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Leadership Week Live Notetaking

Te Tiriti Session

Carwyn: We're just waiting for my two co-facilitators to join us. They've been at an event and are on their way. Kia ora koutou. My co-facilitators are on their way but I think we might kick things off and they'll come pick up when they join us. First of all, tena ko to kaotou. Welcome, everyone. My name is Carwyn Jones; my iwi is ngati ko unu. I am an associate professor at Victory University of Wellington. I work primarily in issues affecting Te Tiriti and issues affecting Maori and other indigenous peoples. Tonight's event is the last in the Leadership Week, a week of free webinars designed to spark action on the issues that matter. Tonight we're going to be talking about Te Tiriti Waitangi as a foundation of creative change.

Before we go further, I'd like to begin with a karakia. Given the time of year - Matariki - I want to talk a bit about it and why it might be relevant to how we engage this evening. I'll start with this short karakia.

Matariki te tipua
Matariki te tawhito
Tau mai te wairua

Mai ngā ira atua
Ki te ira tangata
Tihei mauriora

Kia ora koutou. At this point I was going to hand over to my co-facilitators, but we'll get them to say a bit about themselves when they join. I'm pleased to be part of a session with Tamitha Paul and Rhianna Mora; people engaged with these issues in different ways. Tamatha, a former student here, and Rhianna, a current student. I mentioned coming back to Matariki. It is the time of year we're in. People might know Matariki as the Maori New Year. It's a star cluster. It appears, or reappears, in our skies at this time of year. People think of it is at the Maori New Year because it';s a time when traditionally your harvesting was finished, your Winter food stocks were plentiful, so it was a time for devoting energies to other things, such as reflecting on the year that has passed, some of the successes and failures over the past year, and the things you might want to do to change and innovate. Matariki is a time for reflection, innovation, and planning. I'd like to encourage you to keep that in mind as we talk about the issues relating to Te Tiriti o Waitangi.

To give you a sense of how we're thinking this session might go, once my co-facilitators turn up, we will each take a turn facilitating part of the session. I'll begin by touching on some of the opportunities that a Tiriti framework might provide, and Tam will take us through thinking about some of the current, urgent issues in front of us which Te Tiriti might help us work through. Then Rhianna will point us to some of the transformational potential of Te Tiriti. Hoping to keep the discussion relatively conversational, and intending to put questions to

each other and have conversations amongst ourselves, with time at the end for questions and discussion time with all of you. I think you might have seen from the starting slide that there is an opportunity to put your questions into the Q&A space, and others can upvote things they would like to talk about that appear there. If you use that we can pick up on those issues there. I'm very pleased to see Tamatha and Rhianna join us. I've introduced myself; now is an opportunity for each of you to do so.

Tamatha: I saw this thing yesterday that said we need to decolonize time. That's what we're doing here. Running on Maori time. Just kidding. Kia ora koutou, my name is Tam. A brief background on me; I was the student association president last year for VUWSA as my full-time job, and now I'm a councillor for Wellington Council responsible for climate change and youth.

Rhianna: Kia ora everyone, my name is Rhianna. I am currently the University Council student representative for this and next year. I've also been on VUWSA under the leadership of the great Tamatha. I also hold executive positions on the Maori leadership society and the feminist law society.

Carwyn: Let's kick into it again. I said I'd start with opportunities on te Tiriti; I wanted to make sure we started on the same page in a sense. I know there'll be lots of people joining us who work with Te Tiriti a lot and are familiar with it and the debates around it, but there might be people who don't have much of a background. Just to give a little bit of a brief background: Te Tiriti signed initially in Waitangi in 1840, signed importantly by Rangitira, the leaders of various communities, and by William Hobbson on behalf of the British Crown. One of the things we might look to when we think about what that agreement is like and the key exchange, we can see one of the things that the British Crown is getting out of this exchange is a grant of some authority. In the Maori text, it talks about kawanatanga coming from the English word governor; kawanatanga is things to do with the functions of government. On the other side of it, we see the key concept Maori are being guaranteed tino rangatiratanga, the base word there - rangatira meaning chieftainship, and tino at the start is an intensifier; so these special qualities of chieftainship. One of the things we might begin by noting is that Te Tiriti wasn't signed in a vacuum. There's a whole background and context that's important. We've just got a brief few minutes to introduce some of these ideas. The 1835 Declaration of Independence, a group of chiefs in the North declared collective exercise of independence, authority, sovereignty. It's a precursor and is part of why this grant of kawanatanga is so significant. It marks a shift between the rangatira in exercising all authority to opening up space for this other form of governmental authority to take place. Many people will be aware about the fact that there is an English text and a Maori text, and there are some debates about the different meanings between those. Of course, the English text uses the word sovereignty. The Waitangi Tribunal has been clear that those rangatira who signed would not have, and could not have given up, their sovereignty. What they provided for was this grant of kawanatanga, the ability for the Crown to exercise governmental authority in relation to the settler population. The key point I'd like you to think about is that no matter how you characterize that grant of authority, it's not a small thing. It's a shift from Maori exercising authority to opening up space for another authority to open. The concept of tino rangatiratanga is by no means a small concept or a guarantee. It's a

significant guarantee about that absolute chiefly authority. It's a sharing of public power. Te Tiriti doesn't set out the precise terms on how that public power is excerfixed, so we have since 1840 been working through in specific circumstances what that relationship might look like in specific contexts. That's a very brief capturing of a couple of key concepts in Te Tiriti. What I would like to turn to Tam and Rhianna to ask them; you're both people who work with Te Tiriti in different ways, and I'd be interested in hearing how you see those 2 concepts and how you talk about the relationship they create in your work.

Rhianna: One of the big things is trying to dispel underlying assumptions about what is reasonable. There hasn't been enough discourse about how these two concepts should interact. It's not a sphere in which rangatiratanga only operates in terms of the rangatira framework. It's going beyond, e.g. consulting. Consulting with Maori - how do you empower Maori to be involved in the decision making process. Are you listening to them. I think sometimes Maori views can get balanced out in the process of consultation. There needs to be a recognition that the exercise of rangatiratanga informs the substantive decision. You have to ensure whatever outcome you decide is good for Maori. That's my experience

Tam: I think I think about it in relation to the issues that we deal with - i might park that question until i talk about some of those issues. I will leave it at that.

Carwyn: Ok. That's really helpful, both of you. It will be useful to talk about these big concepts in relation to specific issues, that helps to take the abstract and make it real. I think it's helpful to raise that idea of fears of authority. That's a way in which the working group on conservation talks about it. Both what might be involved with tino rangatiratanga and what the relationship is between them. How you give effect to the authority that are exercised. That point about thinking around ensuring that tino rangatiratanga is reflected in decision making authority is really important. We have just had a report about reforming the RMA which is around a Maori advisory board. So, both really helpful points. I don't know whether either of you had - Tam you mentioned you want to talk about specific issues. We will move to that now, and I'll hand over to you to introduce some of these urgent and current issues we are dealing with and how a te tiriti framework might be relevant

Tam: prefacing this with the fact that I'm not a law student or professor, I am thinking about te tiriti in a practical sense and how the current system can prevent us from making transformational change. My friends ask what my goals are, and I say I am into constitutional transformation. When you break it down into issues people really care about, you see the mindsets we need to change can only come from system change. I want to talk about some issues and how they are relevant. I want to talk about how the current system we have perpetuates these issues. The first issue is a collection of - it seems we are having a bit of a - this year has been the year for challenging conversations. We have seen this through the Black Lives Matter movement within indigenous communities. WIth the statute conversation - even over the last few days with Dominos… we are having all of these conversations. I have been thinking about how the system we have, the Westminster system, how that reinforces racism in our society. I will also talk about Climate Change and COVID19. WHen talking and understanding race, there are issues that have been brought to the fore. We are having the conversations, but it's hard to know where to go from there. When I think about -

when I'm talking, I think about how I talk to my friends back home. When talking to my friends and saying what's wrong with the current system, I think about parliament and the rule of law, how law and order is supreme in the society we have - this is a principle brought over by colonisation. That was a key principle in British society. To me, that means law is supreme and upheld by systems like the police. We live within the constraints of the law. Think about who created that law. Prison statistics - if you obey the law you have nothing to worry about. But looking at the statistics, Maori are more likely to appear before a judge, receive a criminal conviction and harsher sentencing than non-Maori counterparts. Think about the rule of law and how it's upheld, that is upholding a law that was created by white men. Old white men and their need to protect their private property. If your society is structured around the rule of law and upholding that, how can we make space for someone who isn't an old white man? Then we move to climate change. The way I think about it - with climate change, we have people pushing for various different policies that might be able to change the way we deal with it, e.g. the emissions trading scheme. Particularly at the city council, our plans to be the first carbon zero capital are premised on ideas like that people will cycle to work. It doesn't get at the heart of the issue though. They are just plasters on a broken system. When thinking about climate change and capitalism, that's premised on the mindset that our natural taonga, things in our moana, they are disposable and can be extracted or degraded to build up our capital. Another thing - so much of our system is based on protecting private property. That's carried over from the Westminster system. Their god-given right to exclusively own something. That drives an individualistic mindset. Dealing with climate change on a city council level, if we want to remove private parking, even the idea to remove a car park creates so much vitriol from the community, as in peoples minds they have a god-given right to park their car there. Also with land, we want to create more homes, however people that have their one house on their one plot of land, they believe that is their right to have that land. It is, because that's what is protected by the current system. If we want to instead think collectively, that can't come from the current system that's focused on individualism. That is like that ruthless individualism that's expressed through parliament. Even when you have - 29% MPs are Maori - it doesn't matter. If the principles are premised on the individual rights, you can never get at the collective. So, I just wanted to talk briefly about COVID19. It showed how quickly systems can collapse. Prior to COVID, we propped up the economy so high, as something that can't change. I think that really shows that radical change can happen and I think we have started to have a conversation about what systems we can have, and about whether the systems we do have serve people in the collective sense, or individually. That's pretty much what I wanted to say. I have some questions on the topic of issues-based constitutional transformation. I wanted to ask Rhi what your thoughts are on current issues and how they are relevant to te tiriti?

Rhianna: I feel like I can't add much more to that but I'll try. One of my seminars is on welfare and social security law. I am looking at the wage subsidy brought in with COVID. Interrogating these underlying values we hold. A lot of our values don't consider tikanga or tikanga values. What I have been interested in is the notion between people who are deserving and people who are undeserving. Linking it to your comments on the law being premised by the old white man, I think what we have seen is a government who cheapens the words such as aroha, care, manaakitanga, in terms of providing the wage subsidy. But if we look at the wage subsidy, it's really only been implemented because it affects the most

privileged people, not the single Maori mother on the benefit who has to provide for her kids. We need to interrogate these values and not just accept handouts and praise the government for being caring. Who does it serve? It certainly isn't Maori. Perhaps Carwyn - what kinds of policy changes or implementation do you think could reverse some of the negative statistics about Maori? I know you've done work for the Justice Advisory group.

Carwyn: One thing that came through strongly for us in the Justice Sector work is that what people told us, what Maori communities told us, what all the evidence suggested, and what Pakeha communities told us, was that we needed to find solutions by Maori for Maori. That was at the heart of what people wanted to see happening in the justice sector. Maori people told us they had seen elements of tikanga Maori be picked up and used in the justice sector, but it wasn't grounded in the kind of whanau networks that those concepts were intended to be in. I think that all points to - that's really the issue. How to achieve a by Maori, for Maori, approach across a range of things. E.g. in Healthcare - having an independent Maori health authority. It is what was behind the constitutional working group Matakima Aotearoa. What Maori people were seeing was being reactive over a range of subject areas, when the fundamental question was about how decisions were being made and the difference spheres of authority - how these were or weren't being recognised. Also the issue of climate change, that is something where it's clear that the way we have been operating isn't able to produce a solution. We need to look outside the system that has created the problem. Te Tiriti encourages us to think about different ways of operating, to draw on different tools, to have different voices. We see a glimpse of that in the recent treaty settlements. This is really just a small glimpse of the potential. The settlement regarding the Whanganui river has created a different way for the iwi to interact with the river and it's made everyone re-conceptualise how they relate to the river, how communities are part of the river system. It's those kinds of ideas that help us to change the way in which we think about things. Te tiriti provides a framework for those conversations.

Rhianna: What turns a lot of people off when we talk about Te Tiriti is when they don't understand, or feel that it's a process that only serves Maori, a process of re… When you give everything back… A process of redress. A lot of people therefore don't see themselves reflected in Te Tiriti. It offers an alternative to the current system we have, but even if it is Tikanga Maori, knowing that it is an adaptable, agile, flexible, inclusive thing. It's inclusive of everything that chooses to call Aotearoa home. It's not transactional. It doesn't ask of you, it asks you to think collectively. The most important part of this conversation is that we're getting to the point where we acknowledge that the system only serves a particular part of society; not women, not disabled people, not any of those groups. We need to imagine a society that could look different and is inclusive to all. It encompasses all of us. There's that high conceptual understanding of it, but it also gives practical solutions to the issues facing us. Not just the governance space, but tino rangatiratanga, with also solutions to the problems we're looking at. Donor economics is not a new thing; we've known about them intimately here in Aotearoa and in the Pacific, these ideas of social bottom lines like not letting people be homeless or stay in unsafe homes, those concepts have been wrapped up and been here for a long time. We need to get to a place where we can rediscover ourselves and hone our memories. Climate change is the cool, trendy thing, regenerative … urban farming; we already have that. Those are non-transactional ways we take care of the

environment and there are also non-transactional ways we look after our community, our whannau, our hapu. Those are things we have to reconnect with. It's about reversing and thinking about what Te Tiriti looks like in a modern context, about finding or imagining a system that allows us to reconnect, re-indigenize rather than looking outwards. That's my 2 cents. Rhi, what can people do in their everyday lives to get us to the level of Te Tiriti?

Rihanna: It's important to bring the conversation back down to those listening to us tonight. There are lots of students, but also lots of professionals. What I want to emphasize is that constitutional transformation is possible in your day-to-day lives. All of us hold positions of power, it's about what we do with those positions. How is Te Tiriti able to provide a framework for our decisions and relationships? Humans are agents of change is the title I'd like to start off with. We make decisions daily. There is a potential for everyone to make this a reality. I want to stress and dispel this myth that Te Tiriti is not isolated to Maori issues. This whole conversation has shown that; it's integrated into a number of issues. We talk about being a values-based University, and the marae being at the heart of the institution. Something I'm pushing forward at the Council table is; where are those values? Where is Te Tiriti? Where is the marae at the heart? It's not enough to tack values on an appendix at the end. Te Tiriti and the values brought with it have to colour and inform a central part of your decisions you're making. When you make a decision, is this good for our Maori students, is this good for all students? That's a value we need to see coming through. When we're in positions of power we need to think if we're listening. People don't talk a lot about the notion of listening. If you're a student leader, or part of any professional organization, think about how you can give up power or give up space, and have conversations that need to be had. How can the table be a safe space for Maori? It needs to be. Going off that decision making table point, that also imposes an obligation on people on these positions of power to build capacity, capability. If you're calling yourself a Treaty partner by virtue of being on this land, you have an obligation to learn our history. It's your history too, and how are you connected to Te Tiriti? It's important for everyone to know their whakapa and their connection to this land.

Tam: Connect with your maunga that you mihi to!

Rhianna: On that point, Tam - you were the first wahine Maori president of VUWSA. How were you able to bring a te tiriti lens to an organization which has traditionally been non-Maori and has served the needs of a lot of white men in the past?

Tam: I think the - where do you start with that question - when you are at the table, it's not just enough to be at the table if you're a woman, a Maori, an unrepresented community - you can't just be there if you know you can bring more voices with you. When I'd be at a table, I know I could say where is the Maori Students Association, the Pasifika Students Council at this conversation? If you have a privilege to get to that table, it's about holding it open for those to come and join you at the table, and when there, we can take it apart and build our own table. That's the most important part. Don't get complicit in that privilege, and ask who needs to be at this table and what power can I give away so that they are able to bring more people with them to their table and have them be there in a meaningful way. How can they drive change they want to make?

Rhianna: It's about actively seeking those voices and being able to uplift them. That's something we did as part of VUWSA, making sure Maori student voices had a voice at that table. It's an excuse to say "they didn't reply to my email". Everyone sends emails, but Maori don't speak through emails 99% of the time. That's not good enough. Go to the marae and their whari and knock on their door and say you have a place for them. This is a little bit of a random segway, but Carwyn - I'm interested as an educator and an associate professor of law, what obligations do you think tertiary institutions or institutions with authority to educate, what obligations do they have in terms of being the critic and conscience of society?

Carwyn: I would think about the obligations and the opportunities of participating in an institution dealing with both research and teaching. One of the things you've both talked about already is creating space for other voices, recognizing the privileged positions where we are, and how to bring other people along, how to give up some power, some resources, is often what's at stake. I think for a university in the research space, one of the things I constantly think about is how do I leverage the role of the university, the position I occupy here, to make space for Maori voices, and if I'm engaged in a research project related to Maori - how can I decenter myself as the academic? Not think about the research project I want to do, but thinking about engaging with Maori communities, the things you'd like to work on, the capacity you want to build that I can assist with in conducting this research. That's hard for academics - we are able to work on projects we wish to, but decentering ourselves and giving up some power around our areas of focus. One of the roles of universities as critics and consciences of society, it's incumbent on us to center Maori in our research. I've seen this visible in the context of some of the discussions around COVID-19 and the government response to that where people are proposing work, research, having scholarly discussions around issues which are both public health issues, economic issues, exercise of state powers, all involved in this response. It's important we center Maori because one of the things we know is that where the state has coercive powers, Maori will have those powers exercised against them. When the Maori suffer a blow, Maori bear the disproportionate burden of that economic cost. Where health resources are scarce, whether those resources are prioritized for issues when you're not centering Maori, when you're not adopting a Te Tiriti or even equity framework, Maori are amongst the groups bearing a disproportionate burden. It's incumbent on us as researchers that we're ensuring those issues are centred in the work we're doing, that we're constantly reflecting on what this means for Maori communities, and how can I center those experiences in the work I do.

Tam: I see there are a few questions which we'll get to in a minute. I wanted to add something; it seems very high level, but some practical ways we can do this: the key message with this korero is that the systems we have constrain us in any issue we care about; climate change, indigenous biodiversity, cycling and walking, social justice (babies are snatched out of their mothers arms and thrown into state care and thrown into a one-dimensional education system), our health system disproportionately deals with Maori and Pacific in a negative way. All of it can be - we can't rediscover the tools to deal with the issues until we shed the shackles that bind us in the system we're in. We need Aoeteroa to be a safe home for people; we need an inclusive system. When we think about legends like Professor Margaret Mutu, it can be very off putting, it can be very hopeless. Constitutional

transformation, systems change, can seem so far down our lifetime. Thinking about constitutional transformation in your everyday life is the essence of being a good te puna, no matter whether you are Maori, Pakeha, whatever. You have to think right down the road. We pick up our baton and we run it as far as we can then leave it in a place our kids, their kids, can take it further. Like Rhi says we make decisions every single day! About what food we're gonna buy, McDonalds or the local cafe, what clothes we get, something ethical, or something someone got paid 4 cents an hour for us. Do we get on the piss, or think about ourselves and who we are. What sacrifices did your ancestors make for you to be here? We make these decisions daily. If we at least be a bit more conscious about those decisions, that's how we get somewhere where our kids can pick it up and have a decent chance at running it further than we can take it. When we think about how to use our time, reflecting during matariki, think about how Te Tiriti applies to your life. You don't have to be a lawyer, or politician. Change seldom comes from an individual. It comes from a collective. No matter what you're into, if you do it in a way that brings people up with you and creatively imagines a different alternative reality, that's how we create change. I'm thinking about climate change all the time, and local government. We need a devolution of resource management from central government to the local level, to the hapu, to iwi. You don't have to be getting on a panel and talking about constitutional transformation all the time. Think about your area and what motivates you and gets you out of bed, and incorporate it there. When you think about how to decolonize the area you care about, remember that like Rhi says, Maori are not resources. It's about building trust. That's a universal truth. I can't go to a marae and say hey I'm Maori, how do I re-indigenize the climate change space? I have to be in the kitchens, taking the rubbish out, showing others I'm worthy of their time and knowledge. Have trust in your community. One day they might decide to share their knowledge. We have to, as human beings, make that connection, and build that trust.

Call out racism! Anything problematic in your life! If we're in rooms where things are being said we don't agree with, call it out. Expose racism and the imperial system we have for the ugliness it is. If that's all we do in our life, when we expose that ugliness, that is still a step in and of itself.

You might not know all the answers ,but through korero we can learn, make conscious decisions, build trust, make conenctions, actively be an agent of change. Think about the sacrifices your tipuna had to make for you. WHen you know who you are, you are able to give back. Acknowledge you are here for the sacrifices that others made.

Carwyn: That's great Tam. Those relationships are at the heart of the te tiriti framework and the way we interact day to day. It's really important. We have some questions here that have come through. Let's address those. The first one is how do you propose dealing with those, mainly pakeha, who think treaty discussions are concerned only with settlements and so largely finished?

Tam: i think it's simple, just lay down all the numbers. It was a total stitch up - look at how much land is worth now and how much was given to Maori. In Wellington, we deal with the PSGEs that were here at the signing of the treaty. There are areas in Wellington that are significant to other iwi as well though.

RHianna: The settlement process is primarily concerned with historical grievances. It's about challenging that idea. It's actually an ongoing relationship. Not just 'here's a small part of the land you used to occupy'. It's about dispelling those myths and living the values of te tiriti and tikanga as well.

Carwyn: It's about those historical claims - a process of providing something for those, but the relationship doesn't end there. It's intended to be a platform for renewing the relationship. Ok. Let's just move through the next question: as we become more multicultural as a society, what's the role of te tiriti and connecting with refugee and migrant communities?

Tam: I think it goes back to values, the values that can be set out within a system. The current system we have is premised on the artificial borders we have drawn across the planet, and honorous processes we have created. When someone comes here because they need a safe refuge, that's unconditional. We make people have to jump through hoops to feel safe, despite the conditions they have to run away from. We should be the ones who are putting in the aroha to make sure people coming here feel safe and feel trust. I feel like our immigration processes are rigid, cold and clinical. A te tiriti based way to look at immigration is that it's about manaakitanga. How can we embed this in a new process so people coming here feel safe, and so they want to contribute to our society? I think that is the role - that we need to make that process easy to people who come here to feel safe again. We will do what we can to advocate for them if the situation in their home country is terrible. We want to be able to provide them with an ability to advocate for the things they care about, and give them a safe space as well. I think the inclusive nature of te tiriti means everyone can practise and celebrate their culture and religion in NZ without fear of discrimination or harm. We need to actively create those spaces that are safe. With climate change, we are facing a ginormous situation in that as the Pacific sinks, how do we create a space for our Pacific whanau to be able to come here and preserve their culture forever? That's a massive conversation that we have. The current system says that Western culture is supreme, or 'Kiwi culture' whatever that is, that's something that needs to be stamped out. We can only begin to identify our collective culture when we understand who we really are. Te tiriti is a document that makes who we are. It's about connecting with who we are, and being able to make space for people to come here and feel safe and included in a meaningful and non-tokenistic way.

Carwyn: What do you think the role of Pakeha is in this Aotearoa transformation? Are we losing Rhianna? Thanks Rhianna.

Rhianna: Thank you, I need to leave now but I look forward to the recording. You can email us afterwards if you like.

Carwyn: Tam, this might be another question for you. What do you think the role of Pakeha is in this Aotearoa and constitutional transformation?

Tam: There needs to be an acknowledgement that Pakeha do make up the majority of NZers. It's tricky though because - there is discomfort, because a lot of Pakeha want to help but don't want to take up too much space. You can be powerfully helpful by recognising and identifying what you are passionate about, what drives you, and then learn through trust that once you have that understanding, apply that to all the decisions you make in whatever area you are in. Firstly in an individual capacity, but more importantly, have those conversations in your community. If you begin to have those conversations, that's taking away the need for a Maori person or person of colour to have to start that. In a world where there is a lot of information out there, it's hard for people to distinguish what's true. We rely on opinions of friends and family. That's an underutilised tool for change. Have a potluck at your house with flatmates and talk about any issue you care about and how te tiriti is relevant to that. If you are a professional in a community neighbourhood, have a community potluck. Talk about the upcoming election for example. Just have a safe and inclusive korero about what that means. It's about actively talking about these things and taking that labour away from other groups of people. Being able to strain everyday decisions through a te tiriti lens. This is a helpful thing to do if you are a Pakeha and want to realise constitutional change in NZ

Carwyn: That also addresses the question about whether we have thoughts about how Pakeha might work towards a more grounded understanding of the role of te tiriti. Thinking about how to have those safe conversations, how to take some of the labour from Maori. Picking up on some of the other things we have talked about tonight, I think it's important for all of us including Pakeha to do is to find out about their whakapapa and their connection to this place. That gives you those connections, a point of reference to think about how to engage with that conversation. That's also really important.

Tam: Ok, what role can non Maori play in the creation of systems that are by Maori and for Maori?

Carwyn: You were just talking about it, in the sense that the thing that non Maori can do there is to think about 'what are the conversations I'm having, how do I support Maori in my spaces?' The thing that will make the change, and make politicians do the change, is when it's clear there is popular support for something. As you mentioned, that's one of the things pakeha can be very helpful with as they are a majority. They have a different kind of political voice. It's really about reflecting on partly what space am I taking up, reflecting on how can I support Maori, how can I support things that are Maori-led, of course the essence of by Maori for Maori is that those things are Maori led.

Tam: 100%. That word creation - it's key that it's less creating the systems, but more reconnecting with them. That's the key point here. Colonization has done a number on our memory and the way we can connect with any solution that we wish to find, it's about honing our memories and being able to re identify what those are. In terms of the creation of systems, all of us can benefit by going back and learning about what those systems might have been. I am doing that, reading books about what were the traditional ways that we dealt with particular issues. I'm sure our whanau in the Pacific and elsewhere in the world has looked into alternative solutions too. We say 'oh my gosh, look at that -' especially in the way, looking at regenerative agriculture etc, we prop up new ways of doing these things, but

if we take a step back we might find simpler ways to do things that were done previously. The internet is a free tool - learn about those ways. Maybe don't explain to a Maori person this system.

Carwyn: I see someone in the Q&A has added a link to some resources. There are plenty available. People might want to seek out things to read or listen to or engage with on the internet. Last question - about structural change and change to systems and thinking. Whether we think that the common law the courts could be an effective path to change - referencing the Peter Ellis appeal. I think there is a broader question there, thinking about the Westminster system that we are based on. I will come back to you on that. THere is an interesting issue coming through courts at the moment with Peter Ellis. This case was a high profile case going back to the 1990s. He had been through a number of appeals and last year he was granted leave to appeal to the Supreme Court. Before the hearing, he died. The question became, should the appeal continue given he had died. The common law assumption was no, that's the end of the matter. But when the hearing got to the Court, questions were raised about tikanga Maori, and whether it had anything to say about this. This should contribute to the NZ common law, therefore should we consider questions of tikanga. Just recently, the Court heard these questions regarding tikanga, and we are interested in whether tikanga Maori says something different to the assumptions of the English common law, and if so, should NZ common law carve out a new path? This has the potential to fundamentally shape our NZ legal system, but there are still limitations around how the NZ State legal system operates. Does it get to the kind of structural change that we have been talking about? I'll hand over to you Tam.

Tam: I don't have much to add, that was excellent. I guess from an outsiders perspective, it's really cool the way that - I find it inspiring the kind of creative ways in which people are coming up with ways to work within the current systems to find creative solutions for reindiginising. I have seen the end of the National Policy statement on freshwater policy management. Don't call me out on this law students! I think it was an iwi down south that held a local body accountable for polluting a waterway, and used the concept of Te Manawa for the legal foundation. It gives - I don't know the terminology, but it gives protection for different elements in a way that is premised around tikanga Maori. We are finding creative ways to work within the system. Also the example of the Whanganui river that you talked about. Cool creative ways to intertwine different concepts. Obviously that won't be the thing that helps, but finding creative ways in the meantime to hold these systems to account is all I would add to that.

Carwyn: I think we are out of time, so we wil bring things to a close. In closing, we talked about Matariki at the beginning, so again I want to encourage people to think about those ideas of reflection, innovation, planning for how you will make those changes. Tam and Rhianna both talked about ways in which you might think about embedding a te tiriti in your daily life. Whatever the issue, conversation or activity. Think about what conversations you wll have, what resources you will seek to develop and innovate as we move through this time of Matariki. I want to thank my co facilitators Tam and Rhianna. A real pleasure being a part of the session with both of you. Also thank you to the folks who have organised this leadership week and the different sessions. Thank you to everyone who has joined in and

participated tonight, demonstrating helpful engaged thinking. I will just finish by closing with a karakia.

Te whakaetanga e
Te whakaetanga e
Tēnei te kaupapa ka ea
Tēnei te wānanga ka ea
Te mauri o te kaupapa ka whakamoea
Te mauri o te wānanga ka whakamoea
Koa ki runga, koa ki raro
Haumi e, hui e, tāiki e

Kia ora kotou.