Key Reports, Codes, Legislation and Commissions**

Both hard law (legislation) and soft law (voluntary codes) heavily influence the practice of governance. Combined with commissioned reports, they mark an important interface between governance theory and practice. Clarke (2004a) suggests that reform and regulation is cyclical, with booms masking executive excesses, which then move into recession and crisis, followed by increased regulation, then followed by further booms. Changes in legislation and codes occur through setting up of commissions or committees, which review the history and circumstances of their brief, making recommendations or changes. Whilst these recommendations are for a specific purpose, commissions and committees can be temporary or alternatively permanent in nature. Those that are set up as permanent bodies usually have coordination and oversight functions. An example of this is the Securities and Exchange Commission in the US, which was set up in 1933 “in response to abuses in financial reporting that took place in the 1920s...” (Rittenberg, et al., 2010, p. 13).

The reactions to corporate failure have usually been “scandal driven, backward looking and micro focussed on corporate crises” (Erturk, et al., 2004, p. 699). This is reflected in the recent global history of business and markets. The three 1990s UK reports of Cadbury (Committee on the Financial Aspects of Corporate Governance & Cadbury, 1992), Greenbury (Study Group on Directors' Remuneration & Greenbury, 1995) and Hampel (Committee on Corporate Governance, Hampel, Stock Exchange (London England), & International Stock Exchange, 1998) were all prompted by perceived chronic governance failures.

The Cadbury Report arose from the corporate dramas surrounding Polly Peck, Maxwell MMC and BCCI. This report was influential in forming part of the Combined Code in 1998 (T. Clarke, 2004a). The Greenbury Report created in response to “public and shareholder concerns about levels of director remuneration” (Study Group on Directors' Remuneration & Greenbury, 1995, p. 7). The report made a recommendation for a Code of Best Practice for listed companies, which was later realised in The Combined Code, as recommended in the Hampel Report. This report was specifically designed to move away from the “box ticking” approach of the Cadbury and Greenbury reports, instead promoting “common sense and judgement over prescriptive codes”, but unfortunately was instead seen as missed opportunity (Cope, 1997) that did not substantively improve on the previous two codes.

In the US, the 2001 Enron scandal and other corporates collapses during this period were significant for the subsequent political reaction that helped create the ("Sarbanes Oxley Act," 2002) to restore lost investor confidence and to increase the reliability of financial information. This legislation was also in part a reaction to the widespread earnings manipulation that took place in the 1990s. The act however is seen as only partially successful in reducing this type of behaviour (Bebchuk & Fried, 2009). Subsequently, it did

not stop collapses such as the Lehman Brothers investment bank bankruptcy in 2008, due to its exposure to the subprime mortgage market. Lehman Brothers became part of a wider financial crisis known as the “credit crunch” that the world is still grappling with years later.

The subprime crisis resulted from a sudden lack of liquidity in the US banking sector due to the failing of securities and derivatives markets exposed to increased sub-prime mortgages defaults. With underlying property values dropping due to the property bubble bursting, loans went bad and securities toxic. The financial crisis took many institutions including the Washington Mutual Bank into bankruptcy, the largest bank failure in American history. The Sarbanes Oxley Act and other various governance principles and codes failed to mitigate underlying issues that have led to the current on-going financial crisis. The resulting report into the 2008 crisis was released by the US Senate (Levin & Coburn, 2011). High-risk lending, regulatory failure, inflated credit ratings and investment bank abuses were found to have occurred. It recommended a raft of further changes to strengthen regulation in these areas.

According to Turnbull (2008), the need for corporate governance codes arises because of deficiencies in legislation and regulators. Good governance codes are a set of ‘best practice’ recommendations that covers governing board behaviour and structure (Aguilera & Cuervo-Cazurra, 2004). They are voluntary in nature and thus are a form of “soft law”. Codes and principles (and amendments to them) are also almost entirely, reactions to adverse market events. A prime example of this is the OECD Principles of Corporate Governance, released in 1999, prompted by the Asian financial crisis of 1997/8 (T. Clarke, 2004a). The UK’s Hampel Report recommended combining the Cadbury Reports code of best practice with the Greenbury Reports recommendations, to form the basis for the Combined Code in the UK (now called the UK Corporate Governance Code). This indicates that governance issues are more often than not, dealt with on a piecemeal basis.

Subsequently the UK has created 31 different codes published over the 18 years from 1992 to 2010 and the European Corporate Governance Institute notes over 80 countries that have Corporate Governance codes plus additional codes by transnational organisations such as the OECD (Turnbull, 2011). Researchers view the spread of codes as akin to the diffusion of organisational practice. Legitimacy and efficiency reasons are seen as key drivers of the uptake of new organisational practices (Zattoni & Cuomo, 2008). Codes provide a set of norms aimed at improving transparency and accountability (Aguilera & Cuervo-Cazurra, 2004). However as Aguilera & Cuervo-Cazurra further note, the codes are usually not legally binding with compliance internally checked by the board and externally regarded through market reaction to corporate information regarding compliance with the codes.

Criticism of the soft law regime comes from several sources. Turnbull (2008) proposes that there is a fundamental problem with codes because they are based on principles, practices and or processes not subject to measurement, as opposed to governance with measurable outcomes. In other words, where there are no specific outcomes, it allows the possibility to

be compliant with disclosure under the code, but still be partaking in behaviour that could lead to the downfall of the organisation, such as Lehman Brothers. Furthermore conflicts of interest are noted in the UK with commissions often being made up of the very people in charge of the organisations that are the subject of the commission reports, namely “British establishment businessmen” (Erturk, et al., 2004, p. 684), and its committees sponsored by organisations who have a vested interest in the output of the committee . Turnbull further contends that these committees neglect serious proposals or practices that would make life difficult for their company director cohorts and audit profession colleagues.

Erturk et al make a further claim that the early British committees reports were not in fact based on any strong empirical evidence and as such are more “political documents and exercises in drafting compromise” (Erturk, et al., 2004, p. 685). Within the process of code creation, significant differences between common law and civil law countries, regarding diffusion, scope, coverage, and strictness of recommendations of codes exist (Aguilera & Cuervo-Cazurra, 2004). Civil law countries are more likely to issue codes for legitimation reasons than common law countries. Despite the criticisms of governance codes and principles, they continue to be created, evolve and maintain a significant place within the overall schema of governance.

### ***3. (1)(b)(ii) Stewardship Theory***

Saner & Wilson (2003) ask the question, “stewardship of what?” (p. 1) They note the terms usage and practice in three specific areas, the environment, products and technology, and that it should be viewed broadly in terms of a governance process. Paquet (2008b) proposes that stewardship be used in place of leadership because,

**In the new world of small-g, nobody is in charge and the different stakeholders have a portion of power, resources and information. As a result, collaboration and effective coordination are the new imperatives. This collaboration occurs through conversations and communications in which active agents are experimenting (each in their own way) in full consciousness that their action will trigger unintended consequences, and that their intended outcomes may not be the realized outcomes. In such a world, self-organization forces complement deliberate interventions: sometimes, it amplifies their impact, at other times it neutralizes or distorts them. (p. 4)**

Stewardship theory arose out of work by Donaldson & Davis (1991, 1993), restating the relationship between company owners and company managers (Pastoriza & Ariño, 2008). It uses the same basic framework of actors as in agency theory but it is more inclusive of social factors and assumes no intrinsic conflict exists between managers and owners. Stewardship theory is an alternative argument to agency theory. It “acknowledges a larger range of human motives including orientation towards achievement, altruism and the commitment to meaningful work” (Clarke, 2004, as cited in Du Plessis et al., 2011, p. 459)

The theory counters the a-priori assumptions of agency theory; that managers are self-interested and that their interests need to be aligned. Instead, stewardship theory uses

sociological and psychological approaches to explain governance, as opposed to an economic approach (Sanchez, 2004). The reason for this is because economic theory has struggle to adequately explain organisational behaviour (O'Neill, 2007). Indeed, alternative sociological and psychological explanations provide more broad and realistic accounts of human behaviour. Subsequently, research notes that factors of “social effort and self-esteem have higher utility than individualistic and self-serving behaviours” (p. 695). This is because “The steward is more concerned with extrinsic values than with intrinsic reward.”, (Baker & Anderson, 2010, p. 274). In a somewhat familiar tone to anything related to modern research, it is noted that there is a lack of consistency in usage of the term stewardship (Saner & Wilson, 2003).

Stewardship is seen as governance processes that “encompasses the roles and relations of government, industry, and the public, and makes sense of the complex interrelationships between innovation, regulation, and citizen engagement” (Saner & Wilson, 2003, p. 6). Stewardship occurs in three contexts, as an engagement or consultation process, as a system of governmental oversight practices and as a set of voluntary industry initiatives (p. 3). In terms of government oversight, Inherent in any director appointment is the notion of fiduciary duty, that there is an implicit relationship of trust (and confidence) between two parties (Mace, 2004, as cited in Ziolkowski, 2005). In law, fiducial director duties are therefore synonymous with stewardship theory notions of a “higher utility from collectivistic and pro-organisational behaviour than they do from the maximisation of their own wealth” (Baker & Anderson, 2010, p. 274).

An example of voluntary initiatives within corporate governance is the UK Stewardship Code. The UK’s Financial Reporting Council, spurred on by the of the Walker Report (D. Walker, Sir, 2009) introduced the UK Stewardship Code (Financial Reporting Council, 2010b). The Stewardship Code “aims to enhance the quality of engagement between institutional investors and companies to help improve long-term returns to shareholders and the efficient exercise of governance responsibilities” (p. 1). This code uses the term stewardship in a narrowly defined context with the aim being to encourage institutional shareholders to be more proactive in monitoring the organisations they have invested in.

Cheffins (2010), specifically criticises this code as ineffectual due to the mix of investors differing from when corporate governance codes were first introduced in the 1990s. At that time, fund managers, pension funds and insurance companies dominated, whereas now overseas investors, hedge funds and private individuals (who tend to be passive investors) are dominant in the share registers. Criticisms of stewardship theory include that of being static (Pastoriza & Ariño, 2008), and that the theory is underdeveloped in its arguments. Further criticism revolves around the fact that the theory has not been substantially tested (Ziolkowski, 2005).

### ***3. (1)(b)(iii) Stakeholder Theory***

Stakeholder theory arose because of the perceived narrow view of organisational actors espoused in theories like agency theory. Donaldson & Preston (1995) cite a number of studies going back to the 1960s which note that the majority senior managers think that it would be unethical behaviour to focus singularly on shareholder interests and not in the interests of employees and customers. Theories regarding monitoring and oversight, which take into account wider interests, such as stakeholder theory, have resulted. Stakeholder theory poses two questions, firstly what is the purpose of the firm and secondly what responsibilities does management have to stakeholders (Freeman, 1994, as cited in Freeman, Wicks, & Parmar, 2004). The answer to the first question encourages management to think in terms of “a shared value” and what “brings core stakeholders together” (Freeman, et al., 2004, p. 364). The answer to the second question makes managers think about what types of relationships are needed with stakeholders to achieve organisational purpose (ibid).

Charreaux & Desbrieres (1998) see stakeholders as “all the agents whose utility is affected by the decisions of the firm.” (p. 39). This wider view of social actors is seen by many to provide a more realistic view of parties affected by a corporation. In this regard, agency theory is “morally untenable” (T. Donaldson & Preston, 1995, p. 88) and so stakeholder theory is seen as a more credible alternative. In a similar vein, “business cannot be done in a social and political vacuum.”, (Post, Lawrence, & Weber, 2002, p. 4).

In understanding stakeholder relationships the theory debates whether stakeholders and other constituencies should be given more “participatory rights” (Lynch-Fannon, 2003, p. 3). Stakeholders however need not be limited to just human based. Haigh & Griffiths (2009) make the case for a broad interpretation of the stakeholder concept, that the natural environment should be recognised as a primary organisational stakeholder. Indeed, increasingly the environment is a key element in the operations of business.

Criticism of stakeholder theory includes that it contains no conceptual specification of how to make trade-offs amongst competing stakeholder demands. Some further criticism of stakeholder theory from its opponents appears more emotive than logical, such as the following,

**Given the increasing internationalisation of modern life, and the global connections made possible by improved transportation, telecommunications and computing power, those affected (at least distantly and indirectly) and thus considered to be stakeholders, include virtually everyone, everything, everywhere. Terrorists and competitors, vegetation, nameless sea creatures, and generations yet unborn, are amongst the many groups that are now officially considered to be business stakeholders. (E. Sternberg, 2004, pp. 128-129).**

Interestingly, Sternberg had toned down the wording of this paragraph. It originally included following line at the end of the paragraph “--by major businesses as well as by misguided academics and special interest groups.”, (E. Sternberg, 1999, p. 13).

Jensen (2001), (acknowledged as one of the founders of corporate governance research) also offers up something similar,

**...stakeholder theory, argues that managers should make decisions so as to take account of the interests of all stakeholders in a firm (including not only financial claimants, but also employees, customers, communities, governmental officials, and under some interpretations the environment, terrorists, and blackmailers). (Michael C. Jensen, 2001 [Abstract])**

Despite the highly negative and condescending view towards the environment by both writers, it has nevertheless become an increasingly important governance issue through living in more enlightened times. Actively naming the environment as a stakeholder raises important issues of how to protect and conserve the environment within current economic and business models. Under the spotlight of increased awareness of the relationship of the environment to human health, development and ultimately survival, their comments have perhaps not aged well. In contrast Mervyn King, a well-known South African Judge and corporate governance commentator, in an interview states, “For hundreds of years, we had a ‘take, make and waste’ economy based on two false assumptions: that the planet has infinite resources, and that it has an infinite capacity to absorb waste. Wrong!” (N. Stewart, 2010)

Indeed there are calls that mass environmental damage should become a crime against peace, viewed on the same scale as crimes against humanity and tried at the International Criminal Court (Jowit, 2010). In terms of other criticisms of stakeholder theory, one of the main arguments raised, is that the theories arguments are not as fully developed as agency theory (Piore, 2004). It is noticeable that there is less academic writing on the subject than some of the other governance theories.

### ***3. (1)(b)(iv) Global Governance Theory***

The roots of global governance first arose in conjunction with the notion of world order in the 1970s (Overbeek, Dingwerth, Pattberg, & Compagnon, 2010). Initially this was an idealistic normative/prescriptive radical response by theorists to address issues not being solved satisfactorily by traditional state governments, due to being beyond their individual reach (p. 697). During the following years a “de-radicalizing transformation” occurred in which global governance was re-formulated away from questioning the status quo to reconciling “imperatives of a globalizing market economy with the requirements of sustainable development” (p. 698). Thus although primarily concerned with intergovernmental relationships, global governance now involves not only governments and intergovernmental institutions but also non-governmental organizations, citizens' movements, transnational corporations, academia, and the mass media (Commission on Global Governance., 1995).

The rise of governance through interaction between these organisations has taken place whilst traditional state governments have experienced decreasing power and reach, a “disaggregation of authority” (Rosenau, 2007, p. 88). This is also described as “delegated governance” (Coen & Thatcher, 2008, p. 49). There are three broad sets of problems facing humanity which global governance attempts to address within this space, that of “sharing our planet”, “sustaining humanity” and “our rulebook” (p. 294). Increased interconnectedness results in localised events having “almost instantaneous global consequences” (Held, 2010, p. 296). Sharing our planet involves confronting the many environmental issues that the planet faces. Sustaining humanity involves eradicating poverty, preventing conflict and eliminating disease. Lastly, our rulebook involves the rules regarding issues such as nuclear proliferation, trade and tax. These issues go well beyond the scope of any one state or organisation to engage let alone solve given the broad range stakeholders involved.

Held (2010) notes numerous problems with global governance; that governance over any single issue can be “chaotic” with many organisations involved, no clear division of labour between them, conflicting mandates, blurred aims and objectives. In addition, issues of legitimacy, trust and democratic deficit also exist, especially within transnational governing organisations like the European Union. The European Union themselves note the paradox of their individual constituencies wanting the European Union to find global solutions to problems but simultaneously retaining a distrust of the institution, seeing it as both remote but intrusive (Commission of the European Communities, 2001). Ironically, Steffek & Nanz (2008) believe that the European Union has less democracy than democratic states, but that appropriate solutions to fix this democratic deficit are contested.

Alternatively, “the enormous size and heterogeneity of the global citizenry make the democratization of global governance impossible...and...that international organizations be regarded as ‘bureaucratic bargaining systems’ that offer no prospects for democratization” (Dahl, 1999, as cited in Steffek & Nanz, 2008, p. 5). All governance architecture is therefore fragmented to some degree, with there being no ideal state of governance (Biermann, Pattberg, van Asselt, & Zelli, 2009). Thus “Our independent world has yet to find the mechanism to integrate its common needs” (Moore, 2003, as cited in Held, 2010, p. 299). Responses to issues of coordination have focussed on multilevel and network governance.

### **3. (1)(b)(v) Multilevel and network governance**

Multilevel governance is defined as

**a set of general-purpose or functional jurisdictions that enjoy some degree of autonomy within a common governance arrangement and whose actors claim to engage in an enduring interaction in pursuit of a common good. Such a governance arrangement need not be engrained constitutionally; rather, it can be a fluid order engaged in an adaptive process. (Enderlein, et al., 2010, p. 4)**

Factors of globalisation, technological advances, the increasing transnational nature of human life and higher awareness of the interconnected nature of our global system and natural environment drive a need to better coordinate activity across geographic boundaries. Multilevel governance has occurred through a rise in transnational regimes, some of which have supranational powers, and public/private partnerships, which have gone from being local to international in nature (Hooghe & Marks, 2010).

Hooghe & Marks (2010) identify two broad types of multilevel governance, general purpose and task specific. General purpose multilevel governance involves institutions bundled together with multiple functions and responsibilities with only one jurisdiction at any one territorial scale (ibid), in other words, federalism and its variants. An example of this type of governance is the European Union (ibid), an organisation started post World War II focussing on economic and political partnership in its initial member countries, expanding in both membership and scope over time to cover areas such as development aid and environmental policy. In contrast to this, task specific multilevel governance envisages specialised jurisdictions (of which there can be multiple numbers of) focussed on a specific problem (ibid). An example of this type of governance is the Forest Stewardship Council, an organisation set up by a number of environmental, business and human rights groups (ibid).

The link between multilevel governance and network governance is not clear-cut and the terms have areas of overlap, however some general areas of difference are apparent. Ziolkowski (2005) defines network governance as,

**a form of inter firm co-ordination where contracts are not legally binding, however, they may have a social force in place that may make the parties to act in the spirit of their arrangement or arrangements, which they called "agreements" or "contracts". (Ziolkowski, 2005, p. 374)**

Network governance arrangements tend towards being informal rather than bureaucratic and regulatory. It is a “change in the mode of governance, away from hierarchy and towards consultation, negotiation and soft law” (Coen & Thatcher, 2008, p. 50). Whilst network governance can be multilevel, its focus is on grouping governance actors for specific purposes whereas multilevel governance tends towards multiple purposes. Advantages of coordinating networks include, “enhanced learning, more efficient use of resources, increased capacity to plan for and address complex problems, greater competitiveness, and better services for clients and customers” (Provan & Kenis, 2007, p. 229).

### **3. (1)(c) Summary**

Governance in the non-Māori and non-indigenous tradition is wide-ranging, signified by extant diversity of opinion and continually evolving. Conflict is common, with significant global events and crises causing theories and models to be continually modified and



changed. Whether current governance theories and models are adequate for the future or will adequately account for what is happening in the present, is a moot point.

### **3. (2) Māori governance**

Māori governance literature comprises a number of sources, including dissertations, theses, journal articles, public and private sector commissioned reports, media articles, conference proceedings and various rules, constitutions, charters, agreements and legislation “governing” Māori organisations to name but a few. These works are by both Māori and non-Māori covering a range of viewpoints and perspectives, from work culturally Māori in basis, through to non-Māori views of Māori governance. This section particularly looks at the literature to see how the concept of governance links to the cultural basis of Māori. Specific and significant research projects on Māori governance and key themes and issues evident within the literature are reviewed.

#### **3. (2)(a) Māori Governance related research studies and enquiries**

A number of case study type reports have looked at aspects of Māori business and their governance. These studies take a practical analytical perspective, primarily focussing and benchmarking aspects of “successful” Māori organisations. These studies and their findings are now reviewed in turn.

##### ***3. (2)(a)(i) Waka Tohu Project – Māori business branding, achieving competitive advantage in global markets.***

This project was a 4 year project from 2003-2007 led by Māori research company Mana Taiao Ltd, funded by a FRST foundation grant, looking at governance, Māori values in business and Māori business branding and export opportunities. Several summary reports make up this tranche of work.

##### ***3. (2)(a)(i)(1) Report on the incorporation of traditional values/tikanga into contemporary Māori business organisation and process***

This research focuses on “how Māori organisations and businesses incorporate traditional tikanga [values] into contemporary Māori organisation and processes and integrate their unique cultural heritage and values into their business approach” (Harmsworth, 2005, p. 5) The report firstly discusses organisational values generically and then a Māori sense and conducts seven case studies of “successful” Māori organisations, notes,

**Māori organisations, such as trust boards, runanga, and incorporations, are often born out of a cultural and legislative context that embodies politics, issues, history, tradition, governance, inheritance, values, custom, relationships, and responsibility. The strategic direction, purpose and function of these organisations is commonly influenced by their history, governance, politics, and ancestral links, that determine lines of business and service, and usually reflects the expectations of the constituency they represent. (p. 16)**

This statement implies the degree of complexity that Māori organisations face. In addition, outside of pure business motivations, culturally based motivations also influence the strategic direction of Māori business, “Many Māori organisations wish to demonstrate their values so they can guide their own destiny and create for themselves a sustainable competitive advantage.” (p. 25).

Māori organisations see their values as a source of long-term competitive advantage over non-Māori organisations. The report thus identifies a cultural element of governance that is possibly unique to Māori, “Your culture is your worldview, and subsequently becomes the company’s worldview, through our governance, our products, sector businesses, our marketing, our day-to-day business.” (p. 33).

This report differentiates Māori governance from other governance based on its cultural factors and is clearly of the view that Māori governance has its own unique form. The report infers that the culture is the governance.

### ***3. (2)(a)(i)(2) Governance systems and means of scoring and reporting performance for Māori businesses***

This report cites Marriot (2002) in noting a gap in corporate governance theory in taking into account issues of culture (Harmsworth, 2006).<sup>22</sup> The report then sets about trying to integrate cultural elements into the report. The report says,

**...we suggest that effective governance provides the essential organisational framework and system – as a first step – to implement cultural values that then contribute to the sustainable development goals and outcomes. Without effective governance, it is difficult to articulate and implement cultural objectives and aspirations’ (p. 9)**

Effectively however this puts the institutions of governance first and the culture second, which unfortunately mirrors the binary thought processes that underlie non-indigenous conceptions of governance. This is reinforced by the way the report looks at Māori business governance systems and structures... “as a derivation of the standard mainstream or western model” (ibid). This is clear indication Māori organisational governance is viewed mainly as culturally non-Māori, using non-indigenous taxonomic thought processes. The report further notes that some key principles and rules of good governance are “independent of culture” (ibid), but that they have “Māori cultural equivalents” (ibid). This highlights the methodology as one of equivalence translation, as opposed to looking at governance from any internal perspectives.

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<sup>22</sup> Spiller & Lake (2003), note that business can learn from Māori insights into business ethics and sustainability and believe there should be a fourth bottom line based on culture. Henare, Wolfgramm & Ruwhiu (2008) also agree a cultural bottom line is needed.

The report acknowledges that Māori organisations are western structures but that key contextual drivers differentiate them, i.e. their histories, values, whakapapa, purpose, amongst others. These drivers increase operating environment complexity and place extra pressure on Māori organisations as performance expectations originate from both Māori and non-Māori quarters. The report then discusses key governance drivers with excerpts taken from a number of case studies for this report. The drivers are grouped by,

- **Historic context in which the business has developed or evolved**
- **Purpose, expectations, and responsibilities conferred on the business by stakeholders**
- **Desired target outcomes and goals**
- **Ancestral or tribal connections or whakapapa of the shareholders or beneficiaries**
- **Values and ancestral connections of key players, directors, managers etc**
- **Time-frame in which the business is planning and operating**
- **Geographic resource base being utilised. (p. 10)**

Interestingly, many of these have a direct or indirect reference to whakapapa. The report concludes that it is “extremely difficult to integrate cultural heritage and values into a business without first establishing effective corporate governance.”(p. 22). The report then finishes in the Appendix with a summary (modified from the Global Reporting Initiative Reporting Framework) of a proposed culturally based sextuple (6) bottom line reporting framework including Key Performance Indicators (KPI’s) within each area, namely,

**Governance**  
**Cultural Practices/Tikanga**  
**Economic**  
**Environmental Sustainability**  
**Social**  
**Spiritual (pp. 27-31)**

The KPI’s are linked to specific outcomes e.g. for the Environmental Sustainability aspect having a requirement to describing how Kaitiaki practices are included in organisational activities and whether these are being adhered to. Also of interest is the inclusion of a spiritual element, such as tangi [bereavement] leave practices, inclusion of cultural practice and protocol within the organisation. The authors also pose a thought-provoking question, “does an organisation have a soul?” (p. 30).

### ***3. (2)(a)(ii) Governance bills and legislation***

There are a number of acts which affect the governance of Māori organisations, however a key piece which focussed specifically on governance was the failed Waka Umanga Bill.

#### ***3. (2)(a)(ii)(1) Waka Umanga Bill***

The goal of this bill was,

**The rebuilding of Māori institutions is a matter of longstanding concern for both Māori and the Crown. There are two vital issues. The first is the lack of a legal framework to represent**

and manage the interests of tribes and other Māori collectives in a way suitable both for them and those with whom they deal. The second is the lack of a legal framework for tribal restructuring to ensure that entities are developed by the people themselves against a background of their own culture and that enables the ready resolution of formation disputes. (New Zealand Law Commission, New Zealand Office of Treaty Settlements, New Zealand Maori Land Court, & New Zealand Ministry of Māori Development, 2002, p. 12)

The Law Commission through the Waka Umanga Bill attempted to overcome shortcomings identified in iwi settlement entities by the Law Commission and the Chief Judge of the Māori Land Court, through the creation of a new form of legal settlement entity to receive and administer Treaty of Waitangi settlements. The two major shortcomings identified were of having structures able to efficiently and successfully, administer “kin-owned” assets and addressing lack of adequate dispute resolution mechanisms within current settlement structures. The Law Commission, drawing on the research of Durie (1998) acknowledges that any proposed entity must “support...tribal identity” and notes the issue of corporatisation of iwi can be “avoided” through the creation of appropriate tikanga Māori frameworks that support those organisations. This builds on earlier work done by the New Zealand Law Commission (2006) where they note,

**In 2002, the Law Commission’s study paper, Treaty of Waitangi Claims: Addressing the Post-Settlement Phase 1 recommended that a new model settlement entity be created by statute to receive Māori settlement assets, as the Commission found significant deficiencies with the legal models currently available to Māori. This recommendation was well received by Government, but not taken up. (p. 8)**

The Waka Umanga Bill represented a serious attempt to create an organisational structure that had a greater cultural fit than current legally sanctioned structures to align organisational form. The Waka Umanga (Māori Corporations) Bill unfortunately was discharged on 21 December 2009 in its second reading. The reasons why the National Party government voted against this bill are not clear. It is surprising that the bill was voted down given the extensive effort, time and money spent by a number of government agencies and extensive input and support by Māori in getting the bill into parliament. It was perceived to have great potential to enhance the Māori economy and society. This potential has unfortunately not been realised.

### **3. (2)(a)(iii) *Te Puni Kōkiri (TPK) Research and Reports***

Te Puni Kōkiri (Ministry of Māori Development) is the Crown’s principal adviser on Crown-Māori relationships. They advise the Government on policy affecting Māori wellbeing and development. According to their 2011 Annual Report,

**Te Puni Kōkiri was created by the Ministry of Māori Development Act 1991, with a focus on education, training and employment, health, and economic resource development. Our principal duties under the Act are to promote increases in Māori achievement across these key social and economic areas and, linked to this, to monitor and liaise with each department or**

agency that provides, or has a responsibility to provide, services to or for Māori, for the purpose of ensuring the adequacy of those services...We focus predominantly on:

- leading and influencing government policy as it pertains to Māori;
- assisting the government to manage its relationships with Māori; and
- partnering and facilitating Māori, government and private sector initiatives (New Zealand. Ministry of Māori Development., 2011, p. 8).

To these ends, Te Puni Kōkiri has produced a number of reports on various aspects of Māori organisation, business and governance, a selection of which are reviewed as follows.

### ***3. (2)(a)(iii)(1) Ngā Tipu Whakaritorito: A New Governance Model for Māori Collectives Project***

#### **Component 1**

TPK began work in the mid-2000s on developing an integrated governance strategy with the goal of unlocking Māori potential. The strategy had three strands. The first component was to ensure Māori collectives can access effective governance structures. A discussion document of the same name was released in 2004 and a call for submissions made. There is no information available regarding what ultimately happened to this part of the project. Perhaps it was overtaken or integrated into the Law Commissions work on the “Waka Umanga” structure?

The document itself states that,

- Māori frameworks do not sit well within regulatory and compliance systems designed without consideration of the relevance to, and impacts on, Māori
- These tensions create barriers to Māori organisations achieving their core purpose
- Existing structures for Māori governance are not able to meet the full range of activities Māori wish to undertake in a modern context (New Zealand. Ministry of Māori Development., 2004b, p. 5)

In order to ameliorate these issues it proposed the following model based around three key elements,

#### **Legal Capability**

- **Distinct legal identity**
- **Perpetual succession**
- **Ability to provide benefits for members collectively and individually**

#### **Minimum requirements for establishing a new governance entity**

- **Kaitiakitanga**
- **Representation**
- **Accountability**
- **Transparency**
- **Role clarity**
- **Dispute resolution**
- **Treaty Settlement/Fisheries Allocation**

#### **Establishing the new entities**

- **Registration of the new entities**
- **Role of the Registrar**
- **Verifying the constitution of the new entities**
- **Preferred legislative framework for incorporation**
- **Tax**
- **Māori Authority tax status**
- **Charitable tax status (pp. 10-13)**

In response to the above there was a comprehensive submission made to TPK by Meade (2004) which extensively reviews Māori governance arrangements. Meade is of the opinion that the TPK report's suggestions for a new governance entity model would not solve many of the current governance problems facing Māori organisations. He notes that most Māori organisations have a genealogical basis and that this presents both advantages and disadvantages (ibid).

The advantages include a clear basis for membership but that membership is heterogeneous, has issues over whether membership is automatic or requires opt in and the link this has to the ability to effectively monitor the organisation and its activities. Meade likens Māori organisations' constituency to wider society and so the nature of the organisation reflects its wider social and economic goals in contrast with pure profit motive organisations and contains political and representative elements that do not appear as strongly in non-Māori organisations. Māori culture according to Meade has disadvantages, with control of resources not undertaken by ability or merit but by seniority of genealogy (Meade, 2004).

However, contrary to Meade, Walker (1993) posits that this idea regarding genealogy was never a pure position noting that although "leadership...was based on the principles of ascription and primogeniture, namely seniority of descent from founding ancestors. But these principles were not absolute." (p. 1). In discussing leadership, one view of the qualities of a rangatira [leader] are,

- **Whakapapa was a characteristic of rangatiratanga: moenga rangatira, they believed that leadership was born from a chiefly marriage bed, that leaders were born. Api Mahuika, in Michael King's book makes the point that leadership is also achieved**
- **Pu Manawa talents – leaders are expected to be talented to manage the affairs of the iwi, the talents were mainly in relation to higher priority areas in providing the basic needs of the iwi, such as food, shelter, clothing, safety etc.**
- **Acceptance and confirmation by the people**
- **Whole Whakapapa was the most important pointer to rangatira rank, Mead describes that particular talent as an Executive Capacity, in other words that people of high rank had a high level of executive capacity. That could work as a leader was likely to be accepted and confirmed by the people and I think that is still the case today.**

- **The identity of leader known by other iwi. That is it means the name of the leader is heard over time by other iwi as a leader of a particular iwi.**
- **The Turangawaewae principle. Just as important as birth credentials, so was the principle of identification to a specific territory. In context of land the leader is able to call upon symbols of the natural environment, knows a lot about the mountains, the rivers, the identity symbols of that particular iwi, the lakes the seas and the harbours and the sacred places.**
- **The gender aspect. Hirini Mead in his readings makes the point that most writers appear to assume that leaders were always male. Api Mahuika however in 1981 points out that in Ngati Porou there were many instances where leaders were women and often leaders of Ariki status. By and large the expectations on them were the same as for men, but they did bring their own qualities with them. (Mead, n.d., as cited in T. Royal & Winiata, 2001)**

Meade (2004) identifies the issue of lack of formal control over Māori organisations from an agency theory and contracting perspective and a perceived clash between traditional approaches and a best person for the job approach. He states,

**In a sense the overlaying of traditional Māori approaches...on contemporary legal governance structures – with senior members of prominent families tending to have management responsibility whether or not they are best qualified to do so – provides an analogue for the beneficial monitoring role found to be played by large, strong shareholders in companies. (p. 15)**

Meade sees that Māori organisations suffer from managerial information asymmetries that increase the opportunity for opportunistic behaviour. He also sees a significant issue in the Charitable or Māori Incorporation tax status of many Māori organisations

**By providing such organisations with a financial head-start on like organisations not enjoying tax relief this can give a false sense of comparable or superior managerial performance, or alternatively provide a taxpayer subsidised buffer for poor performance. Thus the “bird in the hand” of tax relief could in fact be costing more than “two in the bush.” Certainly if restrictive structures such as charitable trusts or incorporated societies are adopted simply to achieve concessional tax status where those structures are not otherwise beneficial, this may involve considerable governance, performance, value and asset-preservation trade-offs. , (p. 16),**

This can be compared against claims of “successful” Māori organisations that exist in many studies. Meade further notes that TPK’s proposal is,

**...silent on critical details such as the ability of creditors or members to wind up the collective and distribute its assets. As distasteful as such topics may be, they are critical in a governance sense in that they define bottom line sanctions against poor management. (p. 19)**

Historically there was an ability to dissolve an organisation (Te Rito, 2007). Kawharu (1996) and Ballara (1998) noting that hapū waxed and waned but became frozen in time with Native Land Court’s recording of the whakapapa of hapū. The tribal organisation is

seen as a source of collective identity but the control over that identity has been greatly modified from pre-colonisation times from when that bottom line sanction existed.

Meade's stance is primarily concerned with the lack of accountability mechanisms within Māori organisations and that the proposed TPK model would fail to address those issues. Meade's analysis views the situation from a purely economic theoretical foundation and as such is a non-Māori lens view of a Māori organisation.<sup>23</sup> Meade's analysis, provides some good insights into sources of governance problems within Māori organisations but fails to take into account any cultural nuances that might counterbalance the potential problems that he raises.

Self-interested behaviour does not go unnoticed by members. Perpetrators are invariably relatives. Forces influencing managerial divergence given by (Michael C. Jensen, 1993, p. 850), that of capital markets, legal/political/regulatory system, product and factor markets, and internal control systems headed by the directors, do not take into account localised socio-cultural mechanisms of influence. An example of this is the oversight function that Kaumātua [elders] and Aunties may have on management and the board. Those two groups have oversight roles within Māori society and in western terms, their actions could perhaps be likened to a form of audit or alternatively shareholder activism. Taking a purely economic view potentially excludes socially and culturally based forms of mediating influences.

### Component 2

The second component of the strategy is supporting governance capability as part of its Strengthening Management and Governance programme. A key component of this programme being an online governance information repository created within its existing website. The "Effective Governance" website was launched in October 2004 to disseminate information on effective governance practices.<sup>24</sup> Another key component of the programme is the release of several studies into governance and Māori organisations listed as follows,

- "Hei Whakātinana i te Tūrua Pō: Business Success and Māori Organisational Governance Management Study 2003"
- "He Mahi, He Ritenga Hei Whakātinana i te Tūrua Pō 2004" and
- "Māori Business Innovation and Venture Partnerships 2005: Hei Whakātinana i te Tūrua Pō".

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<sup>23</sup> As far as the writer is aware, there has never been a critique of Meades' paper. His work is similar to the work of (Marriott, 2002) which was a primarily economic (agency theory) perspective on Ngāi Tahu. Both reached similar conclusions.

<sup>24</sup> That website address is <http://governance.tpk.govt.nz/>



### Component 3

The third part of the strategy considers issues of representation. There is no information available regarding what happened to this part of the project but perhaps it was integrated into the Law Commissions work on the “Waka Umanga” structure.

#### **3. (2)(a)(iii)(2) *Hei Whakatinana I te Turua Po: Business Success and Māori Organisational Governance Management Study 2003.***

This study conducted interviews with ten “successful” Māori organisations to create a case study of each organisation providing insights into its governance and management. There is no explanation of how these organisations were chosen. The report notes, “It is important that the Māori perspective is taken into account when Māori governance management policy is being developed and structures are created or amended in law.” (Federation of Māori Authorities & New Zealand. Ministry of Māori Development., 2003, p. 3). Furthermore, “The report identifies key principles that could be further explored for better recognising current Māori perspectives on governance and management, and facilitating more effective education and training programmes for governance self improvement.” (ibid).

This provides a clear indication that Māori perspectives are not viewed as being at the centre of those organisations. The aim of the report is to ascertain some of the key drivers of a “successful” Māori organisation. It notes a limitation on information because of commercial sensitivity. The four key findings of the literature review in the report are,

- 1. The calibre and competence of the people in the organisations has huge impact on longevity and success;**
- 2. These organisations operate in a complex environment and face continual change to their environment;**
- 3. All agreed that data collection and analysis are essential for good governance decision-making; and**
- 4. Compliance and control systems are paradoxically a burden and yet necessary.**

**However, all organisations commenced through a form of entrepreneurship, innovation and creativity. These elements were seen as equally critical to longevity and success. (p. 16)**

The report also states the following as important,

- For Māori, on the things Māori organisations can do to enhance their economic development prospects – in particular, our analysis has led us to the view that investment in high quality governance is the most critical next stage of development, which must be guided by Māori ;**
- For New Zealand businesses, on the opportunities available to them to transact with, and invest in, the emerging Māori economy;**
- For Government regarding the broad direction of policies which would enhance Māori economic development. In particular, the government’s interest in Māori economic**

**development is not just a social responsibility or Treaty risk management. Rather, it is a policy area with significant potential to enhance New Zealand's overall economic performance (p. 8)**

Unfortunately, the key findings do not tell us much about governance of Māori organisations other than they need good information for decision-making. The study also contains a brief literature review of the complex nature of organisations. However, of all the references given, only one is specifically about Māori organisations, that of Marriott (2002), noting that board members must have the skills for the job. Their short discussion on governance provides no discussion of governance in a Māori context.

The case studies themselves are summarised into the following headings

- Introduction
- Structure
- Organisational Structure
- Core Purpose
- Governance Board
- Business Environment
- Possible Changes
- Māori Organisational Characteristics

This report gives us a good snapshot, which would be hard to access under normal circumstances. Insights into organisational thinking are given, e.g. Tohu Wines Ltd, "James believes making money is the key to being a successful Māori organisation. However, this must be tied to the principles of tikanga. If we just did those two things we'd be right – everything else would follow on." (p. 23),

For Tohu Wines Ltd, culture is tied to organisational being. For Te Wānanga o Raukawa, a Māori educational institution,

**The desire to advance Te Wānanga o Raukawa as a tikanga Māori organisation has recently been aided by the introduction of a set of kaupapa described as elements of the Māori world view. These kaupapa include manaakitanga, rangatiratanga, wairuatanga, whanaungatanga, kōtahitanga, pūkengatanga, kaitiakitanga, ūkaipōtanga, reo and whakapapa. Te Wānanga sees these kaupapa as the drivers in their activities and operations. This advancement has assisted in their development as a tikanga Māori organisation. (p. 25)**

This organisation has laid out a set of key Māori values in its operating framework, a very similar theme to Tohu Wines Ltd and that this has helped their development. As a specially mandated Wānanga educational institution they are bound by the ("Education Act," 1989) to have statutory crown appointments on their governing board. They note difficulties in getting appointments implemented. They also note that non-Crown board members must have a significant involvement with the local tribes of the area. The organisation originally

started in 1975, and eventually became a Crown recognised “Wānanga”.<sup>25</sup> They note the debate regarding this move, “Huge debate took place concerning the decision to become recognised by the Crown as a “Wānanga” under the Education Amendment Act as it was recognised this would impact on the rangatiratanga of Te Wānanga o Raukawa.” (p. 27)

Becoming accountable to the Crown is a big step to take for a Māori organisation, as there is a trade-off between independence and the perceived need for state funding to run its programs and grow. They further note,

**Tikanga Māori is not a business model and there is debate within the governing board about whether Te Wānanga o Raukawa should adopt a purely business focus. However, the board currently leans towards a tikanga Māori model and sees relationships as being extremely important. (pp. 26-27)**

From this statement some of the dynamics that the board grapple with are apparent, the degree to which they emphasise traditional customs or western business practice or within their organisational model. The Palmerston North Māori Reserve Trust, a trust over Māori land and some associated companies is quoted,

**In terms of the governance role, the ideal person must be familiar with the history, tikanga, and cultural imperatives relating to the Trust. They must have sound judgement, a commitment to understanding business requirements including strategy development, understanding financial implications, familiarity with legal requirements and a sense of commitment to the kaupapa for which they receive negligible reward. (p. 42),**

A balance of Māori values and corporate skills are thus seen as important characteristics.

A key theme running through many of the organisational case studies is the importance of the type of people coming onto the board, whether as representatives of other organisations or chosen because of skill. The consensus was of having an appropriate mix of commercial and cultural skills and integrity. The study noted that an underlying Kaupapa [strategy/Māori centric approach] drove each organisation and that wealth creation was only a means to an ends, the organisation a vehicle to ensure survival, indicating the need for appropriate cultural alignment. The report overall is broad in the information provided and covers the management and operation sides of the organisations as well as governance.

### **3. (2)(a)(iii)(3) *He Mahi, He Ritenga Hei Whakātinana i te Tūrua Pō 2004.***

This study interviews ten “successful” Māori organisations to create a case study of each organisation providing insights into its governance and management. There is similarly no discussion or indication of the criteria used in choosing the ten organisations in the study,

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<sup>25</sup> See ("Education Act," 1989) which outlines the legal basis for the Māori based educational institutions called “Wānanga”

however there is a strong tendency towards primary industry in this survey as opposed to the last survey, which had a mixture of land trusts, social services and tourism. This focus would seem to balance out the 2003 work and is appropriate given that an estimated 52% of Māori assets are invested in farming, fisheries and forestry industries (New Zealand. Ministry of Māori Development., 2007). This research shows a little more sophistication noting that the first study was a foot dipped in the water, this time they have dived into it. This study highlight gaps in the governance of the organisations studied such as the lack of risk management processes and also a lack of conflict of interest registers/policy (New Zealand. Ministry of Māori Development., 2004a). In addition, they note the need for stronger planning and governance through development and alignment of the Strategic Plan with various factors such as risk management and of the need for a sound governance plan to enable things such as role clarification and succession and mentoring (ibid).

There is a much stronger technical focus on governance, looking into accountability mechanisms of shareholders. Some organisations have difficulties contacting shareholders as they may live out of their tribal area, such as the case of Whakatōhea Trust Board, with some 80% “outside their tribal area” (p. 19), a situation mirrored by many other tribes. Many of the organisations seek outside advice where expertise that is not available in-house is required.

### ***3. (2)(a)(iii)(4) The Asset Base, Income, Expenditure and GDP of the 2010 Māori Economy***

When governance is discussed, it is important to understand what exactly is being governed? Part of that is of economic assets. This report discusses the size and nature of the Māori economy and assets under Māori control. Importantly it calculates the Māori economy to be conservatively worth “at least \$36.9bn NZD” (Business and Economic Research Limited, 2011, p. 3). Agriculture, Forestry and Fishing at \$10.579bn NZD (p. 15) makes up close to 29% of assets. Of this total \$5.807bn NZD or close to 55% is owned by Māori entities such as Trusts, Incorporations, Boards and other entities. The next highest category is Property and Business Services at \$ 6.916bn NZD (p. 15). Interestingly the bulk of the Māori economic asset base, \$26.277bn NZD (p. 16) or just over 71% is owned by Māori employers or those in self-employment with the remaining 29% is in the hands of Māori entities. This suggests that individuals or Māori employers undertake governance activities over the majority of the assets. Largely however, most focus in the Māori governance literature is on the Māori entities that own the 29% of assets. There appears little research that specifically theorises governance across both groups.

### ***3. (2)(a)(iv) Government enquiries and reports***

#### ***3. (2)(a)(iv)(1) Te Wānanga ō Aotearoa***

This was an enquiry by the Office of the Auditor General into aspects of the running of Te Wānanga ō Aotearoa because of a request for assurance from the then Associate Minister of

Education in September 2004 (Office of the Auditor General, 2005, p. 6). Te Wānanga ō Aotearoa is one of three Māori educational institutions mandated to be a Wānanga under the ("Education Act," 1989). The background to this enquiry is complex but this particular report focused on decision-making practices for significant expenditure, conflict of interest issues and senior management practice, of which it found a number of deficiencies, making recommendations for improvement.

A major reason for the organisations problems were due to its overwhelming success. They experienced a phenomenal growth spurt in an extremely short time period, going from 1,861 Equivalent Full Time Students (EFTS) in 1999 to 34,280 EFTS in 2003 (Office of the Auditor General, 2005, p. 6). It virtually overnight became one of the largest educational institutions in New Zealand. Understandably cash flow, capital expenditure and quality control became problematic in these circumstances. The issues surrounding Te Wānanga ō Aotearoa appeared in the public eye in the wake of Brash's infamous "Orewa" speech in early 2004 which politicised the perception of Māori during this period. The huge student growth was enabled through a change in educational sector funding mechanisms setting funding on a per student basis, applied to all tertiary institutions.

Interestingly, Crown knowledge of the actual financial situation and circumstances of Te Wānanga ō Aotearoa was in fact much more detailed than politicians had lead the public to believe. This is because all Wānanga by law must have Crown representatives on each Wānanga board, are subject to annual financial audit as well as and academic audits and submit detailed financial and statistical results and EFTS forecasts to the Crown several times a year. All courses need to be approved before they are permitted to be taught so the supposed twilight golf and singalong courses complained about in Parliament were in fact merely cherry-picked components chosen by politicians of Ministry of Education approved sports leadership and introductory Maori language course curriculums. As a governance case study, it highlights the often uneasy and sometimes difficult relationship that exists between Māori and the Crown. It also highlights how Māori issues can become politicised for political gain, at the expense of Māori institutions such as Te Wānanga ō Aotearoa who in particular, strive to deliver education to those who have not succeeded in the traditional education system.<sup>26</sup>

### **3. (2)(a)(iv)(2) *Royal Commission on Auckland Governance***

The Government set up this Royal Commission to enquire into Auckland's local government system. They released their report in March 2009. As part of that enquiry, they consulted with Māori seeking their views and opinions. Submissions from Ngāti Whātua, Ngāti Te Ata, Te Taoū and Pare Hauraki, and other tribes who have Mana Whenua

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<sup>26</sup> See also (Waitangi Tribunal, 2005) report number WAI 1298 for a comprehensive account of events regarding Crown funding issues. The Waitangi Tribunal found that the Crown had breached the Treaty of Waitangi in its dealings with Te Wānanaga o Aotearoa.

[traditional occupancy] status in the Auckland region supported designated Māori seats on any future council. These views were taken into account as follows,

**Provision has also been made for the election to the Auckland Council of two councillors by voters on the Māori electoral roll; and one councillor appointed by mana whenua through a mechanism specified by the Commission in its report...The Commission considers that the provision of three safeguarded seats for Māori is consistent with the spirit and intent of the Local Government Act 2002, which requires local authorities to establish processes for Māori to contribute to decision making. It will ensure that there is an effective Māori voice at the decision-making table, and that the special status of mana whenua, and their obligations of kaitiakitanga and manākitanga, are recognised. (Royal Commission on Auckland Governance, 2009, p. 8)**

However these recommendations were rejected by the government with the Prime Minister John Key stating that Māori representation should be across the region and not to have token representation that can be voted down (Field, 2009). He also later said that the government wanted to look at better representation for the increasing Pacific Island, Chinese and Indian populations. Contrast this with Sharp (2002) noting the heightened political consciousness of Māori from the 1980s onwards that,

**Māori have insisted that they are ‘not just another ethnic group.’ They are a people, a nation. They are Tangata whenua, ‘children of the land,’ intimately connected with the place in a way far deeper than any Pākehā could be, or any other or more recent immigrant. Other peoples can go home; Māori have nowhere else to go. (p. 10)**

The Minister for Māori Affairs claimed that the Māori seats were not a matter of special rights or privileged position, but of building a future on solid foundations of justice,

**Without distinctive Māori councillors and mana whenua positions, as the Royal Commission recommended, Māori will almost have no chance of being elected to the board. Representation at-large will cater for the corporate few, while tangata whenua and grass-roots have been marginalised and relegated to the community level. justice (Field, 2009)**

This means that Māori have no specific governance representation in the new council superstructure and this would appear to go against the intention and spirit of The Local Government Act which states,

**Contributions to decision-making processes by Māori**

**(1) A local authority must—**

- (a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and**
- (b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority; and**
- (c) provide relevant information to Māori for the purposes of paragraphs (a) and (b). ("The Local Government Act," 2002 s 81)**

Ngāti Whātua o Ōrākei placed the following quote at the beginning of their submission, which was a statement by Chief Paora Tuhaere at the 1860 Kohimārama Conference of

Chiefs, “Let us be admitted into your councils. This would be the very best system. The Pākehā have their councils, and the Māori have separate councils, but this is wrong. Evil results from these councils not being one.” (Ngāti Whātua o Ōrākei, 2008).

This issue, it would appear, is not a new one for Māori. Kawharu (2009) states that in not providing Māori seats it is ignoring the concepts of Mana Whenua, Mana and the reciprocity required for acts by Ngāti Whātua towards the settlers and people of Auckland. Examples of acts noted by Kawharu included land gifted to Governor Hobson in the 1800s, the more recent gifting of other land at Okahu Bay in 1991 that had been returned to Ngāti Whātua, back to the city of Auckland, and the charging of only 50% of ground rent to create the Vector Arena complex. The reciprocity required from these acts help deepen the relationship by Ngāti Whātua with Auckland city. In forgetting this whakapapa, deep injustice and misunderstanding is apparent.

Subsequent to the submission the Royal Commission on Auckland Governance recommended three seats be set aside for Māori on the council, with one of those seats being for the Mana Whenua. This model was opposed by the Government and finally resulted in a model where a nine member advisory board was created which had seats and voting rights in a number of important council sub-committees, but no designated seats on its main 20 member council. This is despite the fact that Auckland has the largest Māori population in the country.

### **3. (2)(b) Other Māori Governance research and writings**

Te Puni Kōkiri in their corporate website state,

**In Māori organisations, the objectives of governance will take into account the way in which Māori relate to the assets and what they are used for. In some instances, although the organisation operates commercially, commercial objectives may be balanced with the need to safeguard the assets for future generations. (Te Puni Kōkiri, 2011, September 27)**

Furthermore,

**Tikanga principles may also be put into practice in the board of a Māori organisation alongside governance principles. Tikanga, kawa and values that meet the aspirations of iwi, hapu and whanau often give direction to board work. Tikanga can easily fit alongside governance best practice. (ibid)**

These statements are somewhat controversial because they assume that commercial objectives are short-term objectives within Māori society. In addition Tikanga [cultural customs that dictate behaviour] are somehow secondary and are an ‘add on’ to governance best practice. This add-on assumption negates the value and criticality to success of Māori conceptions of governance. It reflects a mind-set, which believes that Māori cultural concepts of governance are of lesser importance than non-Māori concepts of governance.

Greenland (2001), acknowledges the influence of colonisation on Māori governance,

**The fundamental element of colonisation and modernisation was a confrontation with Māori forms of governance....That process resulted in the virtual obliteration of Māori forms of governance...The damage to Māori forms of governance had implications for notions of ethnicity and identity (p. 1)**

Greenland discusses governance in his paper at both a community (whānau [family], hapū, iwi level) and at a national political level, to have a national institution that adequately represents the interests of Māori. His statement infers the demise of the formal organisational structures of Māori, that of hapū and iwi. However, is Māori governance just a concept only undertaken via a formal organisation or social structure? Extending this argument, does human governance cease to exist when there are no formal organisational structures to enable it? If governance is an activity that arises from the being of humanity then formal organisational structure is not the defining reason or sole portal through which governance is undertaken. If that is the case then the question of understanding Māori governance should be restated beyond the constraints of any particular organisational structure. This statements' predominant focus is on the formal organisation as the source of governance.

Jones (2002) discusses Māori governance at length. On traditional Māori governance,

**While pre-colonial Māori society was organised along predominantly tribal lines the image of a classical hierarchy of chiefs and tribal members is misleading. An examination of pre-colonial governance practices reveals a fluid form of social and political organisation, with an emphasis on relationships over hierarchy and with authority exercised at many levels (p. 12)**

In looking at the modern form of her tribal organisation, Te Rūnanga o Ngāi Tahu, (Carter, 2003) notes the strong institutional legal bureaucratic influences on its modern governing structure. For hapū and iwi who seek Treaty of Waitangi settlements this is particularly an issue as noted by Kaiwhakahaere (Chairman) of Te Rūnanga o Ngāi Tahu, Mark Solomon on being interviewed states,

**One of the downsides of the treaty process was that you have to come under some sort of corporate structure that is approved by the government. The fact that the government has a veto power over initial settlement structure indicates the current contemporary boundaries of Māori self determination. (Slowey, 2005, p. 58)**

How much progress has been made? It seems that Māori have not yet left the starting blocks regarding self-governance on their own terms. Mason Durie, a prominent Māori academic discusses governance in a book chapter entitled "Māori in Governance: Parliament, Statutory Recognition, and the State Sector" (M. Durie, 2003b, pp. 117-140). As the title suggests governance is viewed as government in Mason's book. He gives a brief overview of Māori parliamentary representation and participation history, the role of the Treaty of Waitangi, Māori and the MMP representation system. He notes that there have been significant changes in the period from the 1970s onwards and says that, "While



the Westminster system is still clearly the basis for governance, a New Zealand style that is able to incorporate the Māori dimension within a unitary framework has emerged.” (p. 139). In looking forward,

**In the future Māori participation in governance may be less about inclusion within a unitary system of control and authority, than about the establishment of Māori governing bodies to control Māori resources and provide a fulcrum for interacting with the Crown. (p. 140)**

### **3. (2)(c) Māori words associated with concepts of governance**

Joseph (2009) associates 13 Māori terms with governance, and explains each term, as follows,

- **whānaungatanga – kin relationships between people and the rights and obligations that follow from the individuals place in the collective group; the bonds of kinship that exist within and between whānau, hapū, and iwi, belonging, togetherness, relatedness;**
- **wairuatanga – spirituality;**
- **manaakitanga – sharing, hospitality;**
- **aroha - charity, generosity;**
- **mana - encompasses collective and individual political power, as well as intrinsic authority, status, control, influence and prestige;**
- **tapu - generally seen as part of a code for social conduct based upon keeping safe and avoiding risk, as well as protecting the sanctity of revered persons, places and objects and traditional values;**
- **utu- concept of reciprocity in order to maintain balanced relationships between people and the environment;**
- **rangatiratanga – effective leadership;**
- **kaitiakitanga - stewardship and protection, often used in relation to natural resources.**
- **iwitanga: expression and celebration of those qualities and characteristics that make an iwi or hapū tribe unique and underpin a shared whakapapa (genealogy), history and identity;**
- **whakakotahitanga, kotahitanga: respect for individual differences and the desire to reach consensus, unity and solidarity;**
- **tau utuutu: acts of always giving back or replacing what you take or receive, reciprocity; and**
- **taonga tuku iho: the notion of recognising and holding on to the treasures and knowledge passed on from ancestors (p. 797)<sup>27</sup>**

Josephs words strongly encompass traditional values and customs. In addition to the above there are a number of other words which may have governance connotations.

**Hau:** Soul, essence (Ryan, Television New Zealand, & New Zealand. Māori Language Commission, 1995). Sacred life principle (Best, 1909). All things have a Hau and it is an essence that needs to be kept in balance. Hau forms a basis for reciprocity. If something is given by someone, it creates an obligation to return that spirit to that person. The term has

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<sup>27</sup> The application of the suffix ‘tanga’ at the end of a Māori word makes the original base word a derived noun designating the quality that originates from the base word, e.g. Kaitiaki = guardian or trustee, Kaitiaki(tanga) = guardianship or trusteeship.

been described as the source of fecundity (Sahlins, 1997), the ability to produce offspring. Put another way, the essence or vitality of something is its ability to reproduce itself. When someone gives something, they not only give the object but are also giving an essence of themselves which in Māori culture needs to be returned to them in some way.

**Kawa:** Protocol (Ryan, et al., 1995). Kawa differs from Tikanga in that Kawa are specific rules whereas Tikanga are the interpretation of the protocol into actions.

**Mauri:** Life principle (Ryan, et al., 1995). All things have Mauri and it is our role to maintain the Mauri of that thing.

**Ritenga:** Custom (Ryan, et al., 1995).

**Riu/Wakawaka:** Designated mahika kai harvesting areas allocated amongst whānau and hapū.

**Tohatoha:** To distribute, allocate and diffuse (Ryan, et al., 1995). Tohatoha is a measure of both reciprocity and needs based measure of distribution, where a resource was distributed based on the amount of effort expended in managing the resource or alternatively on the need of the particular whānau (Carter, 2003).

**Whakahaere:** To organise, officiate, exercise rights (Ryan, et al., 1995). This word is used to mean running of something and is often used in terms of managing an organisation. Without getting into a debate regarding the distinction between “management” and “governance” it appears that the term Whakahaere is used interchangeably to describe running something within both the realms of what is conceptually known in the non-indigenous sense as governance and management. An example of this is the derivative word “Kaiwhakahaere”, meaning Chairman (of a board), which is a governing position as compared to a managing position.

**Tango(hanga):** To take possession of, acquire (Moorfield, 2009). Possessions.

### **3. (2)(d) Definitions of Māori governance**

One prominent Māori writer on governance within Māori organisations is Garth Harmsworth. He cites the New Zealand Sustainable Business Council for Sustainable Development & Westpac New Zealand, (2005), in stating that “Governance is the strategic leadership of an enterprise.” (2006, p. 2) He goes on to say,

**Quite simply governance is the way we organise in order to lead, direct, manage, control and make decisions. It sits above management and is not the day to day management of an organisation. Strategic leadership is needed to determine the key themes of: a vision, mission, strategic direction, goals, accountability, checks & balances, regulation, representation of shareholders (e.g. current and future beneficiaries), and stakeholders (e.g. interest groups), and the relationship and interaction between shareholders, stakeholders, and the organisation**

**or entity. Governance therefore has a central role in monitoring the management and ensuring that sound business practices are in place. In short a board of directors/trustees is appointed for a term to provide strategic direction, select and evaluate the chief executive, formulate policy, manage risk, ensure legislative compliance., monitor performance (economic, environmental, social and cultural), and communicate effectively with shareholders and key external stakeholders. Under this guidance a chief executive and a management team will carry out day to day activities through a strategic business plan that provides performance objectives including the business and financial framework. (Harmsworth, 2006, p. 2)**

According to this definition, governance is organisational strategic leadership and the way we organise and make decisions, of monitoring management and ensuring sound business practices. The wording is reflective of non-Māori corporate governance. There is little in the way of any direct references to Māori cultural concepts in this definition, however the report does not specifically state that the definition is a definition of “Māori Governance” despite this being governance defined for Māori organisations. This particular piece is part of the Waka Tohu project (discussed later) and the aim of the article is to provide guidance for how contemporary Māori organisations can assess and report on their performance.

Turning to another definition, Te Puni Kōkiri, the Crown’s main adviser on Crown-Māori relationships, define governance as being “in its widest sense refers to how any organisation, including a nation, is run. It includes all the processes, systems, and controls that are used to safeguard and grow assets.” (Te Puni Kōkiri, 2011, September 27).

This statement views governance as how an organisation is “run”. This first part of the statement does not have any particular Māori flavour to it. The second sentence points towards a governance as a comprehensive system, with a primary focus on safeguarding and growing assets. Safeguarding means generally to protect something, i.e. retaining ownership of it (by not letting it fall into someone else’s hands) or not letting the “asset” diminish in any way or be harmed. In a purely financial and economic sense, growing assets generally means exposing your assets to a higher level of risk for a higher return on your invested capital. To safeguard your assets generally results in accepting a lower return through exposure to a lower level of risk. The statement implies that a lower rate of return is acceptable to those organisations in exchange for retaining ownership of those assets.

Although the definition uses only English words to describe governance, the question must be asked, is this the only context that we should view this statement? Much hinges on how assets are defined in the statement. (Meade, 2003, p. 4), notes the strong desire by Māori to “protect” Treaty settlement assets to enable them to be held for future generations. TPK’s statement indirectly indicates Māori cultural concepts in the use of the word “safeguard” which aligns with the key role of acting as kaitiaki [guardian] over the “asset”. The use of the word asset is interesting in a Māori context, as a large percentage of Māori owned “assets” are in fact natural assets, such as land and other resources like fish (quota) that under the Treaty of Waitangi are referred to as a “taonga” [treasure]. Translations of the word asset into Māori include “hua” [fruit, harvest] and “taonga” (Ryan, et al., 1995), as well as “rironga” [acquisition, asset], taputapu [goods, property] (Moorfield, 2009) and

tangohanga [possessions]. The term hua is used in modern business terms such as hua pūmau [fixed asset] and hua wātea [current asset].

There appears to be no traditional Māori word exactly equivalent to the English word “asset”. Rironga or tangohanga is perhaps the closest, but are not exact. Furthermore, Muru-Lanning (2010), highlights the concept of ownership not existing in Māori culture. In this case, taonga would definitely not be looked at solely in terms of the western concept of ownership by Māori; rather a kaitiaki [guardian] responsibility to the taonga is the primary concern. There is a comprehensive difference in meaning between an asset and a treasure. In terms of personal and cultural connection to the thing safeguarded or protected, the meaning of “asset” in this case leans towards the inference that the word asset is viewed on Māori cultural terms, thus more akin to a taonga than a simple English usage of the word asset.

Contrasting Te Puni Kōkiri’s inclusion of government in governance, Joseph (2007), in his discussion of Māori governance is of a contrary opinion. His is also a widely expressed and agreed point in non-Māori governance literature. Joseph elaborates his statement saying that where these two are mixed together policy issues become an implicit government problem, reducing the opportunity for non-state solutions. This statement can be viewed not in the context of neoliberal policy enabling devolution of state powers, but instead in the context of sovereignty and Treaty of Waitangi. Durie (1997), a respected Māori judge, contrastingly takes the view that governance is a form of collective governmental type of control, it is “the process by which a people or a group exercise control of their affairs and their destiny.”, (E. Durie, 1997 para 1).

One definition of a process is “a series of actions or steps towards achieving a particular end” (“Concise Oxford English Dictionary,” 2008). In stating “control of their affairs”, Durie refers to the administrative day-to-day running of their lives, as well as inter-generationally through the word “destiny”. Again, these words cannot be viewed in a pure non-Māori understanding. In Māori terms, he is putting forward the concept of tino-rangatiratanga [self-determination], i.e. governance through self-government. Issues of legal, political and social rights of Māori to self-determination, enjoyed by Māori up until the time of colonisation and guaranteed in the Māori version of the Treaty of Waitangi, can be referenced from his statement. A prominent Māori lawyer and Māori issues commentator, Jackson (n.d.) in discussing the status of the treaty, takes the stance that the treaty cannot be looked at in isolation. Instead it must be viewed in terms of a continuum exercise of sovereign authority by hapū [sub-tribe] and iwi [tribe]. His discussion gives us a clearer understanding of the underlying meaning of Durie’s statement.

Moving to Hall (1999), a prominent Māori Treaty of Waitangi claims lawyer, she proposes that,

**Governance is a core function undertaken for only one reason, to manage a group in an efficient manner which will help achieve the group's goals. It is the business of conducting the**

**policy actions and affairs of a group, with the authority or mandate of that group. (Hall, 1999 para 1)**

Condensing this statement, efficient goal achievement is a key role of governance. Furthermore governance is an activity mandated by the group that it represents. Constitutional imperatives are apparent through her use of the word ‘policy’ and an administrative imperative through use of the word ‘affairs’. There is no overt reference to Māori in this definition however a strong issue within Māori organisations is organisational mandate to represent a constituency, particularly those involved in Treaty of Waitangi claims who require a Deed of Mandate to be able to negotiate with the Crown on behalf of the claimant group (Crown Forestry Rental Trust (N.Z.), 2008). In contrast, “Fundamentally it [governance] is about power relationships and accountability: who has influence, who decides, and how decision-makers are held accountable.”, (Robertson-Shaw, 1999). In referring to the decision makers and how they are made accountable, hints of an agency theory paradigm where those in power need to have interests fully aligned become apparent.

According to agency theory perspective, they are not naturally aligned with those whom they work for. The framing of governance as power relationships aligns to non-Māori governance constructs. Traditional Māori concepts and non-Māori ideas regarding leadership and decision making are often contradictory and incompatible with modern circumstances (R. Walker & University of Auckland. Research Unit for Maori Education, 1993), being traditionally based on the concept of mana [authority legitimated through the mandate of the people to lead]. The western concept of power is very different to the Māori concept of Mana.

Farrell (2005), in a literature review of Māori governance, identifies the following key characteristics,

- Power
- Accountability
- Legitimacy
- Preservation of cultural and local identity
- Efficiency
- Decentralisation
- Vision (p. 27)

Farrell’s review was largely based on the 1999 Foundation for Indigenous Research in Science and Technology (FIRST) ‘Whakahaere-a-Iwi, Whakamarama-a-Iwi’ (Governance and Accountability) wānanga [conference]) of which Robertson-Shaw’s 1999 paper is included. Farrell’s focus on this 1999 conference is narrow given that there were some significant writings on governance between 1999 and 2005. Interestingly there are no specific Māori based terms included in the list. The only characteristic that could be reasonably linked to Māori culture is the characteristic of preserving of cultural and local

identity. The other terms derive from non-Māori corporate governance and organisational theory.

We must however also consider the spaces where governance occurs. “Every form of social organisation may be said to exhibit attributes of governance, from whānau (family) and iwi (tribal) communities to national and even global groupings.”, (Joseph, 2008, p. 2). From his definition, governance is a comprehensive, interactive and dynamic system of “direction: and “steering” of Māori organisations and society. The statement implies that all human organisational forms have governance. It is not just confined to formally constituted organisations.

**Contemporary Māori society involves a complex set of relationships that includes kin groups, urban groups, pan-Māori and pan-tribal groups, and numerous special purpose groups. Māori governance models must accommodate unique circumstances including**

- 1. Mixed and evolving social, economic, cultural and political objectives;**
- 2. Rebuilding communities of interest or in some cases creating them anew;**
- 3. Dissipated membership and lack of clarity over who represents whom;**
- 4. Uncertainty over who has rights to draw on collective resources, and what members’ reciprocal obligations might be;**
- 5. Lack of clarity amongst vertical relationships between hapu and iwi;**
- 6. Evolving notions of the appropriate relationship between members and trustees, and lack of participation by individual members in governance;**
- 7. Inadequate legal vehicles for collective organisation. (Greenland, 2001, as cited in P. Jones, 2002, p. 14)**

Jones introduces a number of issues in this statement. Firstly, it acknowledges the concept of complexity within Māori society and governance. This complexity is compounded by having to live not only in the Māori world but also the non-Māori world as well, and necessitates fulfilling obligations in both, a situation also noted by the New Zealand Sustainable Business Council for Sustainable Development (2005). Negotiation of complexity within Māori society has been discussed at length by Ballara (1998). In contemporary society, Māori must fulfil both traditional cultural imperatives and wider obligations within New Zealand’s western social, legal and political structures. Leadership mandate, the diasporic nature of contemporary Māori society and the contradictory nature of legal-rational-bureaucratic organisational structures to Māori cultural values are elements of this environment.

In a similar view similar to Greenland above, “The governance that really matters is the development of governance within Indigenous communities.” (O’Regan, 2002); that governance is important to Māori as part of the rebuilding of (colonised) Māori communities. His statement focuses on a tino-rangatiratanga [sovereignty/self-determination] argument. In a paper to the 2005 Hui Taumata conference, one group offered a corporate governance definition taken from the OECD,

**a set of relationships between a company’s management, its board, its shareholders and other stakeholders. Corporate governance also provides the structure through which the objectives**

**of the company are set, and the means of attaining those objectives, and monitoring performance are determined (Hirini M Mead, Stevens, Third, Jackson, & Pfeifer, 2005)**

This definition is a standard non-Māori definition of corporate governance, which understandably contains no Māori cultural elements at all. However, they also further note that, “governance must be attuned to cultural factors and these models do not take into account the unique set of operating factors facing Māori in governance such as institutional/circumstance-related idiosyncrasies that change the landscape for Māori.”, (Hirini M Mead, et al., 2005, p. 21).

They recognise that for governance to work in a Māori context, cultural alignment is necessary. In this regard, a private Māori organization, in an article on their website, defines indigenous good governance as,

**a system of desirable or positive qualities by which the production of goods and services for profit are directed and controlled by tribal peoples whose social, cultural and economic conditions distinguish them from other sections of the national community and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations, and peoples who are descendants from the populations which inhabit the country at the time of conquest or colonisation (Te Maru O Tangata, 2009)**

The article importantly poses the following pertinent question regarding governance,

**“why does it have to be based on the model of the dominant culture? Why can’t it be based on the indigenous model, after all it seems to have worked fairly well in the past, pre “colonisation”.”, (ibid).**

There seems to be no reason why not. In this vein Penehira, Cram & Pipi (2003) propose the term for Māori governance, namely “Kaupapa Māori Governance”(Penehira, et al., 2003). Their research was tasked with coming up with a specific Māori governance model for a Māori health provider. Importantly, they also identify contemporary boundaries to the actualisation of a distinctly Māori governance,

**However the literature review highlighted the tensions between talking about Kaupapa Māori governance within a context in which we do not have sovereignty...Our attempts...might...be a best approximation we can gain in a legislative and policy environment that is essentially non-Māori” (p. 31)**

Their term Kaupapa Māori Governance is framed from within a Māori epistemological framework, following the Kaupapa Māori principles laid down by Smith (1997), on which their report is based. Interestingly though, their bibliography cites only three sources from a Māori perspective out of the 34 references noted. This indicates the lack of published research into governance at that time. Furthermore, most of the information regarding Māori concepts comes not from the literature but instead from the interviews and the researchers own experiences. Their research is a mixture of literature review and interviews

of Māori with experience in governance. The key themes that come out from the research are,

- **Clear Kaupapa [Role]**
  - **Values and philosophy important and the starting point for good governance**
- **Power/Relationships/Authority**
  - **Internal & external Power relationships**
  - **Accountability**
- **Kaumātua [Elder] wisdom**
  - **Good governance cannot take place without Kaumātua wisdom**
- **Distinction between management and governance**
  - **Separation important but areas of overlap noted**
- **Māori and Western paradigms**
  - **How to provide the best outcome**
  - **Mixed views as to whether to rely solely on Māori basis or a mixture of the two but a firm indigenous base seen as vital whichever way is chosen**
- **Passion, Commitment and Validity**
  - **To the organisations direction (Penehira, et al., 2003, pp. 19-25)**

They propose a governance model based on the following principles,

- **Hinengaro [Mind]**
  - **Māori epistemological basis**
- **Ngākau [Heart]**
  - **Commitment to the organisation**
- **Tinana [Body]**
  - **Walking the talk, actioning what is in the heart and mind (p. 28)**

As far as can be ascertained, no reports of this nature have been undertaken subsequent which build on this approach. Whilst the above model has the closest alignment to Māori concepts and values covered so far, it also contains elements of non-Māori governance theory such as the management-governance distinction and reference to power relationships. This work does however represent an excellent early example of a culturally Māori principle and values based model. In this regard, “Today’s Māori mindset of governance, business & economics is shaped by its own ancient history.”, (Henare, 2008, p. 10). Akin to (Penehira, et al., 2003), another commentator surmises Māori governance “...as an example highlighting how traditional knowledge’s must move from the peripheries of ‘knowing’ and re-establish themselves back at the centre.” (Warren & Massey University. Centre for Indigenous Governance and Development., 2006, p. ii)

The literature definitions of governance largely do not show the culture as the centre, nor the unique cultural basis of Māori, as well as Warren or Henare infer that it should. That does not mean that Māori organisations do not embody the cultural mind-set that Henare discusses, but that there is a struggle to create a core that is culturally Māori, given the non-Māori cultural basis of its organisational structures and society.



Despite this, the then minister for Māori Affairs, Hon Parekura Horomia in his opening address at the 2005 Hui Taumata conference says,

**We know governance for many Māori collectives is complex because of the inability of members to trade out of their membership. The communal nature of ownership and the role of kaitiaki for future generations. We know from international studies that governance structures that are culturally attuned are more likely to achieve success. We want Māori collectives to have access to governance structures that enable Māori to succeed as Māori. ("Parekura Horomia: Learning holds key to Maori future.," 2005)**

His statement is an extremely interesting blend of agency theory, references to the Harvard Projects tenets of indigenous organisational economic success and Māori cultural elements.

From the definitions discussed above, there are varying degrees of alignment to Māori culture concepts but that they tend largely to follow non-Māori conceptual understandings of governance. Where there is reference to Māori concepts and values it is usually discussed in a way that notes how it integrates or should be integrated with non-Māori forms of governance, that non-Māori governance is the centre. Within those definitions that include a Māori aspect, the model proposed by Penehira et al. (2003) provides us with the most Māori culturally centred definition. Interestingly if having greater cultural alignment ensures greater “success”, should not the primary focus of Māori governance be on ensuring culture is at the core of governance as Warren (2006) indicates, and not just an add on or visible only on the periphery?

### **3. (2)(e) Contemporary Māori Governance issues**

This section focuses on Māori governance issues identified in the literature. Organisational level issues are first reviewed then issues that involve individuals within the governance system are probed.

#### **3. (2)(e)(i) The tension between legal-rational bureaucratic organisational structure and perceived traditional forms of organisation**

Traditional Māori society was based on a decentralised structure of social relations with whānau [family] and hapū [sub-tribe] the primary social, economic and political units. Joseph (2008), notes the comments of William Rees 1891 AJHR G4, at xviii,

**When the colony was founded the Natives were already far advanced towards corporative existence. Every tribe was a quasi corporation. It needed only to reduce to law that old system of representative action practiced by the chiefs, and the very safest and easiest mode of corporate dealing could have been obtained. So simple a plan was treated with contempt. The tribal existence was dissolved into its component parts. The work which we have, with so much care, been doing amongst ourselves for centuries, namely the binding together of individuals in corporations, we deliberately undid in our government of the Māoris. (p. 18).**

Joseph's earlier PhD thesis undertook comparative research of Tainui, Ngāi Tahu and the Canadian Indian Nisga'a in terms of legal and sovereign rights of governance and notes the inadequacy of western structures within indigenous organisations (Joseph, 2005).

Collins (2005) in her study of Te Papa ō Rotu Marae discusses the influence of legal bureaucratic administrative processes on the marae versus its basis in traditional authority. Interestingly whilst Collins does not reference Carter (2003), who studied the legal-rational bureaucratic tribal structure of her iwi [tribe] Ngāi Tahu, both works come to similar conclusions regarding how traditional structures have been modified by colonisation in ways that have alienated the cultural concepts which were the source of Māori identity and drove how Māori organisations were run and governed. Similarly, Stokes (2003), in looking at the tensions of a Board of Trustees model on Māori kura [schools] conflicting elements exist and derives similar conclusions.

Tomlins-Jahnke (2005) identifies similar organisational tensions between traditional tribal imperatives and government policy and legal imperatives, however states that these are "mediated in the control and management of pou rāhiri (territorial authority), mana tangata (vested authority), kaupapa ture (constitution) and tikanga here (bureaucracy)." (p. 106). Puketapu (2000) notes the effect of non-Māori influence on the forms of governing structure. The core of the issue for Puketapu is the extent to which organisational structures align and fit with membership/shareholder culture and goals.

In this regard,

**Different concerns about modern tribal governance structures have been raised in connection with the emphasis on business models, which appear to corporatise iwi. Tribal members are aware of the corporations in Alaska which have all but ousted traditional tribal structures and are keen to avoid creating economically orientated organisations which fail to capture the essential cultural basis of the tribe. (Durie. 1998, as cited in Joseph, 2009, p. 811)**

Joseph posits that the Waitangi Treaty settlement process is nothing more than another institutional form of assimilation of Māori and can have devastating effects on values and practices. This occurs through the need for settlement assets to be "managed and administered within a proper legal structure" (Office of Treaty Settlements, 1994, p. 13). Through forms of organisation which have a western legal and cultural basis Māori need to follow culturally non-Māori tukanga [process] and tikanga [rules] to maintain validity within the wider legal-bureaucratic system that it operates. Breakdown of traditional structures and mechanisms for governance is an outcome of this. Imposition of western organisational structural models, public policy and legal standards result in conflict over culturally Māori practices and those which are culturally not Māori within the operation of those organisations with the non-Māori practices taking priority.

### **3. (2)(e)(ii) The dichotomy of Tikanga versus commercial objectives**

A perceived dichotomy exists between tikanga and corporate activities (Harmsworth, 2006; Hutton, 2007; Joseph, 2008; Te Aho, 2005). Looking at Māori commercial activity in pre-colonisation, “Māori technological, commercial and economic activity was certainly sophisticated, advanced, robust, entrepreneurial and resilient before European arrival...” (Mulholland, Te Au Rangahau., & Massey University. College of Business., 2006, p. 4). From the arrival of the sealers and whalers in the 1790s through to the early period of colonisation, Māori were seen as shrewd and successful business people. Indeed in the first 15 years after the 1840 Treaty of Waitangi, Māori were the primary suppliers of produce and supplies to the new settlements with flour mills and extensive agricultural plantations (R. Walker, 2004). They also dominated coastal shipping, owning a number of ships that traded locally and internationally. Commerce was undertaken from within a base of traditional values, principles, language and cultural fluency and not contradictory to it.

The decline of Māori control in the years following colonisation is extensively documented. Population massively decreasing by 1880, due to inter and intra tribal warfare from the 1810s-1830s, subsequent introduction of diseases to which Māori had no pre-existing immunity and the huge loss of land (Callister & Bromell, 2011). The extent of the land loss was from 66 million hectares in 1840 down to three million hectares in 1996 (Mulholland, et al., 2006). Whilst these effects on Māori curtailed Māori commerce, in themselves they are not a reason for creating a thought process which sees commerce and culture as being oppositional such as the following. “The challenge for many Māori businesses is how to balance aspirations for cultural enrichment, retaining strong elements of traditional culture such as values, language and knowledge, with those more modern elements of advancement, growth, commerce and economic development.” (Harmsworth, 2006, pp. 1-2). A further example of this dissection states that “Maori directors of such companies face challenges trying to balance the pursuit of the Maori company's commercial objectives with the maintenance of fundamental tikanga Māori.” (Te Aho, 2005, pp. 300-301). However, the Minister of Māori Affairs Hon Parekura Horomia in 2004 is noted as having said that “making money isn't un-Māori, and mana and money can go together.” (Kerr, 2004, p. 1)

Traditionally, fruits of production were shared out based on the effort expended (Barrett, 2005). The Māori term for this is “tohatoha”. The acquisition of wealth or material items is phrased as “tangohanga”. Why does this perceived dichotomy between tikanga and commerce exist when it did not seem to exist previously? One possible explanation could be that where the activity is on a basis that does not include all of the cultural and spiritual elements that fully represent Māori worldviews and where the locus of control does not fully sit with Māori, it is seen as antithetic.

### **3. (2)(e)(iii) Whānau, Hapū and Iwi – The issues of mandate, representation and structuralism**

The literature notes tension in this area, particularly focussed around the Waitangi Treaty claim settlement process as noted by Carter (2003) in her discussion of Crown policy to negotiate and deal only with “large natural groups”. Furthermore,

**The Crown and its imposed western structures fails to recognize tino rangatiratanga and by doing so undermines the political autonomy of hapu to such an extent that under the present treaty settlement processes, the Minister of Treaty Settlements arbitrarily decided that he would negotiate directly with statutory iwi-based organisations, who in turn claim benefits on behalf of hapu with or without their consent. (Greensill, 1997, p. 2)**

Walker (2004) notes that hapū [sub-tribes] were traditionally the main body corporate, not iwi [tribes]. Within the Treaty of Waitangi settlement process, whānau and hapū sovereignty is bypassed in favour of the state imposed collective organising approach. However, with many hapū facing issues of diaspora of its communities, does a centralised approach facilitate engagement more efficiently than a decentralised hapū based approach? With regard to the iwi-isation of Māori society,

**The strategy is working in achieving the aim of making Māori whānau and hapū structures look like Pākehā structures. This introduces decision making models which are based on appointments to positions and voting rights and all the other artefacts of legislated organisations. Whānau and hapū are turned into structures resembling units of local government, which is disastrous for them. The conflict in decision making models between family and legislated groups is corrosive of family structures, and has consequences which are far-reaching in their social effect. The undermining of the authority and influence of Kaumātua, a by-product of legislated structures, means that a key aspect of family cohesion is eroded. The possibility of family dysfunction following the weakening of cohesion around the traditional source of stability and wisdom is very high. It is a very serious problem with huge negative consequences for unity among Māori, let alone Māori and Pākehā. In my opinion, Māori must be able to find acceptable ways of interfacing with central and local government without the pre-requisite of adopting Pākehā legal identities. I believe this to be a major deliverable of the Treaty of Waitangi. (Knox, 2003, p. 3)**

Rata (2005), claims there has been a re-tribalisation of Māori through a process she calls “neo-tribal capitalism”. She claims that the process of biculturalism, myths of primordial ethnic identity and revival of Māori culture and epistemologies used in an institutional context has allowed the spawning of an elite within those institutions. The neo-tribe is the modern form of the traditional organisation. However, Rata fails to acknowledge that it was the Crown that largely destroyed traditional Māori institutions, controlling the shape and form of subsequent Māori institutions and processes for electing its governors, through to the current day.<sup>28</sup> Indeed the Crown process of indirect rule over colonies, from the time of colonisation, have created institutions through which the indigenous population is controlled (O'Regan, 2011). In a similar vein to Rata, Māori have also been accused of practicing “romantic primitivism” and “designer tribalism” (Sautet & New Zealand

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<sup>28</sup> Note again Sloweys' interview of Mark Solomon regarding Treaty of Waitangi settlement structures esp (Slowey, 2005, p. 54).

Business, 2008, p. 25).<sup>29</sup> The outcome of Rata and Sautet's arguments is that it merely captures an audience of non-Māori that feel threatened by a growing and increasingly culturally revitalised Māori population. However far from those being the only criticisms of tribal entities and the people that run them, Māori academics are certainly not afraid to critique the actions, politics, leaders and structures of Māori tribes and institutions, such as (Carter, 2003; Maaka, 1994; Muru-Lanning, 2010).

One of the main problems from a Māori perspective with Rata's (and Sautet's) arguments is not that they debate these issues, but that they do provide any workable practical alternatives acceptable to Māori or able to be implemented by them. Their arguments thus live only within academia and not in the real world where most Māori live. Māori have no great desire to assimilate into the majority culture, despite the Crown policies of the 19<sup>th</sup> and 20<sup>th</sup> centuries, that Māori "would and should assimilate into the dominant English culture" (Stavenhagen & United Nations. Commission on Human Rights., 2006, p. 15). Research into Māori that does not connect to a collective practical benefit for the people or culture being researched, is not particularly useful in the end.

There is no doubt that traditional hapū structures have been forced to amalgamate in modern times with Treaty of Waitangi settlements, creating a number of single body representative entities. Single entity treaty settlements are difficult to achieve however, an interesting example of a single iwi negotiating their own settlement outside of the broader iwi collective to which they relate by whakapapa is of the Waitaha people of the Te Arawa tribal confederacy in the Bay of Plenty. Being made up of just a single marae, their ability to achieve a treaty settlement within a treaty settlement framework that is oppositional to individual settlements, deserves considerable respect. There is significant discussion within Māori circles as to the merits and demerits of collectivisation to achieve Treaty of Waitangi settlements, particularly the resulting loss of individual hapū sovereignty. However, throughout her book "Iwi", Ballara (1998) notes that amalgamation happened in traditional times, arising in response to external threats and circumstances of the day, mainly of warfare and social economic reasons (Cox, 1993). When the need to disband the collective arose, this would occur. The Crown is therefore unilaterally both forcing subscription to the representative entity and also simultaneously has removed the ability to devolve and reconstruct as a right, over those running the collective structures.

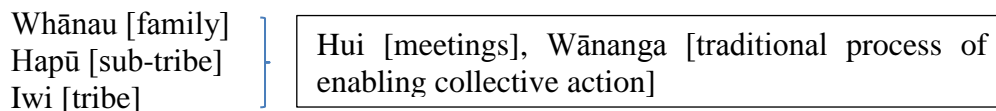
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<sup>29</sup> Sautet's report is highly evocative and is firmly placed as a right wing conservative's view. His report states that pre-colonisation iwi were "closed societies" (p.12), conveniently ignoring Ballara's comprehensive 1998 work which comes to a completely opposite conclusion. He further states that tikanga and mātauranga Māori are "quasi utopian" ideals (p.24). This work represents a prime example of a (visiting) academic who has never been involved to any degree in Māori society, and in writing this report about Māori institutions and culture; falsely believes that it will somehow be of benefit to Māori society. The overall theme of his work is that Māori need to modernise by focussing not on traditional cultural collectivism through iwi but instead through individual entrepreneurialism, in other words to be good natives and assimilate.

The influence of the iwi as a body politic traditionally was secondary to the main functioning political unit, the hapū, although some tribes instituted paramount leaders to integrate the tribe into a “more politically cohesive unit” (R. Walker, 2004, p. 65). One of the large issues that facing “tradition based societies” (Carter, 2003, pp. xv-xvi) like Māori is the increasing diaspora of its people outside of tribal boundaries (and increasingly outside the country).<sup>30</sup> A difficulty for hapū is in maintaining relevant and adequate connection with its diaspora and so proffers reasons supportive of amalgamation into larger single body corporate entities. This body can then claims responsibilities to the tribe as a whole, as opposed to localised hapū, achieving better economies of scale and more effective reach.

The normal organisational structural model given of Māori society is that of whānau, hapū and iwi. This however, is a non-indigenous construction of Māori organisation. Within this model, whānau and hapū are then forced into unnaturally larger groupings through interaction with the Crown to enable the indirect rule noted by O’Regan earlier in this thesis. This typical organisational analysis of Māori society view is structuralist, rationalist and linear in approach. It is however also a deficient model because it does not capture the full range of collective social organising approaches traditionally used by Māori. Particularly, two forms of traditional organisational entity missing from these structural definitions of Māori society from an organisational governance perspective are that of hui [meetings] and also importantly wānaka (wānanga) [gathering for a collective purpose] (personal communication, 2011). Wānanga can be differentiated from hui [meetings] through hui being a meeting to discuss and solve issues, whereas wānanga are invoked to achieve a specific purpose, engaging and organising whānau and hapū into specific collective actions.

The modern connotation of wānanga is that of a learning forum, most notably used by tertiary institutions as an equivalence translation of their institution such as University or Polytechnic. Wānanga, however, is an ancient word and the modern narrowing of this construct to only represent education is unfortunate. There is most definitely an element of learning associated with wānanga, but that is traditionally not its sole capacity or meaning. Putting this into a more accurate functional organisational model of Māori society, it would look like the following,




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<sup>30</sup> Carter uses the term “tradition based society” in her thesis instead of the word “tribe” because the surrounding assumptions regarding a tribe are that it is a closed society rather than a dynamic, interactive and evolving entity.

This better matches the traditional organisational activities of Māori. Iwi collectives were constituted only rarely.

### **3. (2)(e)(iv) Accountability within Māori organisations**

Accountability is a term that has significant usage in governance literature and there is discussion within Māori governance and organisational literature relating regarding appropriate accountability mechanisms for those organisations. A typical example of this is that such as criticism of Māori organisations boards lack of independence and objectivity (Harmsworth, 2006). In looking at Ngāi Tahu as an example of Māori governance through a corporate governance agency theory lens, Marriott (2002) notes that the tribe would need to perform at a superior level in order to overcome the lack of organisational controlling forces. These are controls enabling accountability by various parties to shareholders. Marriott's work is comparable with Meade (2004). However, Marriott's conceptual understanding of Māori organisations and society is more limited than Meade's; as evidenced by some quite broad definitional assumptions which considerably influence her conclusions.<sup>31</sup>

Firstly, it is assumed in the paper that membership of Ngāi Tahu is comparable with shareholding of a corporate organisation.<sup>32</sup> There is no explanation of the basis for that assumption and in taking this stance, ignores pertinent factors that suggest otherwise. Membership of Ngāi Tahu is based on descent from a Blue Book 1848 kaumātua ancestor. This signifies a key fundamental difference in the basis of membership in Ngāi Tahu, as opposed to a shareholding in a limited liability company. Membership in Ngāi Tahu implies individual acknowledgement and participation in a shared collective identity based on whakapapa, versus an individual seeking monetary return from investment in a company. Reducing and comparing whakapapa to a tradable right is at a minimum contentious. How is it possible to compare whakapapa, which is considered tapu [sacred](Bishop & Glynn, 1992) to common share ownership for monetary gain? Taking Marriott's approach strips out aspects which give whakapapa its fundamental cultural importance to Māori society, namely the spiritual, familial, spacial and metaphysical aspects of belonging.

The inability to trade out of membership is also seen as problematic (Marriott, 2002). Te Rūnanga o Ngāi Tahu is the statutorily recognised representative of the tribe; however, it cannot be the tribe itself.<sup>33</sup> The tribe is the persons who make up the tribe, regardless of the statutory definition of such. Furthermore the objectives of Ngāi Tahu, which Marriott

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<sup>31</sup> Meade has worked for Māori organisations in a professional capacity over an extended period of time, including working on the Ngāi Tahu Treaty of Waitangi claim in the mid 1990s.

<sup>32</sup> Agency theory has been based on its application to listed public companies and that little research has been done on its applicability to non-profit organisations. See (Olson, 2000)

<sup>33</sup> The Law Commission in the Waka Umanga discussion document notes that "the position is abundantly clear that a tribal corporation is not, and cannot be, the tribe" (New Zealand. Law Commission., 2006, p. 38)

herself acknowledges as being mixed profit and social, make comparison with non-profit organisations or a family businesses a more logical and better comparative choice. This is done in some sections of the paper but not overall as a key basis for comparison. Therefore, the choice of viewing the organisation from a purely corporate theoretical perspective seems narrow in light of these factors.

The resulting logical progression through various organisational control mechanisms concludes a lack of mechanisms to effectively align interests. Examples raised include active capital markets which includes instruments such as the threat of takeover (Hart, 1995), block shareholders votes, and share ownership transfer and price mechanisms. This overly corporate view ignores social and cultural mechanisms that may act to mediate divergence, and ignore mechanisms that may derive from a wider view of organisational stakeholders.

The raising of the issues such as divergence of agent interests from principals (the collective body of Ngāi Tahu people) and board member skill level are legitimate concerns to raise. Marriott is however silent on the degree to which the board co-opts outside knowledge or engages culturally based accountability mechanisms. Marriot raises also the lack of performance related incentives as a weakness. Again it is pertinent to note that the organisation is not a pure profit company and it is not existent solely to ensure peak financial performance over the short term, rather it is long term financial stability which is its primary economic focus. Arguably, in light of financial meltdowns and crises of the last 15 years, incentivisation has not been the Holy Grail historically portrayed. It has often had quite the opposite effect, with disastrous consequences, increasing the degree of self-interest rather than reducing it.<sup>34</sup> Accountability is culturally determined and so is not a homogenous concept (Mataira, 1994). Thus “Accountability frameworks should be negotiated arrangements considering fully the economic and cultural conditions of the party concerned.” (p. 33)

### **3. (2)(e)(v) Nepotism**

There has been discussion in recent years about nepotism and Māori organisations (Edlin, 2005; Meijl, 2003; Sautet & New Zealand Business, 2008). The obvious implication of nepotism is that resources and power end up concentrated in the hands of a few, to the detriment of others in the collective. Interestingly there is no direct Māori word for nepotism. “Nepotism is not a word that Māori use. We see it more as whanaungatanga (kinship).”(Young, 2005 para 1). The above statement of the Māori Party leader Tariana Turia indicates that there is a need to untangle the concept of nepotism in the western

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<sup>34</sup> (Branson, 2004, p. 19), notes the example of Enron where incentivisation of managers through managerial stock options provided a greater incentive to managers to manipulate short-term earnings and eventually brought the company crashing down.



definition of the word from Māori cultural constructs often associated with it, namely whānaungatanga. “Now this thing about whanaungatanga being nepotism in disguise is a false perception, I want to tell you what my perception is. Nepotism is in fact a barbaric form of whānaungatanga.” (Napia, 1999, Whanaunatanga and Nepotism, para 1)

It is worthy to note that many Māori organisations are in reality the equivalent of family businesses and organisations, its members related by whakapapa. In this situation,

**It can't be said that "kinship" is never given expression in non-Maori enterprises. Publishing and broadcasting mogul Rupert Murdoch's kids have landed themselves plum jobs in the company he heads and its subsidiaries, for example, and it's a fair bet they owe their positions as much to dad as to their management prowess. (Edlin, 2005)**

It is therefore near on impossible not to hire your relatives in many Māori organisations as you are usually related to most of your hapū or iwi in some way. In Rupert Murdoch's case, there is never discussion about the appointment of his closest relatives to senior positions being attributable to his white Australian cultural background. Yet the same action, if seen in a Māori organisation is attributable by some commentators as being a weakness inherent in the culture; that the Māori cultural concept of whānaungatanga is immediately conflated with nepotism. The issue is not so much that they are hired; it is of whether they are the best person for the job, work hard for the collective benefit of the whānau/hapū/iwi/hapori and have their communities support in the work that they do, if not, then it is nepotism.

### **3. (2)(e)(vi) The corporate warrior**

The term “corporate warrior” has been defined as “Māori who claim that the economic development of their iwi (tribe) is the most important component that will lead to greater social and political development.”, (Bargh, 2007, pp. 35-36). Economic development is best achieved by claiming tino-rangatiratanga [self-determination] over Māori social and economic spheres. Ideas of independence and unshackling of control over Māori then become linked to neo-liberal economic theories that espouse self-help and devolution (p. 36). It is “Māori managers and directors (primarily male) of Māori companies who have been dubbed "corporate warriors".”, (Te Aho, 2005, p. 306). Corporate warriors are thus at the forefront of connecting and justifying rationalist social and economic goals with the greater ideal of development of the Māori economy and promote their ideas through multiple communication channels such as print media. The New Zealand Law Commission expresses unease at the degree of power that these people could wield,

**A related concern was that “corporate warriors” could take over the tribe, and be seen by both tribal members and others as representing the tribe itself, not as its servants. In our view, the position is abundantly clear that a tribal corporation is not, and cannot be, the tribe. (New Zealand. Law Commission., 2006, p. 38)**

Despite the Law Commissions sentiments that the tribal corporation is not the tribe, what recourse and mechanism do tribal members have to stop corporate warriors taking control

of their organisations? Especially, say as with the Ngāi Tahu tribal corporate structure where “diluted ownership” (Marriott, 2002, p. 16) exists, which acts as a disincentive to effective monitoring. Corporatisation of tribal groups encourages decision-making and decision makers to become increasingly distanced from the tribal membership. The on-going population drift away from tribal areas acerbates this. Furthermore,

**A frightening notion is that these corporate warriors hide behind these corporate structures while they copy the exploitative behaviour of their non-Māori counterparts. As a consequence things that were treasured in traditional Maori society such as the environment, for example, suffer. (Te Aho, 2001, p. 307)**

Given that the Treaty of Waitangi process is creating increasing numbers of corporatised Māori organisational structures, the potential for corporate warrior type behaviour to occur within a culturally fractured organisational environment would seem increased. It would be interesting to see what mitigating strategies modern corporate Māori organisations rely on to prevent this type of behaviour and the degree of effectiveness in preventing bad behaviour and poor Māori ethical practices in senior management and governance.

### **3. (2)(f) International Indigenous governance issues and Māori**

The world is made up of a number of groupings of people with the term indigenous used to describe certain groups. One perspective is that “Indigenesness is an identity constructed, shaped and lived in the politicized context of contemporary colonialism.” (Alfred & Corntassel, 2005, p. 597). The World Bank, in its Operational Policy 4.10, defines the term “indigenous peoples as,

**For purposes of this policy, the term “Indigenous Peoples” is used in a generic sense to refer to a distinct, vulnerable, social and cultural groups possessing the following characteristics in varying degrees:**

- (a) Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;**
  - (b) collective attachment to geographically distinct habitats or ancestral territories;**
  - (c) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and cultural; and**
  - (d) an indigenous language, often different from the official language of the country or region.**
- (World Bank, 2011)**

However, there is much indigenous opposition to being defined. The United Nations Working Group on Indigenous Peoples (WGIP) note indigenous observers’ common position in rejecting a formal state adoptable definition of indigenous peoples (U.N., 2004, p. 2). “Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions.” (U.N., 2007 Article 33). However the reality of the situation is that “Despite the accepted practice of unlimited self-identification for indigenous peoples within global forums, states ‘hosting’ indigenous peoples within their borders have generally contested such an open policy.” (Corntassel, 2003, p. 75).

Perhaps however the argument is getting too complicated and legalistic, that “Indigenous means American Indians and people like that.” (Coulter (1992), as cited in Wilmer, 1999, p. 3). This thesis takes the same stance that how groups may identify themselves is an internal matter and not something that can or should be imposed externally. There is no doubt that indigenous people share a commonality of historic suffering through colonisation, continuing to struggle to reclaim their language, culture and standing in society.

A key instrument of international significance of relevance to Māori is the Declaration on the Rights of Indigenous People adopted by the United Nations General Assembly in 2007. The New Zealand government’s original stance to the declaration however was of opposition to some of its provisions, and resulted in them voting against the declaration along with Canada, Australia and the United States. It officially did not express support for the non-binding resolution until a change in government and resulting negotiations between it and the Māori party in April 2010 (“Nats still to commit to UN rights declaration,” 2010). Prime Minister John Key however expressed that support of the declaration would not change current Crown practice towards its indigenous population (Key, 2010). However much of the debate now centres on what extent the declaration will effect New Zealand’s existing common law and to what extent the declaration is reflected within customary international law (Lai, 2011).

The declaration is not a binding document on governments, but there exists within Māori society a degree of expectation regarding its ability to act as another tool to help provide a way forward regarding Māori issues. Its practical effect on New Zealand law is that it will not change it to any great degree (Toki, 2010). The declaration may slowly find its way into New Zealand law via international law over time. This is through the establishment of norms and principles derived from the declaration becoming incorporated into binding treaties and international agreements by countries not wanting to create instruments inconsistent with the declaration (Lai, 2011). Its most valuable contribution over time is therefore seen as being an additional layer to existing indigenous rights, providing a source of moral obligation and possible consideration in any judicial review, or as an aid to statutory interpretation (Toki, 2010). Māori await developments with a keen interest.

### **3. (2)(g) Summary**

It is well established that colonialism has had profound effects on Māori culture (L. T. Smith, 1999). This has been both positive and negative. The key difference between the outcomes has been whether Māori retain control over the change that has occurred. Where control has been maintained, such as the introduction of new technology and economic opportunities, which historically Māori were quick to uptake (Petrie, 2004), the outcome was largely positive, allowing growth of the culture. Where it is not controlled, it has had

negative consequences, leading to decline in the culture, such as has been the case with the Māori language.

The accretions of western thought within Māori culture are now so widespread however that there is a distinct danger that when discussion of elements of Māori culture takes place that what gets referred to as Māori, is not culturally Māori in origin and is controlled external to Maori. This highlights the reasoning why Smith (2000) makes the clear distinction between tangata whenua [indigenous] and Māori (post colonisation) philosophies. Therefore, the core cultural understanding which is indigenous in origin, can only be revealed through peeling back non-Māori controlling elements. Only through doing this the essence and core base of culturally Māori understanding can be exposed. The current literature on Māori Governance presents a prime example of why it is necessary to do this.

## **Wāhanga Tuawhā: - Chapter 4 - Te Hiringa o te Mahara – A conceptualisation**

### **4. (1) Introduction**

The previous chapter has established that non-Māori epistemologies define both Māori and indigenous governance. Some indigenous governance writings attempt an indigenous perspective but many also do not. The Māori governance literature shows two main features. Firstly it defines Māori governance using non-Māori epistemologies, in a positivistic/descriptive manner, explaining situational realities of what Māori governance “is” today, through latitudinal case study approaches. These case studies seek to highlight aspects of running those organisations that help it to achieve its “success”, to act as points of aspiration and learning for other Māori organisations. Secondly, where there is mention of Māori concepts or values, it has tended to be cast as an “add-on” to existing (non-Māori) governance, subjugated within a non-Māori governance epistemology that solely defines the field of governance understanding.

This chapter will now take an approach differing to that of the majority of the Māori governance literature in two ways. Firstly governance is theorised from within and engages distinctly Māori concepts, values and understanding. Secondly, instead of describing Māori governance through analysis of its contrasting, localised and hybridised realities using empirical case study enquiry, Māori governance is conceptualised as a normative ideal.

### **4. (2) The process of conceptualisation**

#### **4. (2)(a) Māori creation story and translation**

Nā Te Pō, Ko Te Ao  
Nā Te Ao, Ko Te Ao Mārama  
Nā Te Ao Mārama, Ko Te Ao Tūroa  
Nā Te Ao Tūroa, Ko Te Kore Tē Whiwhia  
Nā Te Kore Tē Whiwhia, Ko Te Kore Tē Rawea  
Nā Te Kore Tē Rawea, Ko Te Kore Tē Tāmaua  
Nā Te Kore Tē Tāmaua, Ko Te Kore Te Mātua  
Nā Te Kore Te Mātua, Ko Te Mākū  
Nā Te Mākū, Ka noho i a Mahoranuiātea  
Ka puta ki waho Ko Raki e Tū Nei<sup>35</sup>

#### **Translation**

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<sup>35</sup> This verse and translation have been derived from (Shortland & University of Auckland. Library. Early New Zealand Books Project., 1856), (S. P. Smith, 1894),(Office of Treaty Settlements & Te Rūnanga o Ngāi Tahu, 1997), (White, Didsbury, & New Zealand Electronic Text Centre., 2007) and (Higgins, 2010).

From the all-enveloping realm of darkness, the world  
 From the realm of the world, the world of light  
 From the realm of the world of light, the world of everlasting light  
 From the realm of the world of everlasting light, the realm of unattainable nothingness  
 From the realm of unattainable nothingness, the intangible nothingness  
 From the realm of intangible nothingness, the unstable nothingness  
 From the realm of unstable nothingness the parental nothingness<sup>36</sup>  
 From the parental nothingness, the moisture  
 From the moisture, couples with the large expanse (of water/thoughts)<sup>37</sup>  
 Ranginui the visible heaven, comes out and appears

#### **4. (2)(b) The metaphor of the creation story as a means for conceptualisation**

The above is an adapted version of the same story referred to earlier in the thesis. Stewart-Harawira (2005) citing Shirres, 1986, notes that Māori cosmology “.....represents that place beyond time and space from which everything, including all knowledge and sound, and all life giving energy, emanates” (p. 50). The passage contains metaphors and meanings essential for our governance conceptualisation. The intention being to use the realms described, as intellectual spaces for conceptualisation. There is a very strong logical and intuitional basis for taking this particular approach, “mythology is the mirror image of a culture and myths reflect the philosophy, ideals and norms of people who adhere to them as legitimating charters.” (Ranginui, 1975, as cited in Wolfgramm, 2007, p. 31).

Because the focus of this section of the thesis is on using a Māori view or as (T. Smith, 2000) defines it, a “tangata whenua philosophy”, to conceptualise a Māori governance; this requires us to work within frameworks sourced from Māori culture. However, what qualifies as “traditional” is contested and needs clarification. “Maori perceptions of their own traditions and history have been coloured by European influences.” (van Meijl, 1996, p. 314)

Van Meijls’ statement reflects the simple historic reality of a totalising colonisation extensively discussed by Smith (1999). The debate on the traditional nature of Māori

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<sup>36</sup>There is a possibility of an alternate meaning for this line. In both Smith and Higgins it is translated to express the existence of a parental state, however it also can be translated as the opposite, a parentless state. To do this hinges on the particle “Te” which precedes the word “Mātua”. If it is “Te” it means “the”, affirming the parental state, however if it is pronounced instead using an elongated vowel, “Tē”, it turns it into a negating particle. Early writings of the Maori language did not make use of macrons. Given that previous lines contain negating particles, it does raise the possibility for the alternate translation, however, to retain consistency with both Smith and Higgins as they have translated it as Te Kore containing a parental element and so it is this translation that is used.

<sup>37</sup> In the South Island this line refers to “Te Mākū”, which is translated as moisture, others such as (T. A. C. Royal, 1998; S. P. Smith, Whatahoro, Te, & Pohuhu, 1913) refer to this stage as “Te Mangu”, the darkness. Also, Mahoranuiātea is translated as “thoughts” by Higgins (2010) but has also been alternatively translated as a form of water by Ngāi Tahu academic Williams (2006). I have chosen to retain both of these translations.

originally revolved around an integrationist view of Māori culture; that traditional culture was static and a “cultural artefact” (P. M. T. Te Whāiti, McCarthy, & Durie, 1997, p. 82), rather than dynamic and evolving. Darwinist notions of progress and assimilation into a superior culture were a *fait accompli*. Moving into our current post-colonial view, does elevation of what we believe is traditional in fact merely reify and staticise Māori culture? Definitely, some view this negatively as a privileging of the culture, seen as nothing more than a “romantic primitivism”. (Sautet & New Zealand Business, 2008, p. 25).

Adding to the debate,

**The concept of Maoritanga is based on an objectified and essentialised conception of Maori traditional customs. The understanding that Maoritanga can be lost and recovered, be treasured and manipulated, involves a reification of Maori traditional culture as a primordial feature of Maori people. The primordial character of Maoritanga becomes particularly apparent when people who were brought up in a chiefly European environment begin aspiring, if not contriving, to uncover their Maoritanga at a later age. The concept of Maoritanga is seen as an immutable characteristic born into all Maori people. Maoritanga is viewed as unchangeable, as continuous, as timeless. (van Meijl, 1996, pp. 311-312)<sup>38</sup>**

There is no denying that Māori cultural understanding and practice has been profoundly affected by colonisation. However again backing away from any overly intellectual arguments, “This grasp of a culture proceeds not from superficial intellectualism but from an approach best articulated in poetry” (Marsden, 1992, p. 136). Māori did not die out as predicted. In surviving they retained their most “fundamental characteristic of their culture...continuity.” (I. H. Kawharu, 1996, p. 14). In a similar regard Smith (2000) differentiates Māori knowledge into that which is influenced (in a bad way) by non-Māori culture and that which retains its Māori core. Smiths’ focus is on Māori culture as the centre. He believes that the past for Māori must be interpreted in terms of their own spatial and temporal contexts, implying that it is necessary to understand those contexts in order to comprehend and appreciate the full meanings of the past being interpreted. In doing this, the parts of the culture influenced by other cultures is seen.

Whilst van Meijl builds an academic case for saying that what Māori people know has been strongly influenced by early Pākehā ethnographers, there is little in the way of propositions as to what Māori should do about it. Van Meijl’s article can be contrast against Māori writers such as Smith (1999) and others who propose solutions to this “problem” through various forms of decolonisation. Biggs (1989) uses the metaphor of the classic English Humpty Dumpty nursery rhyme to describe the damage caused to Māori by colonisation, where our cultural knowledge whole has been broken into pieces, lost, are missing or alternatively hidden from view. Complicating this is the fact that the parts themselves are not stable, instead transforming and changing with the movement of time and knowledge (p. 306).

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<sup>38</sup> Māoritanga is defined variously as Māori culture, its beliefs and cultural practices

A way forward to understand Māori cultural spaces within a hybridised cultural environment that is controlled by Māori is given as follows,

**This spatial and temporal reality exists in discursive frameworks of ‘unmarginalised’ tangata whenua space. By unmarginalised I do not mean an essentialised timeless space of ‘archaic primitivism’, but space where the discourse of colonialism has been appropriated or incorporated by tangata whenua on their own terms. (T. Smith, 2000, p. 54)**

This thesis therefore follows the approach of Smith. By recognising the influence of non-Māori understanding of governance, it is possible to acknowledge it and then put it to one side to engage a Māori perspective. Furthermore, in engaging a Māori perspective, our exercise of the *iho mātua* [intellectual] is not distanced from the *wairua* [spirit], *hinengaro* [mind], *whatumanawa* [emotions] and *auaha* [creative] sides of our being. This approach can be contrasted to non-Māori rational-logical traditions, which rely largely on the intellectual alone. This study endeavours to become more reflective of Māori thought processes and of understanding governance, not less.

It is an attempt at “penetrating into states of mind for some kind of evaluation and understanding” (Marsden, 1992, p. 136). As such, it is similar to a thought experiment in which we engage specific conceptual states (as summarised in the various realms within the creation story); attempt to understand the spatial and temporal contexts of these realms and proceed to intellectually examine the possibilities that arise from them. Māori creation stories are complex conceptualisations that incorporate the physical, spiritual, emotional and intellectual into an understanding of not only what is perceived, but also what is beyond our human perception (Marsden, 1992; T. A. C. Royal, 1998; Salmond, 1985).

The Māori creation stories and its variants are instrumental in that they not only give shape to Māori understanding and interpretation of cosmic beginnings, but also importantly function to give us insight into Māori knowledge and thought processes. Māori creation stories were traditionally taught in *whare wānanga* [A traditional pre-colonial Māori school of learning] (Salmond, 1985). What was taught in *whare wānanga* was deemed the most important knowledge (Bowden, 1979), highlighting the fundamental significance of the creation stories to Māori knowledge and Māori worldview.

Different interpretations prescribe varying elements, details and level of granulation, such as Salmond (1985) or Smith (2001). Stories are condensed or expanded in numerous ways, such as shown in Smith (1894). Importantly, pre-1900 recorded knowledge generally shows less non-Māori influence expressed within that knowledge, compared with post 1900 knowledge. This is due to sources mostly being born in a period pre-colonisation or having learned from those who were born pre-colonisation.

The earlier in the 1800s the knowledge was recorded, generally the more reliable as a source of “*tangata whenua*” based knowledge, despite the cultural bias that recorders of that knowledge may have imparted. There was a concerted effort by Māori in the 19<sup>th</sup> century to



record information before it was lost due to the effects of colonisation (personal communication, 2011). It is not a significant step to imagine that they envisaged that this information be recorded so it could be revived at a later stage when conditions for cultural expression and understanding became more favourable.

For the purposes of simplifying this conceptualisation exercise, I have purposely further condensed the story, into three core conceptual states, of Te Pō, Te Ao Mārama and Te Kore, whilst retaining all its symbolic, connotative and denotative elements. Marsden (1992) describes these three distinct states within the Māori cosmology stories (in the following order) in terms of their state, as

- 1) Te KoreKore<sup>39</sup> - the realm of potential being, primal energy, latent being
- 2) Te Pō - the realm of becoming
- 3) Te Ao Mārama - the realm of being. (p. 135)

Teone Taare Tikao, a prominent Ngāi Tahu leader, similarly passed on a chant to Beattie in 1920 (Tikao & Beattie, 1990) that puts the three realms in the same order as Marsden. It is apparent that there is flexibility in how these realms are ordered within the expression of the story, depending on the source and the where wānanga that they learned it from. In this conceptualisation exercise, I have chosen to retain the order that they appear in Smiths text, to maintain consistency with the original expression and due to Mamaru having learnt from both the Waitaha where wānanga of my tīpuna Te Maihāroa, as well as the Ngāi Tūāhuriri where wānanga under Matiaha Tiramōrehu (personal communication, 2011). Thus, the order of the three realms is rendered as follows, namely

- 1) Te Pō
- 2) Te Ao Mārama
- 3) Te Kore

In addition to Marsden's translation there are a number of alternative translations/descriptions of the above three realms, which have varying levels of equivalence, as follows,

- 1) **Te Pō** - the night (Shortland, 1856), world of the unseen (Izett, 1904), the unknown (Best, 1924), likened to a womb<sup>40</sup> (Mikaere, 1995; J. Smith, 1974), eternity (S. P. Smith, 1894)

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<sup>39</sup> Marsden uses the term Te KoreKore in contract to Mamaru's use of Te Kore without the second "Kore". The effect of doubling the word is to intensify the quality of it. For the purposes of this research I choose to use the word as described by Mamaru to retain consistency. They both refer to the same realm

<sup>40</sup> This view is taken by many wahine Māori [Māori women] such as Mikaere (1995) and is based on the reasoning that the "birth" of the primal gods was from within this environment. She notes that early writers (all male) on Māori culture were biased in how they portrayed the creation stories, portraying the female

- 2) **Te Ao Mārama** - clear light of day (Shortland, 1856), bright day (Izett, 1904), world of life and light (H. W. Williams & New Zealand. Advisory Committee on the Teaching of the Maori Language., 2000), dwelling place of humans (R. Walker, 2004)
- 3) **Te Kore** – nothingness (Shortland, 1856), the void (Izett, 1904)

Earlier in this thesis, focus was placed on a specific beginning point in our conceptualisation exercise in which all imbued non-Māori understanding of governance is put aside, leaving only a conceptual placeholder word, “governance”. At this first stage, we are unaware of the possibilities that our conception could take. This can be likened to the realm of Te Pō in which a state of conceptual darkness exists, but is not just a mere static state; it is also a realm of dreaming and becoming where things take shape and form. From this realm, light begins to filter into our conceptual darkness through actively applying our thoughts to the conceptualisation. This can be likened to the realm of Te Ao Mārama. Lastly, the realm of Te Kore is the state of nothingness which sits outside the boundaries of our humanly limited knowledge and understanding. I denote this state as the limits of our conceptualisation and the inherent limits of human knowledge, the recognising and acknowledging of such and the potential which lies beyond the knowledge contained within Te Ao Mārama.

From taking our conceptualisation through the three conceptual realms, our conceptualisation of Māori governance can then fully enter our consciousness. This is embodied by the term used to signify a coming together, “Tihei Mauri Ora” [lit. sneeze of life]. This fuses the conceptualisation into single conceptual frame of extant being. This term acknowledges existence of consciousness within the realm of Te Ao Mārama. The process above thus gives the process for realisation of our conceptualisation. In this space “Western ideas of causality and chronology do not always apply...”. (Tremewan, 1992, p. 5)

Royal (1998) gives us a hint of this, noting that the state of “Te Ao Mārama arises from both Te Pō and Te Kore” (p. 40). The notion that Te Ao Mārama come from both is suggestive of a non-lineal relationship between the three. This is further reflected in the line “Nā Te Ao Tūroa, Ko Te Kore Tē Whiwhia” in Mamaru’s version (and also other versions noted above). This line describes how from the everlasting light (which is the stage after Te Ao Mārama) there is the existence of unobtainable nothingness. If the process were linear, nothingness would not follow consciousness.

Royal (1998) citing the Rev. Māori Marsden, expresses the relationships of the creation story visually as a sphere. Te Kore is written outside of the sphere. The inside of the sphere

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elements of the stories in a light similar to the status of women which existed in Pākehā society at the period of their writing.

represents Te Pō, and inside the sphere of Te Pō an elliptical circle is drawn, representing Te Ao Mārama. Within the elliptical circle, Ranginui is written at the top, inside of the circle and Papatūānuku on the bottom, inside of the circle. In terms of their symbolism, there are a number of features that we can take from the verse above and the imagery provided by Royal to aid us in our understanding. However, we must be careful to view the drawing of the sphere not as clear delineations of each conceptual entity rather than as a form of visual representation of the concepts.

Te Ao Mārama is not only the conceptualisation of being and reality, the word Mārama means both light and knowledge. For Māori, light is symbolic of the world of all sensory and experiential human knowing, the sum of all human knowledge is within the state of Te Ao Mārama, and its resulting wisdom. In Te Pō the primal gods came into existence, which then gave rise to Te Ao Mārama and the world of light. This comes about through the related creation story of the separation of the ātua [gods] Ranginui and Papatūānuku, which allowed their children to grow, through the entry of light into their hitherto world of darkness. Therefore, the symbol of light is also associated with growth and understanding in the Māori cultural context.

An important question to ask is how does one realm arise from the other. Is it a causal relationship? Is it acausal? Is it synchronistic, non-synchronistic or something else entirely that is beyond our comprehension? If Te Ao Mārama arises from both Te Kore and Te Pō; it infers that all three exist simultaneously. Te Pō does not cease to exist simply on the advent of Te Ao Mārama. Thus, “an undue interest in causation can prevent us from noticing important value judgements.” (Patterson, 1992, p. 156).

Each realm exists as itself and also acts as a source with enabling conditions that allow the next realm to arise, changing over at what (Marsden, et al., 1992) refers to as its “omega point” (p. 9). A further question is if we follow the steps of Te Pō, Te Ao Mārama and Te Kore in the Ngāi Tahu traditions, how can Te Kore arise from Te Ao Mārama, when Royal states the reverse; that Te Ao Mārama can arise from Te Kore? Despite each realm having different qualities, this indicates that that the relationships between the realms can be viewed in multiple ways. How do we reconcile these differing accounts?

Salmond (1985) states that “Māori tribal thinkers were acutely aware of alternate cosmological and historical accounts, and...had developed conventions for dealing with these”, thus worked within an open “epistemological world” (p. 253). The conventions practiced are described as a form of “tribal relativism” (Henare, 2003a, p. 23). Williams (2004) provides a historic example of this for kōrero tāwhito [historic stories] relating to the Kāti Kurī hapū of Ngāi Tahu from that particular hapū perspective. Henare also provides a contemporary example of how this convention works. Your own hapū or tribal traditions are maintained as being the correct version.

Alternate views are tolerated through not challenging competing alternate versions espoused outside your own tribal area where for others it is seen as their truth, instead only

challenging it if that alternate version is spoken of in your own tribal area. Furthermore if you are visiting or living in another tribal area, respect for their traditions needs to be shown (which would include not speaking of your competing versions of understanding within their tribal area). Within Māori societies, vigorous internal debates were commonplace regarding various elements of the knowledge, acting as its validating mechanisms.

If we go back to (Marsden, 1992) and his definition of Te Kore, he gives us an insight into its nature, being “the realm of potential being, elemental energy, latent being” (p. 135). It is inherent that in nothingness there exists a corresponding feature; that of untapped or latent potential. Therefore, the world that exists, Te Ao Mārama, at the limits of human understanding, arising from the darkness of Te Pō, taps creativity and innovation in the act of process, represented by the very act of life and living. This is the flipside of the coin to potential. The potential is being realised. Furthermore, because we are aware that our knowledge is limited, we are also simultaneously aware that there are things that lie beyond our known world of knowledge and experience, that of Te Ao Mārama, the conceptual darkness that is Te Pō, towards that which we may never know, but which contains infinite potential, that is the realm of Te Kore. Thus, Te Kore also can conceptually arise from Te Ao Mārama.

In Māori culture the carving symbol that is the double spiral, represents this process, known as “Te ihi me te wehi a Rakinui te Raki rāua ko Papatūānuku” within Ngāi Tahu (personal communication, 2011). (Stewart-Harawira, 2005, p. 50) states,

**In a metaphysical sense the whole of Māori cosmology is represented in the spiral, symbolizing the intertwining of the world of spirit with the worlds of potentiality and creation. The spiral thus represents both the potentiality of being and the actualizing of potential into beingness.**

I also lastly, call on a further symbolic feature of the term Te Ao Mārama that has personal familial significance. Te Ao Mārama is also a place located in Central Otago named by my tīpuna, Te Maihāroa. In 1877, he lead a heke [migration/protest march] there to undertake a land occupation on a run-holders land to protest that the land in the interior was never included and sold as part of the Ngāi Tahu land sales to the Pākehā. The term therefore also symbolises a family connection, which embodies a place, a tīpuna, his actions and his deeds, abilities, knowledge and whakapapa. With this understanding, we can now start.

#### **4. (2)(c) Te Pō – The realm of darkness**

We start from the darkness, putting to one side all non-Māori governance conceptions, theories, understandings, underlying cultural and social frameworks in its entirety regarding the word “governance”. We strip away non-Māori understanding of governance and are starting afresh. Searching for a concept in Māori culture that is an equivalent to the non-Māori concept of governance is a futile exercise, as we will only see what renders from our particular frame of view.

Thus whilst Te Pō is the darkness; it is not a darkness that is without movement. From within Te Pō, Ranginui, Papatūānuku and their children appear, before eventually reaching the state of Te Ao Mārama. Te Pō is the space where ideas have their genesis and create the potential for light to enter through the purposeful pushing apart of the enclosed space, expanding the centre. Within an environment of darkness, nothing is immediately apparent. The question arises as to how to move forward from this state? Smith (2000) gives us some guidance in this regard stating that, "...it is also within the human body as well as having an external reality.", (p. 56). He elaborates by saying,

**The past is always near and accessible in Te Po (darkness) accessible through sleep and dreaming, closing the eyes to create darkness, or by the arrival of the darkness of night. Creativity is viewed as the transition of that which exists in Te Po to Te Ao Mārama. (ibid)**

These realms, whilst they are part of a creation story, are also a part of us and our reality (personal communication, 2011). Thus, the realm of Te Pō is also an experiential reality that we can access. Māori explained the world that they experienced and perceived through symbolism, as a means of representing and explaining "different orders of reality" (Marsden, 1989, p. 8) as they saw it. The methodology to express this symbolism was "to recite first the actual genealogy itself and then to embed it in narrative form" (p. 9). If we return back to the beginning, that of the creation story, it is in fact a whakapapa (T. A. C. Royal, 1998).

**Whakapapa korero has been framed by European analysis as history, so that where Western historical 'fact' has been established, that which is not, has been relegated into the world of myth. My concern is that whakapapa korero belongs to a different spatial and temporal reality than the lineal temporal sequence of European ideas of history and myth. (T. Smith, 2000, p. 54),**

Indeed, the methodology of this thesis has been to view governance from the concept of whakapapa. Whakapapa is the medium for expression of all that is symbolically important to Māori. Whakapapa is a tool (J. P. H. Graham, 2009b; Paki, 2007), that is "all embracing" (M. Roberts, et al., 2004, p. 4). Conceptualised beginnings are linked with the phenomenal sensory present into an inclusive whole. For something seen by Māori as so comprehensive and inclusive of their being, the question needs to be asked, is the concept of whakapapa in fact a Māori governance? This idea contains potential. Before we can go any further, we must also probe other Māori concepts that have potential. What of rangatiratanga? Other important concepts include kaitiakitanga, tikanga and also what of mana? We now explore the potential of these notions in turn.

Of rangatiratanga,

**The word rangatiratanga is a missionary neologism derived from rangatira (chief), which, with the addition of the suffix tanga, becomes chieftainship. Now the guarantee of chieftainship is in effect a guarantee of sovereignty, because an inseparable component of chieftainship is mana whenua [sovereignty over land]. Without land a chiefs mana and that of his people is negated. (R. Walker, 2004, p. 93)**

Rangatiratanga is “...a relatively new word” (Jackson, 1991, as cited in P. Te Whāiti, 1995, p. 22), but that “the concept that it represents is not”(ibid). Rangatiratanga is derived from a traditional word “rangatira”. Rangatiratanga is equated (but not necessarily the same as) the Western concept of sovereignty or self-determination. The word rangatiratanga was used in the 1835 Declaration of Independence and also widely known through being used in the preamble and Article Two of the Māori version of the (“Treaty of Waitangi,” 1840), translated to the effect that Māori retain sovereignty over their lands and prized possessions. Similarly, “Rangatiratanga in association with mana expressed “sovereign power” which no-one could impinge upon” (Jackson, 1991, as cited in P. Te Whāiti, 1995, p. 22). From this notion of the sovereign, rangatiratanga is thus translated as self-governance by Carter (2003). Mead (2003) noting the extensive debates related to the Treaty of Waitangi on this concept, summarises this word as being associated with political issues, such as “sovereignty, chieftainship, leadership, self-determination, self-management” (p. 37).

Whilst the debate around the Treaty of Waitangi is significantly political, looking at the substance of the term, it is described as a moral contract between a leader, the people and their ātua, emphasising “reciprocity between the human, material and non-material worlds” (I. H. Kawharu, 1996, p. 12). This moral contract gives a rangatira the authority to make decisions binding the group being lead. This moral contract depends on on-going support and mandate from the people. This is implicitly understood through the meaning of the word rangatira, being made up of two words, “ranga” meaning “weave” and “tira” meaning “standing in line” (Ryan, et al., 1995). In other words, a rangatira is someone with the ability to unite people into a cohesive body. It is important to note that the word rangatira is not gender specific; rangatira can be equally female or male.<sup>41</sup> Traditionally, decisions were based on consensus, thus the people sanctioned the power that a rangatira held. That power comes from the mana [integrity] of the rangatira.

A rangatira is someone who has a number of qualities, which revolve around the concept of mana. As Royal (2006b) correctly notes, mana is externally derived, not internally from the person themselves. Types of mana include mana ō te ātua [mana of the gods], mana ō te tīpuna [mana of genealogy], mana ō te tangata [mana attributed through personal actions] and mana ō te whenua/moana [mana of the land/sea].<sup>42</sup> It is some combination of these

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<sup>41</sup> Te Whāiti (1995) makes a strong case showing that the concept of rangatira has been subject to historic misrepresentation by various researchers, commentators and academics, including Māori, through taking a Victorian male-centric point of view, overly focussed on the role of the male in whaikōrero [formal speeches] on the marae ātea [front of the meeting house, which is the domain of Tūmātauenga, the god of war]. This stance has according to Te Whāiti, ignored traditional cultural understanding and practice of female rangatira within Māori society, of how rangatira exist and of how their authority is created.

<sup>42</sup> Writers often omit the “ō te” section of the phrase when discussing mana e.g. they will refer to mana ātua, mana whenua etc. I purposely include the particle “ō” here to indicate its quality, that it cannot be possessed

types of mana, which makes them a rangatira. More of one type may compensate for a lack of another type. In this modern world that focuses on the individual, people by a number of means may achieve positions of power and influence particularly within modern society, but we should not be mistaken; a position of prominence does not equate to them having mana amongst their community.

Those who are rangatira are able to exercise rangatiratanga. However, in Article Two of the Treaty of Waitangi it is used in a much broader sense to cover Māori rangatira, hapū and individuals to make up both of those groups. We also see from Ranginui Walker's discussion on the Treaty of Waitangi above, that the concept of rangatiratanga is connected to whenua [land]. Article Two also talks of rangatiratanga over kainga [villages] and taonga [prized possessions]. Kainga are strongly linked to land. Without a mana whenua connection to land, in terms of the treaty, there is little to exercise rangatiratanga over. Therefore, the right to act as sovereign over land and its resources derive from mana ō te whenua. This type of mana derives from whakapapa links to the land as was discussed at the beginning of this thesis. Thus, without whakapapa, there is no mana, and there can be no rangatiratanga. Whakapapa is the basis of rangatiratanga.

Moving on to the term Kaitiakitanga, kaitiaki is translated as guardian, caretaker, manager or trustee (Ryan, et al., 1995). It has also been translated as “conservator”, “foster parent” and “protector” (Marsden, et al., 1992). Kaitiakitanga can be therefore translated as guardianship, conservatorship or trusteeship. It has also been translated as “resource management” (M. Kawharu, 1998) and “stewardship” (J. Williams, 2004). However, one commentator offers a different opinion; that the term stewardship should not be used because “the original interpretation from an English perspective means to guard someone else's property” (Taiaroa, 2007, p. 54). Williams' stance is perhaps from an ownership (for want of a better word) perspective, focussed on preservation for future generations.

There is difficulty in translating this word adequately, “it is difficult to translate a holistic value system into another language” (M. Kawharu, 1998, p. 9). Kawharu further notes that kaitiakitanga is not a traditional customary term, but that its “underlying values and cultural convictions have been immanent facets of Māori life since time immemorial” (p. 9). Reciprocity is seen as an important part of kaitiakitanga (p. 13), that what you take must be returned. Māori view themselves as guardians of the environment and other taonga (treasures) for future generations. Taonga possess three elements, mana, whakapapa and tapu (Tapsell, 1997). Taonga are identity markers of the relationship between a people and their lands (ibid). Māori obligations towards taonga regards both its physical and metaphysical elements, with a responsibility to pass on to future generations in the same or

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or controlled by its object and that the link of mana to an object, such as a rangatira, is esoteric. Mana is a spiritual quality and value (Marsden, 1989, p. 16).

better state than they received it from previous generations. This regards both its physical attributes and also its mana, whakapapa and tapu.

Kawharu (1998) points out that it is not just land and resources that one acts as a kaitiaki for; it is also applicable to care for humans as well as other things that are within the domain that you have kaitiaki responsibilities over. This responsibility arises from a whakapapa connection to the land or resource being looked after. Again, without a whakapapa link, you cannot be a kaitiaki in the traditional Māori understanding of the word.

Another term with potential as governance is Tikanga [customs] and is associated with governance, “Tikanga Māori is the traditional body of rules and values developed by Māori to govern themselves.”, (Joseph, 2007, p. 693). Tikanga is a pre-colonisation term, thus has continuity as a deep and enduring concept for Māori. If we ask the question, where does tikanga come from and what determines how it is used, “From whakapapa and through time Māori acquired knowledge, termed Mātauranga Māori; and from knowledge came Māori values.” (Harmsworth, 2005, p. 14) citing (Barlow, 1994; Hirini M; Mead, 2003). In addition to this, various interpretations of the concept of tikanga are seen as a “means of social control”, a “Māori ethic...Māori philosophy in practice...the practical face of Māori knowledge” (Hirini M; Mead, 2003, pp. 6-7). The values and principles that sit within Mātauranga Māori are the basis of and inform the practice of tikanga. The core base of tikanga, as noted by Harmsworth, is thus whakapapa.

We now turn to mana. We have already covered mana in some detail at the beginning of this thesis and in our discussion of rangatiratanga and kaitiakitanga. As discussed earlier, there are a number of types of mana,

- Mana ō te Atua [Mana of the gods]
- Mana ō te Tīpuna [Mana of ancestors (by descent)]
- Mana ō te Whenua and Mana ō te Moana [Mana of the land and sea]
- Mana ō te Tangata [Mana gained through actions and good deeds in life]

Mana is described as “lawful permission delegated by the gods to their human agents and accompanied by the endowment of spiritual power to act on their behalf and in accordance with their revealed will” (Marsden, 1992, p. 119). Importantly mana must be used appropriately. Mana ō te ātua is mana of the gods, which we have already noted Māori people connect to through via a whakapapa link back to the creation. Mana ō te tīpuna is mana from ancestors, this is explicitly a whakapapa-based link also, so we need not discuss in more detail. We have also established that mana in relation to whenua [land] comes from a whakapapa link. Mana ō te tangata, is that gained by deeds and work done within ones community or social group. The reason for doing this is essentially to enable the maintenance and enhancement of relationships and wellbeing within that group. Those acts



are enabling the continuation of whakapapa.<sup>43</sup> Whakapapa is therefore the conduit for mana and without whakapapa there is no mana.

#### **4. (2)(d) Te Ao Mārama – The realm of light**

In the previous section we have explored a number of key concepts within Māori culture. We have found that all of them depend on whakapapa to exist. We have already established the foundational nature of whakapapa and its importance, implicit in Māori culture and society. “The whole world is encapsulated in and can be viewed with and through whakapapa.”, (Edwards, 2009, p. 31). This again expresses just how important whakapapa is for Māori. Furthermore

**A traditional Māori worldview of governance and business organisation was based on the Māori cosmogony, which was a blueprint for life setting down innumerable precedents by which communities were guided in the governance and regulation of their day-to-day existence. (Joseph, 2009, p. 796)**

Joseph’s statement provides further support to our use of the creation story as a conceptualisation exercise to understand a Māori governance. His reference to cosmogony includes all of the stories subsequent to the one that is used in this thesis that give rise to the various gods. How can we relate his concept of governance through cosmogony to the main idea of this thesis? If we move forward from our beginning point in the creation stories, to Rakinui, his partners and their children, we see that they are also whakapapa, as Māori ascribe descent from one or more of these gods.<sup>44</sup> If we move forward to us, we are the genealogical product of whakapapa and have whakapapa which links us to these stories. The link to everything in the cosmogony is again, whakapapa.

Within knowledge, there is a thread of commonality that runs through all variants of the creation stories and other worldly knowledge that Māori possess. That is that whakapapa is how we remember that knowledge. “...one would argue that whakapapa is critical and influential in about 99% of Māori history” (T. A. C. Royal, 1996, p. 6). Wisdom is stored within our human knowledge of our history. By understanding and engaging whakapapa, Māori tap their knowledge and wisdom. The importance of whakapapa to Māori is now becoming clear.

We have developed an argument that says that whakapapa is the essential element to everything that Māori base their knowledge and understanding on, but we need to ask the question, have we reached the state of enlightenment, Te Ao Mārama; if not then how do we get there. In the creation story, light is let in through the pushing apart of Ranginui and Papatūānuku. This allowed for expansion and growth of everything in between. If our

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<sup>43</sup> Remember that whakapapa is not limited to genealogical blood relationships, it can be used to express any type of relationship.

<sup>44</sup> Note that some iwi claim descent from Tūmatauenga [God of war].

world is based on this concept of whakapapa, what is our conceptual Ranginui and conceptual Papatūānuku that we need to separate in order to reach an enlightened state of life and understanding? There can be only one answer to that if we think within a whakapapa paradigm. That is of the past and the future, connected to each other by the present.

Our past and our future are in a sense both physically irretrievable and unobtainable. We cannot bring the past back into a present state and actually relive it, and we cannot bring our future into the present and live that piece of the future in the present. We live only in the present, whilst simultaneously part of us is fading into the past, part of us is in the present, moving towards the future. There is great mystery in life as to its deeper questions regarding our meaning and existence. Gauguin's famous painting entitled, "Where Do We Come From, What Are We, Where Are We Going?" sums up this human situation.

Whakapapa is perhaps a means to comprehend these deeper questions of life. Interestingly, if the past and the future were one, there would be no movement of time in the present; there would conceptually be darkness, very much similar to that envisaged through Te Pō. It is through stirring and movement that we get that which begins to create a separation between what is the past, and what is the future. This movement does not alone give rise to the state of Te Ao Mārama however. It is our self-realisation and recognition of a past, and of a future, embodied through the realms of Te Pō and Te Kore, which allows us to conceptually separate these two realms, that a world of enlightenment appears, Te Ao Mārama.

It is whakapapa that provides the means for us to understand these deeper mysteries and meanings in life. Where did we come from? Through understanding ones whakapapa, we can gain and understand a sense of where we have come from. Who are we? Through knowing where we come from, we get a sense of who we are and our place in the world that we live in today. Where are we going? This unknown future is guided (from a Māori perspective), by our past and our present, so whilst it is the unknown and presents humanity with innate uncertainty, it does not mean that we are alone in our journey.

Whakapapa is the mechanism which links all that we know from our past, with everything that we are today, to all that we may become in the future. Everything is all part of a connected continuum from a Māori perspective. Through understanding this connection, we may view everything that we see in a perspective which provides some guidance to help us to feed the core hunger that is the inquisitive nature of humanity, provide a basis for survival and to also provide some semblance of understanding towards these deeper questions of life.

If we now start to draw back to our research question in this thesis, what is a conceptualised ideal governance. For Māori, I believe the ultimate goal is of self-perpetuation, to exist as Māori into the future. To do this requires a whakapapa. We have both a physical image of ourselves and a socio-cultural one that needs to be reproduced. The sustaining of both

requires, and gives us whakapapa. In order to exist into the future therefore requires whakapapa. This is what governs us, whakapapa is our ideal governance but to which we may have been unaware of, until now. Therefore, the ideal basis for Māori governance is that in which,

**The implicit concept of whakapapa is the explicit basis of governance for Māori.**

Whakapapa is in fact an all-powerful mechanism for governing. We have now reached a state of Te Ao Mārama, enlightenment. We now are aware that we have a conceptual awareness of our past, and of our future, through the governing concept of whakapapa, which gives the present, its ability to expand infinitely, into the future.

**4. (2)(e) Te Kore – The realm of the unknown**

Te Kore is the realm of that which is beyond the limits of human conception. It represents an active acknowledgement of the unknown. Te Kore is thus perhaps is an all-powerful allusion of the future. The future is for most, beyond human comprehension, we can imagine what this future will be, and some who have gifts can perhaps see this future. However, what actually happens and what we will do when that future becomes the present, is usually beyond our comprehension. In this sense, Te Kore is the limitations of what we can conceptually and physically know. We have looked at this at a very deep and fundamental level within this thesis so far, but equally, we can also apply the profound nature of Te Kore, to that which the present, such as this thesis.

What then are the limits of our conceptualisation of an ideal Māori governance within this thesis? A key observation is that this thesis is just one opinion, which directly contemplates a Māori cultural centric basis for governance. A future thesis may very well arrive at different conclusions regarding what constitutes a Māori centric-governance. As to the nature of what that might be and how it might differ, is beyond conjecture. The value and truth of which, whilst we can debate now, is cast in the minds of future generations and is thus beyond us.

A further limitation is that whilst I have attempted to work and think within a framework as much as possible culturally Māori-centric, the reality is that, our actual minds and thought processes reflect the society that we live in, our experiences, our whakapapa, a mixture of Māori and non-Māori influences. Personally, I am probably as much influenced by ngā āhua Hapanihi [Japanese things] as I am by the Māori and Pākehā aspects of my whakapapa and the society I live in. Whether I am consciously aware of it or not, that is the reality of my lived experience.

Another limitation is that of language. English is the predominant medium for communication of this thesis. Whilst it is a limitation, although the Māori language contains what is culturally important for Māori, a language is merely the device for conveyance of the message. If the message does not have the underlying Māori cultural

values of aroha [love], whanaungatanga [family connection] and manāki [support and hospitality], what is it that the person is really saying?

A further unknown is the actual value that the conceptualisation embodied in this thesis provides to Māori society and academia. Most Māori do research primarily to uplift their whānau, hapū, iwi, hapori and Māori society, ahakoa no hea [no matter where they are]. This is done through numerous ways. They are in effect efforts to maintain and enhance the mana of Māori people.<sup>45</sup> A final limitation of this thesis is that like Mātauranga Māori, a concept of itself is not a cause for action. It is up to those who read this work, including myself, to turn the ideas contained within this thesis, into action for the betterment of whānau, hapū, iwi, communities and society, for Māori and non-Māori alike.

#### **4. (2)(f) Tihei Mauri Ora!**

This is the phrase that acknowledges a fruition that has taken many stages and time to reach. This term encompasses the concept of actualisation and embodies the whakapapa in its entirety. This is the acknowledgement of the ultimate essence that is consciousness and life; which arises within the state of Te Ao Mārama.

Tihei Mauri Ora!

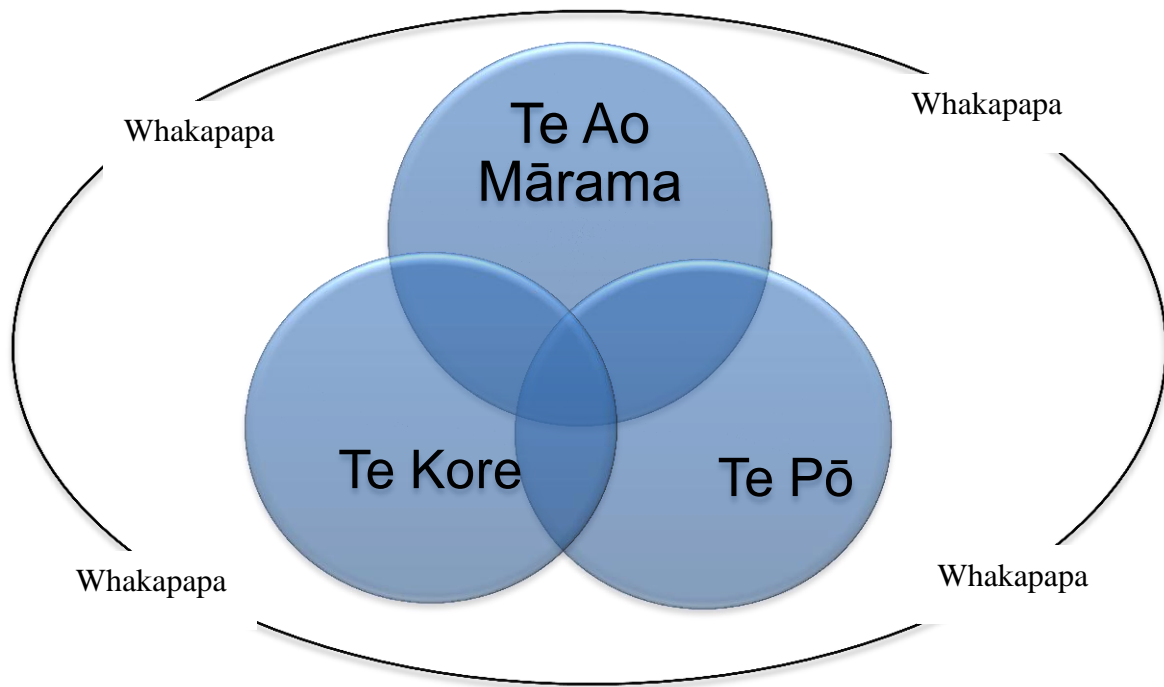
This phrase needs no further explanation.

Importantly it is now time to show how I envisage the creation story and its relationship to whakapapa visually, in the following diagram. Each realm can be seen both individually and also overlapping each other, symbolising that they also exist simultaneously. It is surrounded by a circle which represents the concept of whakapapa. The realms are a whakapapa and thus come within the encompassing and inclusive concept of whakapapa. There is potential for growth and expansion within whakapapa expressed through the fact that each realm does not reach the outer circle, being the boundaries of the concept of whakapapa. The circular nature of each realm and of the whakapapa emphasises continuity, where cycles of life and death repeat, creating the continuum in which life exists.

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<sup>45</sup> Examples of this include works to highlight and reduce disparity such as (Te Amo, 2007), advocating for conditions better reflecting Māori needs; (Ramsden, 2002), highlighting the effects of non-Māori cultural practices on Māori society and its institutions such as (Carter, 2003; Collins, 2005; C. W. I. T. R. Smith, 2000), empowering Māori-centric cultural understanding and identity (G. H. Smith, 1997) and reappraising the portrayal of Māori women in society (Pihama, 2001).

Figure 3: Te Timatanga, the Creation Story



#### 4. (3) Linking whakapapa to non-Māori conceptions of governance

In contemplating a Māori basis for governance, we must acknowledge that many other human conceptions of governance exist in the world today. Indeed, non-indigenous conceptions of governance are seen by some as a necessary part of living in the western neo-liberal democratic nation that New Zealand is, and necessary for the running of global society. In acknowledging other conceptions of governance, I acknowledge the mana of the people who uphold these ideas and human traditions on which they are based.

It is interesting to see that governance in the non-indigenous conception has become an almost all encompassing element within academic theory. As noted earlier, governance is now seen in many fields of research and in practice associated with most things that humans do. Governance in this tradition is similarly defined by its histories and cultural background. In exploring this large mass of theory and writing, it poses an interesting question. That is, why governance?

Why do we have this thing we call governance? Why is it necessary and why is it at all seen as so important to modern life? Perhaps the answer is closer to us than we realise. If the goal of governance is to govern our organisations well, or to rephrase this, to be better governed; we must ask the question, for what ends? The most obvious answer to this is that because we want those organisations and institutions to continue into the future. We have

an innate human desire to perpetuate, that which exists in the present, into the future. In other words, the quest of governance in the non-Māori tradition is in fact a reflection of attempts to create a similar whakapapa based view that incorporates and allows a perpetuation of existence and enables a connected view of the world.

Some may ask of this notion, what of the profit making imperative of our modern corporations? How can that possibly be linked to the idea of perpetuation? The answer to that is that, shareholders or principals, wish for the organisations that they own shares in, to produce returns that grow in size, the more the better so that they may become richer, living more prosperous and fulfilling lives. Thus, they too are merely reflecting an innate desire that humanity not stand still, that it has its life as a key focal point, to enable perpetuity and growth.

What is missing from that thought process is that governance can and has been used be used as a self-centred and self-serving view of the world, ignoring actual relationships and effects of actions within this existence. There has been much growth in the world, but it has been at the expense of other parts of our existence, such as our environment and of core elements of human cultures. Governance theory has subsequently reflected that existence. However the various things that humans are intimately connected to, such as the environment, are forcing us to rethink our largely self-centred existence. That there is a need for recognition of corporate actions which have commensurate reactions in communities, societies and the environment. Rules and laws attempt to mitigate these effects, with varying degrees of failure or success. Nevertheless, humans are starting to acknowledge within non-indigenous governance theories, the existence of relationships that have not been acknowledged up until now. By not appropriately acknowledging and maintaining those relationships, humans pay the price today, in the world that we live in which was created from our past.

There is however one more important point, that of the shared basis of humanity. There is a profound deepness in philosophizing weighty questions of life. There are many different views on this, religious, spiritual, agnostic, atheistic, scientific or otherwise. There is natural diversity in where we came from, who we are and where we are going. This does not however mean that humans are not connected to each other. Far from this being the case, we are in fact all profoundly connected to each other. We all share a part in the whakapapa of humanity on this earth. Where humans undertake actions that are unsustainable or self-serving, whether it be a corporation or individually, this threatens our ability of perpetuity and also our socio-cultural DNA, of who we are, our histories, our languages, our experiences and our views of the world. Governance is at a broad level, the word that describes our human attempt to facilitate perpetuation, to grow.

## **Wāhanga Tuarima: Kupu Whakatepe - Chapter 5 – Conclusions**

**Cultures pattern perceptions of reality into conceptualisation of what they perceive reality to be; of what is to be regarded as actual, probable, possible or impossible. These conceptualisations form what is termed the ‘world view’ of a culture (Marsden, et al., 1992, p. 3)**

This research has sought to conceptualise an ideal basis for Māori governance. The thesis was started in a traditional Māori manner, with a karakia [prayer]. That karakia acknowledges the beginnings of existence, through to the present. Within the opening karakia, elements portray the history of Māori cultural understanding and viewpoint of the world. I then opened the discussion on governance, looking at it from a Māori a non-Māori point of view.

In the Māori view of the world, it was first necessary to draw attention to the connections that Māori see; which give them the authority over their domain, territorially, culturally and intellectually. This was done through the representation of the whakapapa given by the historic Ngāi Tahu chief, Matiaha Tiramōrehu, which connected origins of the beginning of existence, to the ancestor from whom Ngāi Tahu takes its name, Tahu Pōtiki. Through this whakapapa and the explanation following it, a view of how Māori society was traditionally led and the basis on which Māori society is founded; namely the whānau and hapū structures, was created. This basis of being; is intricately tied to the whakapapa connections to the land. The mana [integrity] that derives from whakapapa connections, dictates how to maintain relationships shared with all other things.

In the non-Māori view of governance, assumptions that underlie governance theory were introduced, that of universality, the origins of governance and of governance as a solution to the governance “problem”. Universal principles are espoused within governance and it is highlighted that there has been little input from indigenous peoples into these principles, which invalidates claims of universality. The origins of governance are commonly expressed as being of Greek and Roman in origin. This defines governance within a particular cultural framework, which excludes cultures who do not share in that same cultural past. In acknowledging singular origins, it denies the possibility of different conceptions of governance from different cultural viewpoints. Lastly, there is a strong belief that better governance can solve governance problems. This is particularly perpetuated by those who have a vested interest (usually financial) in proposing governance as a solution.

The indigenous voice in governance is then covered. In denying other conceptions of governance, the indigenous view is ignored, even though the validity of that view is equal to that of the non-indigenous view. Through seeing only through a singular lens, governance theory encourages a singular view of the world, and that this view is the only one that is valid, despite there being many other yet uncovered views and possibilities for

understanding. In denying this diversity, it also reduces the range of governance and suppresses indigenous cultural expression and understanding of the world.

The thesis then moved on to cover the methodological issues and problems that were encountered in this thesis. How to create a definition of something that is an abstract concept. The nature of defining something, narrows the scope of its meaning, which may exclude things which another person, or people or culture, would include. Definitions therefore have a strong potential and power to be exclusive rather than inclusive. Within academic research, the goal of objectivity in research is questioned, concluding that no-one can ever be truly unbiased in their view. I then also theorised the problems of translation. Is merely translating the word governance into another language enough to give us a correct conceptual understanding of the word in the other language?

The answer to that is no. In the case of governance if a translation of equivalence was undertaken, it would only be possible to describe its meaning from within the original underlying cultural constructs and concepts. In classifying Māori governance, what classification system should be used? From a non-indigenous perspective, this would invariably view Māori governance as a sub-category of indigenous governance, itself a sub-category of the wider concept of governance. In doing this, some elements of Māori governance could be captured, but we lose the contextual nature of Māori governance, because it is not sourced within its relevant cultural framework.

Subsequently, research ethics and our research assumptions were then explored. Research within Māori society has the potential to either primarily benefit Māori society or primarily benefit the researcher. It is the conscious decision of the researcher as to which that will be. Te Awekotuku (1991) expresses a set of ethical principles that people who do research into Māori communities and issues should follow. These principles guide an acknowledgement of the mana [integrity] of the subject of the research and that this mana must be maintained.

Our research assumptions covered three areas. Firstly, that understanding of Māori governance needs to be based on Mātauranga Māori [traditional Māori knowledge], in order to be a valid conception of Māori governance. The second and third assumptions were that of the pan-human basis of governance and a pan-historical basis of governance. This acknowledges that there is no one source of governance, that all peoples have their own cultural understandings of governance, and that these are equally as valid as each other is.

A two-stage methodology is used for this thesis. The first stage is the engagement of Kaupapa Māori theory, used to create a clear intellectual space in a field that to date been dominated by non-Māori academic, intellectual, conceptual and practical understanding. The nature of Kaupapa Māori theory, its beginnings and its intellectual underpinnings are explored. I discussed how it was used as a way of clearing space for indigenous researchers to bring forth ideas from within an indigenous cultural and intellectual paradigm. In clearing this space, I was then able to employ the distinctly key Māori basis of Mātauranga



Māori, that of whakapapa. The nature of whakapapa is discussed and its use in Māori society as a tool of remembering, understanding of relationships and providing balance. Of how it enables survival and also of how it stores wisdom which guides and enables us to make decisions which take us into the future.

The next part of the thesis was the literature review, which looked at three specific areas, governance literature from a non-indigenous perspective, literature on indigenous governance and literature of Māori governance. In the non-indigenous perspective, one of the key things that come out in the literature in this area is the foundational nature of governance within neo-liberal economic thinking. The standard model is that of the wealth-maximising, bureaucracy minimising, freedom seeking rational individual. Devolution of governance power originated with the devolution of sovereign powers back in the middle ages. A second wave of this occurred with the rise of governance from the late 1980s onwards, with governments' bureaucracy seen as problematic to business and economies being able to function better.

Several theories dominate within corporate governance theory, agency theory, transaction cost theory, resource dependency theory, stewardship theory and stakeholder theory. In particular agency theory, puts forward a simplistic model which has profoundly influenced how organisations are governed around the world and also governance theory. The image of the agent as self-serving and individualistic by nature, seeking to maximise self-interest at the expense of the principal to which they are accountable, is key. Incentives to align principal's interests are seen as important to mitigate these actions. The theory however has come under a barrage of criticism for its perceived narrow conceptual base, such as excluding environmental matters and other organisational stakeholders, leading to practical outcomes which the world has struggled to deal with, large corporation collapses and market instability. These have lead calls for a change in the rules of how organisations and the market are monitored and run. Competing theories of stakeholder and stewardship theory are proffered as more balanced alternatives to agency theory.

Global governance theory, multilevel and network governance are another key governance theories within the literature. Issues include what is the best way to govern when boundaries cross countries, industries and sectors. Is governance converging? What is or should it converge to? Is this a good thing? Multilevel and network governance theories have arisen as a response to deal with the complexity inherent in modern society and are becoming more prominent within a global context.

With regards to Māori governance literature, similar to indigenous governance, Māori governance is expressed through the non-indigenous understandings of it. Where there are references to governance based on Māori concepts, values and principles, it is cast as an add-on, somehow not quite as valid compared with non-indigenous conceptions, but that it can somehow "fit in" to this model. Several contemporary governance issues, many of which relate to the tension between internal cultural knowledge, and non-indigenous cultural underpinnings are covered.

Then the thesis attempts a conceptualisation exercise, to answer the research question, in which the Māori beginning creation story is used as a conceptual space in which to think about governance. From within this space what emerged was that our lens for viewing Māori governance, namely whakapapa was in fact the governing basis for Māori and that whakapapa also can be an ideal basis for governance from a Māori perspective. Whakapapa is a distinct theme. This research has looked back into Māori history to guide and inform it, in order to be able to look forward to its future. This is characteristic of how Māori look at the world and a key characteristic of whakapapa. The assumptions in our thesis guided us to conceive of a form of governance that is connective to the rest of humanity and its history. The only culturally Māori concept feasibly able to do this; is whakapapa.

What can be said about Māori governance is that for Māori governance to be identified as Māori, it must be based on an unfettered and full expression of Māori culture and identity. Anything else constricts the ability of Māori to freely control their culture and value system within the mechanism of governance, potentially results in a breakdown of that mechanism. This is a situation that can only be avoided through Māori and its culture being active participants in both the present and the future of Aotearoa, New Zealand, and as envisioned in the Māori version of the Treaty of Waitangi.

From a practical perspective, this research has sought an understanding of a Māori governance to create a raised awareness of the elements within Māori culture that can help improve current governance practice and satisfy the need for greater and more balanced means of cultural expression. Current organisational governance theory and practice (including Aotearoa, New Zealand) relies heavily on western governance models and philosophy. Conversely, if Māori organisations are truly reflective of a Māori society that desires to engage a paradigm of increased Māori cultural expression and identity, they will move towards Māori culture as the key centre of its governance. This is slowly now starting to be reflected in peoples thinking, thus according to Sir Tipene O'Regan, as quoted in Akuhata (2011), Māori governance should, "...in its design, practice and ethos it should be Māori and not merely imitative of generally articulated Pākehā values and principles." (p. 3).

Māori have the choice as to what aspects of their culture they choose to retain or to discard, but that they should "not just accept all the compromises as directed by non-Māori organisations" (Carter, 2003, p. 206). The expression of its culture and values will sustain Māori into the future, informing and guiding them. To assert this through its organisational activity, the values, philosophies and perspectives that have sustained Māori people throughout their history, is the choice that Māori organisations have to make.

Māori (and indigenous) perspectives on governance are not well known or understood and are therefore a phenomenon of emergence as Māori society continues to heal damage caused by colonialism. The world faces social, environmental and economic issues fundamentally challenging our current understanding of governance. Indigenous

worldviews can provide a differing voice within governance. The methodology of whakapapa chosen to view governance is in fact the primal and on-going source of governance for Māori people.

This thesis has been an exercise in making what is profoundly implicit and known in Māori culture about whakapapa, explicit. I am not discovering anything new, but merely uncovering what is already there, but which cannot be yet seen clearly. The reason for this has been that our focus has been clouded by multiple differing signals and noise of non-indigenous culture and governance.

In speaking the language of non-indigenous governance, non-Māori concepts, values and principles are reinforced and have primacy within Māori organisations and Māori life. In speaking of governance using concepts, values and principles sourced from within Māori culture, Māori culture lives. Māori organisations and people will question themselves and the Crown as to which language best represents them, their hopes and dreams? What is the legacy that we wish to pass on to future generations? The transmission of knowledge to future generations stands as our most powerful source of identity, of human understanding and being. The implicit quest for continuity of existence is what drives human life. It is our whakapapa, which is the basis for our knowledge, wisdom and identity of human culture that guides us. For Māori, the culture as embodied through whakapapa, is the governance.

Whakapapa is an inclusive concept, not an exclusive concept. The history of New Zealand is a history of both Māori and non-Māori migration. The implementation of non-Māori structures, law and rules all also form part of the whakapapa of Māori history. In acknowledging the taha Pākehā [non-Māori side] it can be negotiated from within a Māori context. This acknowledgement is driven by the core of whakapapa, in which appropriate tikanga [customs and rules] and kawa [protocols] must be followed as an exercise of mana. Tikanga determines how the concept of whakapapa is enabled and enacted within Māori society. Tikanga is “The set of beliefs associated with practices and procedures to be followed in conducting the affairs of a group or an individual.” (Hirini M; Mead, 2003, p. 12)

Governance theory and practice in the western tradition is largely focussed on governance as seen within the formal human organisation, as opposed to how it relates to any individual person. At this location, power, control, accountability, rules, strategy and function mix to achieve various organisational ends and reason for being, such as profit maximisation for shareholders, stakeholder engagement and satisfaction, organisational survival and growth. Governance is a top down approach, based on a rationalistic economic wealth maximising outlook. The concept of whakapapa on the other hand is applicable at all levels of human organisation, from the individual through to the largest organisation.

From a Darwinian scientific point of view the primary function of biological life is one of survival and reproduction (Dawkins, 1995). To survive and reproduce is to live and create a seamless forward spanning connection. In order to do so, from one generation to the next, a

line of succession is created. Interestingly this connects us back to the concept of whakapapa. When a new generation is born, they are born with the shared genes of their parents. Parents literally pass on the actualisation of life to subsequent generations. This is the essence of our physical being. However, what of our cultural, spiritual and social make up, in other words the image and identity of whom we are. This too is passed on from one generation to another to us as we grow up and interact with the society around us. A whole body of knowledge is re-imaged into subsequent generations, continually actioned through the natural process of living.

Returning to the question of a Māori viewpoint, whakapapa is viewed as a taonga [treasure]. The passing on of information and knowledge is a continuous activity that occurs throughout one's life whether you are aware of it or not. The ultimate aim of Māori culture, as it is with human life, is to endure and survive through future generations. This would seem to be the same "taonga" that Ngata refers to in his "E tipu, e rea" letter discussed earlier in this thesis. It is the system of continuous transmission of embedded cultural legacy which ultimately governs Māori and indeed all human life, in conjunction with physical succession. All human activities can be reduced to this core. All religions and all peoples seek continuity of their teachings to subsequent generations. Some knowledge gets forgotten; some gets added to by the current generation and is passed on to future generations for them to continue the cycle.

This thesis has proposed whakapapa as a normative ideal model of Māori governance. Whakapapa is a concept that Māori brought with them when they first arrived in Aotearoa. As such, it is a concept that has endured through time and distance. Whilst Māori share a similar intellectual legacy rooted in Eastern Polynesia (M. Roberts, et al., 2004), there is an extant diversity within that knowledge. It is beyond the scope of this thesis to come up with specific governance models for each type of Māori group or organisations. What this thesis has instead attempted to do is to create a model in the form of a conceptual idea, which can be tailored to suit each organisation's history and understanding, as its peoples see fit, whether they are Māori or not.

The concept of whakapapa is an element of anything culturally Māori. Understanding how whakapapa can and should be used as a basis for governance requires a concentrated period of reflection and discussion (through wānanga) by those who share in the whakapapa of the organisation or group. Discussion eventually leads to agreement then subsequently action regarding what needs to be done and how to do it, guided by the whakapapa. Whakapapa is the basis of a conceptualised ideal Māori governance.

## **Ngā Tāpiritanga - Appendices**

### **Appendix 1: The Treaty of Waitangi 1840**

#### **Māori Language Version**

KO WIKITORIA te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira – hei kai wakarite ki nga Tangata Māori o Nu Tirani – kia wakaetia e nga Rangatira Māori te Kawanatanga o te Kuini ki nga wahikatoa o te wenua nei me nga motu – na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kaua ai nga kino e puta mai ki te tangata Māori ki te Pakeha e noho ture kore ana.

Na kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aiane amua atu ki te Kuini, e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

#### **Ko te tuatahi**

Ko nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu – te Kawanatanga katoa o o ratou wenua.

#### **Ko te tuarua**

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangitira ki nga hapu – ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te Wenua – ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

#### **Ko te tuatoru**

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini – Ka tiakina e te Kuini o Ingarani nga tangata Māori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

(signed) William Hobson, Consul and Lieutenant-Governor.

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

## English Language Version

HER MAJESTY VICTORIA Queen of the United Kingdom of Great Britain and Ireland regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand and anxious to protect their just Rights and Property and to secure to them the enjoyment of Peace and Good Order has deemed it necessary in consequence of the great number of Her Majesty's Subjects who have already settled in New Zealand and the rapid extension of Emigration both from Europe and Australia which is still in progress to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of those islands – Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorise me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant-Governor of such parts of New Zealand as may be or hereafter shall be ceded to her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

### **Article the first [Article 1]**

The Chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole sovereigns thereof.

### **Article the second [Article 2]**

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the individual Chiefs yield to Her Majesty the exclusive right of Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

### **Article the third [Article 3]**

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

(signed) William Hobson, Lieutenant-Governor.

Now therefore We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof in witness of which we have attached our signatures or marks at the places and the dates respectively specified. Done at Waitangi this Sixth day of February in the year of Our Lord one thousand eight hundred and forty.



## **Appendix 2: 1835 Declaration of Independence**

### **Māori Language Version**

He Wakaputanga o te Rangatiratanga o Nu Tireni<sup>46</sup>

1. Ko matou, ko nga Tino Rangatira o nga iwi o Nu Tireni i raro mai o Hauraki kua oti nei te huihui i Waitangi i Tokerau i te ra 28 o Oketopa 1835, ka wakaputa i te Rangatiratanga o to matou wenua a ka meatia ka wakaputaia e matou he Wenua Rangatira, kia huaina, Ko te Wakaminenga o nga Hapu o Nu Tireni.

2. Ko te Kingitanga ko te mana i te wenua o te wakaminenga o Nu Tireni ka meatia nei kei nga Tino Rangatira anake i to matou huihuinga, a ka mea hoki e kore e tukua e matou te wakarite ture ki te tahi hunga ke atu, me te tahi Kawanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tireni, ko nga tangata anake e meatia nei matou e wakarite ana ki te ritenga o o matou ture e meatia nei matou I to matou huihuinga.

3. Ko matou ko nga Tino Rangatira ka mea nei ki huihui ki te Rūnanga ki Waitangi a te Ngahuru I tenei tau i tenei tau ki te wakarite ture, kia tika ai te wakawakanga, kia mau pu te rongongoa kia mutu te he kia tika te hokohoko, a ka mea hoki ki nga tauwiwi o runga, kia wakarerea te wawai, kia mahara ai ki te wakaoranga o to matou wenua, a kia uru ratou ki te wakaminenga o Nu Tireni.

4. Ka mea matou kia tuhutuhia he pukapuka ki te ritenga o tenei o to matou wakaputanga nei ki te Kingi o Ingarani hei kawea atu i to matou aroha nana hoki i wakaae ki te Kara mo matou. A no te mea ka atawai matou, ka tiaki i nga pakeha e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai Matou ki te Kingi kia waiho hei matua ki a matou i to Matou Tamarikitanga kie wakakahoretia to matou Rangatiratanga.

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<sup>46</sup> See [http://www.trc.org.nz/sites/trc.org.nz/files/Declaration%20new\\_0.pdf](http://www.trc.org.nz/sites/trc.org.nz/files/Declaration%20new_0.pdf)

## English Language Version

### The Declaration of Independence<sup>47</sup>

1. We, the hereditary chiefs and heads of the tribes of the Northern parts of New Zealand, being assembled at Waitangi, in the Bay of Islands, on this 28th day of October 1835, declare the Independence of our country, which is hereby constituted and declared to be an Independent State, under the designation of the United Tribes of New Zealand.

2. All sovereign power and authority within the territories of the United Tribes of New Zealand is hereby declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity, who also declare that they will not permit any legislative authority separate from themselves in their collective capacity to exist, nor any function of government to be exercised within the said territories, unless by persons appointed by them, and acting under the authority of laws regularly enacted by them in Congress assembled.

3. The hereditary chiefs and heads of tribes agree to meet in Congress at Waitangi in the autumn of each year, for the purpose of framing laws for the dispensation of justice, the preservation of peace and good order and the regulation of trade, and they cordially invite the Southern tribes to lay aside their private animosities and to consult the safety and welfare of our common country, by joining the Confederation of the United Tribes.

4. They also agree to send a copy of this Declaration to His Majesty the King of England, to thank him for his acknowledgment of their flag, and in return for his friendship and protection they have shown and are prepared to show, to such of his subjects as have settled in their country, or resorted to its shores for the purposes of trade, they entreat that he will continue to be the parent of their infant State and that he will become its protector from all attempts upon its independence.\

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<sup>47</sup>See [http://www.trc.org.nz/sites/trc.org.nz/files/Declaration%20new\\_0.pdf](http://www.trc.org.nz/sites/trc.org.nz/files/Declaration%20new_0.pdf)

## **Karakia Whakamutunga: Finishing prayer**

Unuhia, unuhia  
Unuhia ki te uru tapanui o Tāne  
Tāne te Waiora  
Tāne Te Wānaka  
Tāne te Tokoraki  
Putā ki te whaiāo ki te ao mārama  
Tū te kana, tū te māraaka  
Te tū hi, te rarama  
E noho te matāra nei  
E roko whakāria ake ki ruka  
Kia tina, Tina,  
Haumi e, Hui e, Taiki e

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