

KAUPAPA MAORI GOVERNANCE

Literature Review & Key Informant Interviews

Prepared for **Te Puāwai Tapu**

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He mihi nui ki a koutou, rangatira ma. Kia ora koutou.

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Introduction

The term ‘Kaupapa Māori governance’ encompasses a multitude of ideas, many of which are addressed within this literature review. The first of these terms, ‘Kaupapa’, is itself composed of at least two distinct notions as we describe below. When looking for models of Kaupapa Māori governance our starting point is Kaupapa Māori theory. This theory developed first within Māori education and is now theorised within other disciplines such as Māori health and Māori business studies.

Kaupapa Māori sets out the theoretical framework within which ideas and research about governance are explored. In other words, Kaupapa Māori provides a lense for examining both non-indigenous and indigenous governance literature. In order to apply this lense Kaupapa Māori is described in the opening section of this introduction.

As stated, our review of the literature incorporated both non-indigenous and indigenous governance literatures with more emphasis on the latter as it became clear that this literature spoke more often to indigenous calls for self-determination. The most well-theorised literature we have found in this regard comes from Canada where First Nations peoples have increasingly been handed back control of their own affairs.

Our searches for governance literature for this review have largely been internet-based as this medium encompasses both academic, government and non-government sources of information, research and theorising about governance. In particular, literature was sourced from the Institute on Governance (IOG), operating out of Ottawa, Canada, and the Harvard Project on American Indian Economic Development, operating out of the John F. Kennedy School of Government at Harvard University. The reason for this is that researchers from these organisations are active in the area of First Nations governance and constitutional reform. For example, in 1999 approximately 300 First Nations communities in Canada were involved in the re-establishment of self-governance. This research therefore provides a useful benchmark for thinking about how these issues might be addressed in Iwi Māori contexts.

Information about Kaupapa Māori theorising comes from the writings of Māori within Māori education, health and management.¹ Our overview is also informed by Māori writers who address issues related to, for example, *te Tiriti o Waitangi*, *tino rangatiratanga*, law and race relations.

In this introduction we examine what Kaupapa Māori governance might look like from the understandings we have gained from the literature. This, in turn, sets the scene for the presentation of findings from key informant interviews with Māori who are knowledgeable about implementing Kaupapa Māori governance within Māori and iwi organisations. Their

¹ This reviewing of the literature and ongoing theorising of Kaupapa Māori has occurred within research institutions such as IRI (International Research Institute for Māori and Indigenous Education, University of Auckland, and Te Rōpū Rangahau Hauora a Eru Pōmare, Wellington School of Medicine.

contribution is then added to the development of a model of Kaupapa Māori governance for Te Puāwai Tapu.

Kaupapa Māori

The core of Kaupapa Māori is the affirmation and legitimation of being Māori. In other words, it is the (re)centering of te ao Mārama. In speaking about Māori literature, Ihimaera, Long, Ramsden and Williams (1993:5) capture the essence of this Māori centre. They write that ‘From our perspective Māori literature *is* the centre – for if you are Māori and looking out, you do so from your own centre... We wish to look at things our way, from the inside out, not from the outside in’.

Kaupapa Māori is a term that has its origins in a history that reaches back thousands of years. For Pita Sharples (1988) Kaupapa Māori has roots in ‘old’ knowledge including Māori spiritualism and traditionalism; that it belongs to another time. From this source Kaupapa Māori has emerged as a contemporary discourse. Tuakana Nepe (1991:15) describes Kaupapa Māori as the ‘conceptualisation of Māori knowledge that has been developed through oral tradition. It is the process by which the Māori mind receives, internalises, differentiates, and formulates ideas and knowledge exclusively through te reo Māori’. Graham Smith (1997) describes Kaupapa Māori as a term used by Māori to describe the practice and philosophy of living a culturally informed life.

The term ‘Kaupapa Māori’ appeared within discussion forums in the 1980s when the Department of Education, University of Auckland, was attempting to introduce ‘taha Māori’ into the curriculum (Smith, 1997). During this time the terms Kaupapa Māori, Tikanga Māori and Māoritanga would surface as inter-changeable. Now the term Kaupapa Māori is applied across a wide of range of sites both inside and outside of education and Kaupapa Māori theory has been established as a bona fide theory of transformation (e.g., Bishop & Glynn, 1999; Pihama, Cram & Walker, 2002; Smith, 1997; Smith, 1999).

Graham Smith (1997) writes that Kaupapa Māori theory in education is founded on three key themes:

- ★ The validity and legitimacy of Māori are taken for granted.
- ★ The survival and revival of Māori language and culture are imperative.
- ★ The struggle for autonomy over our own cultural wellbeing and over our own lives is vital to Māori struggle.

This locates te reo Māori me ōna tikanga as central elements in any discussion of Kaupapa Māori and is in line with the assertions that Māori language must be viewed as essential in the reproduction of Kaupapa Māori (Nepe, 1991, see above).

In order to centre Māori knowledge and Māori worldviews it is also necessary that Kaupapa Māori theory encompass the displacement of oppressive knowledge. Pihama (1993:57) describes this as ‘a process of critiquing Pākehā definitions and constructions of

Māori people'. This is necessary because of the marginalisation of things Māori throughout the colonial process, and the imposition of non-Māori customs, language and media (Vercoe, 1990).

This highlights the importance of Kaupapa Māori as a response to the imposition of Pākehā 'norms'. However, the turning of our gaze onto oppressive knowledges, including the deconstruction of norms and worldviews that are not our own, 'should not be misinterpreted as a rejection of Pākehā culture or a retrenchment to Māori culture; what is being advanced is the meaningful recovery and development of Māori language, knowledge and culture as well as Pākehā culture. It is not a one or other choice for Māori, [we] want access and success in both Māori and Pākehā cultural forms, however the cultural capital which is mostly unavailable and denied within the Pākehā dominant societal context, is that pertaining to Māori' (Smith, 1997:453).

In short 'Kaupapa Māori strategies question the right of Pākehā to dominate and exclude Māori preferred interests, and asserts the validity of Māori knowledge, language, custom and practice, and its right to continue to flourish in the land of its origin, as the tangata whenua (indigenous) culture' (Smith, 1997:273). At the core of Kaupapa Māori is the catch-cry: 'to be Māori is the norm'.

Key Intervention Principles in Kaupapa Māori

Six intervention principles highlighted by Smith (1997) are an integral part of Kaupapa Māori and are evident in Kaupapa Māori education sites. Each of these principles is now examined in turn.

Tino Rangatiratanga

the 'self-determination' principle

The principle of *tino rangatiratanga* has been discussed in terms of *mana motuhake*, sovereignty and self-determination. *Tino rangatiratanga* is having meaningful control over one's own life and cultural well-being. This principle is embedded in the Treaty of Waitangi. In signing this document in 1840 the sovereign chiefs sought to protect their taken-for-granted, sovereign rights into the future (Williams, 1990). Our history since this signing is one of broken Treaty promises (through law and war) that have left us marginalised culturally, politically and economically within our own land (Jackson, 1991).

Taonga tuku iho

the 'cultural aspirations' principle

A Kaupapa Māori theory asserts a position that to be Māori is both valid and legitimate and in such a framework to be Māori is taken for granted. Te reo Māori, matauranga Māori, tikanga Māori and ahuatanga Māori are actively legitimated and validated.² This principle acknowledges the strong emotional and spiritual factor in Kaupapa Māori. Kaupapa Māori knowledge is not to be confused with Pākehā knowledge or general knowledge that has been translated into te reo Māori. Kaupapa Māori knowledge has its origins in a metaphysical base that is distinctly Māori. As Nepe (1991) states, this base influences the way Māori people think, understand, interact and interpret the world.

Ako

the 'culturally preferred pedagogy' principle

This principle promotes teaching and learning practices that are unique to tikanga Māori. There is also an acknowledgment of 'borrowed' pedagogies in that Māori are able to choose their own preferred pedagogies. Rangimarie Rose Pere (1993) writes in some depth on key elements in Māori pedagogy. In her publication *Ako* she provides expansive discussion regarding tikanga Māori concepts and their application to Māori pedagogies.

Kia piki ake i nga raruraru o te kainga

the 'socio-economic' mediation principle

This principle addresses the issue of Māori socio-economic disadvantage and the negative pressures this brings to bear on whānau and their children. This principle acknowledges that despite these difficulties, Kaupapa Māori mediation practices and values are able to intervene successfully for the well-being of the whānau. The collective responsibility of the Māori community and whānau comes to the foreground.

Whānau

the extended family structure principle

The whānau and the practice of whānaungatanga is an integral part of Māori identity and culture. The cultural values, customs and practices which organise around the whānau and 'collective responsibility' are a necessary part of Māori survival and achievement. There are many examples where the principle of whānau and whānaungatanga come to the foreground as a necessary ingredient for Māori education, Māori health, Māori justice and Māori prosperity.

² See the 1999 Wananga Capital Establishment Report.

Kaupapa

the 'collective philosophy' principle

Kaupapa Māori initiatives are held together by a collective commitment and a vision. In Māori education, for example, 'Te Aho Matua' is a formal charter which has collectively been articulated by Māori working in Kaupapa Māori initiatives. This vision connects Māori aspirations to political, social, economic and cultural well-being. Likewise in Māori health, participants at Te Ara Ahu Whakamua collectively suggested that a healthy Māori would have be healthy politically, culturally, socially and economically (Public Health Group, 1997:21).

Summary

In 1840, following the signing of the Treaty of Waitangi, the Kaitaia chief Nopera Panakareao commented that, 'The shadow of the land goes to Queen Victoria but the substance remains to us' (Walker, 1989). The implication of this comment is that the chiefs who signed the Treaty did not see it as the surrender of their *mana* to the Queen. Rather, as Williams (1990) argues, the chiefs were concerned with the cultural, economic and political survival of their peoples in the face of increasing contact with and settlement by the British. If that Treaty had been honoured we would not now have the same concerns; namely, cultural, economic and political survival. Within our colonial history we have been subjected to assimilationist and integrationist agendas. Now, through Kaupapa Māori theory, we are reasserting our right to be Māori and to develop our own agenda.

The next section of this introduction addresses the issue of governance.

Governance

Governance is written about and theorised within global, national, and local; societal and institutional contexts. There is a tendency to confuse *governance* with *government* and to use the two terms interchangeably when *government* is being discussed (Plumptre & Graham, 1999). However, *government* is an institution and *governance* is a process.

There are many definitions of governance but fundamentally it is about influence, decision-making and accountability. Louise Frechette (1999), Deputy-Secretary-General of the United Nations, gives the following useful perspective: 'Governance is the process through which... institutions, businesses and citizens' groups articulate their interest, exercise their rights and obligations and mediate their differences'.

Governance is increasingly being viewed as important by policy makers. Their policy view that good governance³ is essential for Māori and iwi organisations, for example, was seen in the distribution of governments Capacity Building funding in 2000-2002. Several government agencies funded Māori and iwi organisations to undertake governance training and to pursue appropriate governance models for themselves.

Within this section of the introduction we look first at national governance in general terms and then at research on indigenous self-governance from the Institute on Governance in Canada and the Harvard Project on American Indian Economic Development, operating out of the John F. Kennedy School of Government at Harvard University. Both institutes have studied the move to self-governance by First Nations peoples in Canada and the USA. While this scenario is far removed from the circumstances that many Māori and iwi organisations find themselves in in the search for more appropriate models of governance (namely, because Māori and iwi providers are operating with the confines of Crown legislation), the First Nations models are closer to the Kaupapa Māori principle of *tino rangatiratanga*.

In the third part of this section we look at organisational governance and what has been written about good governance within this context. This is the context that is perhaps most relevant for Māori and iwi providers as it speaks to how services and programmes can be delivered by non-government agencies (often with government funding) and what good governance might mean to such agencies.

It should become clear from this review that many of the attributes of good governance span the different levels at which governance can operate. There are also many similarities between indigenous and ‘western’ models of good governance. Indeed, it might be speculated that the new horizons for ‘western’ models of good governance lie in indigenous knowledge and practice. This is perhaps best summarised in the following statement from Bradley Young (2002), of the Student Council of the University of Alberta:

*The motivation for Aboriginal ‘self-government is (equally) simple: self preservation ... Aboriginal governance is the fulfillment of many **prophecies** which many elders from many different nations share. Specifically they tell of a time when a new race of people will appear, the result of inter-marriages of the indigenous peoples of turtle island and non-indigenous visitors from Europe. That time is now and the change which we will usher in will be momentous. This new people, Aboriginal People, will increasingly vacate the old dysfunctional colonial institutions in sway now, replacing them with renewed indigenous governance systems which will revolutionize and save the tired, increasingly ignored, and decaying ‘modern’ western democratic models of government, as well as their own people(s) from oblivion.*

³ The phrase ‘good governance’ is used within this report in order to be consistent with the terminology used in much of the governance literature. One key informant for the current project, however, argued strongly for the use of the term ‘sound governance’. While we came to agree that this term was preferable its use in present report, alternating with ‘good governance’ when this was the term used by other authors and informants, became confusing.

Similarly, the exchanges that take place between indigenous and western governance models and ideals may well lead to new approaches. At the same time, however, it is incumbent upon all to respect and preserve the rights of indigenous peoples to define and enact the governance models that best fit their cultural understandings and desires for sovereignty. This right is defined for Māori within the Treaty of Waitangi.

National Governance

The United Nations Development Programme (UNDP) (1997) defines governance as the exercise of economic, political, and administrative authority to manage a country's affairs at all levels. Governance is a concept that includes the mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations, and mediate their differences. Plumptre and Graham (1999:2), likewise, define governance as being 'about how governments and other social organisations interact, how they relate to citizens, and how decisions get taken in an increasingly complex world'.

The UNDP (1997) has published a list of 'characteristics of good governance'. These characteristics are:

Participation – *all men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their intention. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.*

Rule of Law – *legal frameworks should be fair and enforced impartially, particularly the laws on human rights.*

Transparency – *transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.*

Responsiveness - *institutions and processes try to serve all stakeholders.*

Consensus orientation – *good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures.*

Equity – *all men and women have opportunities to improve or maintain their well being.*

Effectiveness and efficiency – *processes and institutions produce results that meet needs while making the best use of resources*

Accountability – *decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This*

accountability differs depending on the organizations and whether the decision is internal or external.

Strategic vision – *leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.*

Good governance in this context includes the participation of the community. It is transparent in its processes, and is accountable and legitimate in the context of those it serves (Hunia, 2003; Wyam, 2001). Wickliffe (2000) writes that ‘All ... citizens want leaders with integrity – leaders at the local, provincial, and national level who connect with their people, who lead by example and who openly care about them. They want their leaders to listen to their voices, to be more consultative and to value citizen participation. They want more transparent governance, meaningful power-sharing and accountability, and they want all actors to take measures towards achieving this’.

Good governance is seen as effective in both meeting immediate needs as well as supporting the achievement of sustainable human development. In addition, good governance is about relationships; that is, relationships between the governing institution or structure, its stakeholders and the wider community it serves. The key factors in building and sustaining good relationships are (Wyam, 2001):

- ★ Strong support from the state
- ★ Transparent and accountable processes
- ★ Focus on proactive forward thinking
- ★ Including the voice of the people
- ★ Being participatory and responsive

In identifying their hopes and dreams for a good society, people throughout the Pacific and other indigenous peoples, are expressing the desire and expectation for new forms of governance in which they play a much more significant role. That is, governance that can better match the indigenous frameworks of their services, businesses and education systems.

The recent IRI (Pipi et al., 2003) report on ‘and Iwi Provider Success’, for example, called for a collaborative policy-making environment in which providers, whānau, hapū and iwi could have a voice in central government decision-making. This seems a small request given that it is far from *tino rangatiratanga*. At the same time, however, it is also far from the current environment in which consultation, if it occurs, is often viewed as a farce that has little or no impact on central government policy and decision-making.

Indigenous Self-Governance

Many indigenous communities throughout the world are focused on exploring and developing their own unique governance structures. Development is centred on systems of governance that reflect our (indigenous) way of doing things and which will provide the leadership necessary for full and effective indigenous services and businesses (Cornell, 2002). According to the Waitangi Tribunal's Taranaki Claim Report⁴, 'The international term of 'aboriginal autonomy' or 'aboriginal self-governance' describes the right of indigenes to constitutional status as first people, and their rights to manage their own policy, resources, and affairs, within minimum parameters for the proper operation of the State'.

Indigenous governance is not necessarily about simply reviving traditional methods of self-governance. To survive and thrive in the contemporary world it is important that governance systems are able to meet both the needs of the organization as it interfaces with the demands of the broader environment, as well as maintain legitimacy with their own people. For example, Cornell (2002) argues that 'The trick is to invent governments that are capable of operating effectively in the contemporary world, but that also match people's ideas – traditional or not – about what is appropriate and fair'.

It is important therefore that those in positions of development and responsibility are aware of the ideas and aspirations of the people. The cultural match between governance and the people being governed has been identified as critical to effective indigenous governance models (O'Reagan, 2002; Cornell, 2002; Dodd, 2002). Good governance, based on cultural match, sovereignty, and relationships, is viewed as one of the key factors in the success of indigenous tribes, organizations, and businesses. In particular it has the potential to impact positively on the long term achievements of indigenous groups.

Self governance is also a tool for healing for indigenous peoples; in other words, self-governance is an important step for many in being able to move forward from the position of being 'colonized'.

Having set the scene for good governance in a self-governing indigenous context, we now turn to examples from Canada and the United States of America and what research there has shown about good governance.

Canada

In Canada, 'Aboriginal governance is an area of particular complexity because the challenge is to create 'space' for new kind(s) of governments within fields of jurisdiction already occupied by national or provincial government structures' (Plumptre & Graham,

⁴ 1.4 Autonomy or self-government destroyed. Extract from the Waitangi Tribunal's Taranaki Claim Report (downloaded 13/10/03 from <http://www.twm.co.nz/tar3.html>)

1999:8). In this case Aboriginal governance may be different from, but is on a par with, national or provincial governance.

Plumptre and Graham (1999) state that good governance must be defined in relation to cultural as well as social and economic goals. Indeed, for some First Nations peoples in Canada the concept of 'government' means 'our way of life' or 'our life' in their own language (Royal Commission on Aboriginal Peoples, 1996:116).

The 1996 Canadian *Report of the Royal Commission On Aboriginal Peoples* (cited in Plumptre and Graham, 1999:Annex 5) described the following attributes of traditional Aboriginal governance:

The centrality of the land – For many Aboriginal peoples, the land, which encompassed not only the earth but water, the sky, all living and non-living entities, is the source and sustainer of life. People must act as stewards of the earth.

Individual autonomy and responsibility – Individuals have a strong sense of personal autonomy coupled with an equally strong sense of responsibility to the community.

The rule of law – For many Aboriginal peoples, the law is grounded in instructions from the Creator or in a body of basic principles. Any failure to live by the law is an abdication of responsibility and a denial of a way of life.

The role of women – In many Aboriginal societies, women's roles were significantly different from those of men in governance. According to the Commission, women must play a central role in the development of self-governing entities.

The role of elders – Elders are the trusted repositories of learning on history, medicine and spiritual matters. Their roles include making of decisions on certain matters, providing of advice and vision, and resolving disputes.

The role of the family and the clan – Traditionally, the family or clan constituted the basic unit of governance for many Aboriginal peoples.

Leadership and accountability – For many Aboriginal societies, especially those that placed little value in hierarchy, leaders were chosen and supported by the entire community and held little authority beyond that earned through respect. Accountability was an ingrained feature of this pattern of leadership.

Consensus in decision-making – Many Aboriginal people speak of the principle of consensus as a fundamental part of their decision-making processes.

'A Vision for the Government of Nunavut' (cited in Plumptre & Graham, 1999:13; also see Nunavut Government website: <http://www.gov.nu.ca/>) captures many of these attributes – even though it is focused on the narrower term 'government'. In addition, the vision resonates well with the United Nations statements and other, western lists of good governance. This vision was prepared after extensive consultation with Nunavut citizens (approximately 29,000 people). The result was a vision of government that:

- ★ *Places people first;*
- ★ *Represents and is accountable and fair to all its residents;*
- ★ *Is a servant of the people of Nunavut;*
- ★ *Seeks direction from the people;*
- ★ *Is shaped by and belongs to the people of Nunavut;*
- ★ *Offers programs and services in an integrated and holistic manner;*
- ★ *Promotes harmony amongst people;*
- ★ *Places ownership of well-being into the hands of individuals, families, and communities;*
- ★ *Conducts itself with integrity and openness;*
- ★ *Encourages excellence and welcomes creativity; and*
- ★ *Incorporates the best of Inuit and contemporary government systems.*

The value of this list of guidelines also lies in the process used to generate them. While not all indigenous communities will agree about the exact nature of good governance it is important for these communities to have the opportunity to contemplate what blend of traditional and contemporary governance models will carry them successfully into the future.

United States of America

The Harvard Project on American Indian Economic Development is located within the John F. Kennedy School of Government, Harvard University. The aim of the project is to ‘understand and foster the conditions under which sustained, self-determined social and economic development is achieved among American Indian nations’ (Project homepage: <http://www.ksg.harvard.edu/hpaied/>).

From their study of American Indian Reservations, Cornell and Kalt (1992) concluded that three factors determined whether or not tribes developed. These factors were:

- ★ *Having the power to make decisions about their own future;*
- ★ *Exercising that power through effective institutions; and*
- ★ *Choosing the appropriate economic policies and projects.*

These factors were then studied further and enlarged upon by Cornell and Kalt and are outlined on the project website (<http://www.ksg.harvard.edu/hpaied/>). Among the key findings of ‘what works, where and why?’ Cornell and Kalt report that:

Sovereignty Matters *When tribes make their own decisions about what approaches to take and what resources to develop, they consistently out-perform non-tribal decision-makers. The effective exercise of sovereignty is manifested in many ways, from tribal control over resource management and tribally designed economic*

development strategies to tribal administration of health care and other social services.

Institutions Matter Harvard Project research consistently finds that assertions of sovereignty must be backed by capable institutions of governance for development to take hold. Stable political institutions and policies, fair and independent mechanisms for dispute resolution, a separation of politics from day-to-day business management, a capable bureaucracy and a strategic orientation are institutional attributes that help tribes create an environment conducive to economic development.

Culture Matters The Harvard University Project on American Indian Economic Development has found that ‘Successful tribal economies stand on the shoulders of culturally appropriate institutions of self-government that enjoy legitimacy among tribal citizens. Given a diversity of Native cultures and circumstances, tribes are challenged to equip themselves with institutions (e.g., constitutions, economic systems, etc.) that fit their unique societies.

Organisational Governance

At an organisational level, governance tends to be concerned with the role of the Board of Directors and its relationship to management and stakeholders. This section therefore draws together research that talks specifically to these issues, while at the same time acknowledging that many of these features are essential to the operation of governance generally.

‘Governance is ... the art of steering the organization’ toward desired outcomes. It is ‘... the process whereby strategic goals are set, key relationships are maintained, the health of the organization is safe-guarded, and account is rendered for performance’ (Plumptre, 2003:slide5). According to Plumptre (2003:slide4) good governance prevails when you have:

- ★ A well-functioning Board
- ★ Real accountability
- ★ Clarity of purpose
- ★ Transparency and openness
- ★ Sound Board-staff relationships
- ★ Effective stewardship

This is one way to measure the soundness of the governance processes that are put in place for an organisation. They features do not, however, speak to how a governing Board might achieve these outcomes.

Plumptre (2003:slide8) goes on to state that an organisation’s approach ‘rests on a governance regime or framework comprising... those structures, policies & traditions - implicit & explicit - that determine how you :

- ★ decide where you're going;
- ★ allocate power;
- ★ make sure things are secure (stewardship);
- ★ monitor how well you are doing;
- ★ involve people in decisions; and
- ★ report on results achieved'.

Leadership

Essential to good governance is 'leadership, positive communications and shared goals'. Underpinning these are accountability and transparency in decision-making. This is also emphasised by O'Reagan (2002):

The governance that really matters is the development of governance within Indigenous communities – between their leadership, the accountability of that leadership to the constituents of the tribal community. The ability of that tribal community to participate in a certain range of decisions and not in others. To have mechanical arrangements which truly do not isolate them.

In addition the Institute on Governance (IOG) (1999:27) recommends the removal 'of day-to-day decision-making regarding economic development and policy management from the political arena'. Political struggles and business principles are seen to be incompatible with the IOG suggesting that 'as a rule, the general management of development activities must not be the responsibility of political leaders'.

Where good governance exists the outcomes are trust, credibility and legitimacy for the governing board. Good governance can however be undermined by, for example, distrust, factionalism, unchallenged conflicts of interest, and unmanaged deficits (Plumptre, 2003). For example, Mary Ellen Turpel-Lafond (1996) observed that over 200 submissions to the Canadian Royal Commission on Aboriginal Peoples 'addressed concerns relating to ethics and conflicts of interest in aboriginal governments'. Processes that address these issues include dispute resolution procedures, accountability mechanisms, and an intolerance of unethical behaviour from organisational leadership. This is supported by codes of conduct and training and professional development (IOG, 1999).

Separating governance and management

Furthermore it is considered that good governance is about separating the management and policy tasks from the day-to-day operations. So, for example, governance is about higher level 'strategic thinking', answering questions such as 'where to?', 'why', 'for whom?'. The detailed planning of 'how' the organisation fulfils its mission and attains its goals is left to the Chief Executive and managers as they engage in 'strategic planning' (Strategic thinking, 1998). Such separation of roles is particularly important and possibly challenging for indigenous groups who may not have the numbers to always maintain such separate

roles. Indigenous organizations in Aotearoa New Zealand seeking to develop their own governance systems need to consider how they can identify and maintain such delineation.

Constitution and policy

Graham and Marques (2000:25) conclude that ‘a well-crafted constitution is an essential building block to good governance and, as such, it deserves the best of the intellectual resources and political goodwill that a community can offer’. On the other hand, a failure in the constitution-making process can ‘deepen resentments and cause a crisis of trust’ (ibid.). Such constitutional or policy arrangements can address the separate roles of governance and management. They can also put in place mechanisms for accountability and legitimation that are transparent and able to be engaged.

Building capability

In order to develop and maintain good governance, training, skill building are often also necessary. However this too must be in the context of the culture of the institution and its people (Hunia, 2003; O’Reagan, 2002; Connell, 1998). Clearly indigenous governance models both create the context for indigenous development, and rely on that context to maintain integrity at all levels.

Remaining adaptable

Finally, Plumptre and Graham (1999) argue that the concept of ‘good governance’ may depend on the stage of development and circumstances of an organisation. If good governance reflects the social, political and economic aspirations of stakeholders (i.e. ‘the people’) then as these aspirations are met and developed then so too should governance be flexible and open to changing to meet new demands and aspirations.

Thus a thinking and learning board is essential to good governance (Strategic thinking, 1998). ‘Any board that accepts accountability for the success of its organisation (and constitutionally it has no other choice), must address itself to the strategic issues facing the organisation in an effective manner. It must identify and understand the critical issues affecting the organisation and have the ability to use information to understand both major opportunities and major threats. It must understand the distinctive capabilities of the organisation and how these might be applied’ (Strategic thinking, 1998:3). Strategic thinking skill is therefore the central ability required on any Board (ibid).

Summary

The role of self-determination is essential to the development of good governance models for indigenous peoples. Self-determination provides indigenous peoples with the opportunity to contemplate the appropriate mix of traditional and contemporary elements. For example, Alfred Taiaiake (1999) argues that the election of Board members should be

foregone in favour of traditional decision-making processes. In this contemplation, the Nunavut example demonstrated the importance of the voice of the people. As Reinharz (1988:15) argues, ‘...if you want to hear it, you have to go to hear it, in their space, in a safe space...’. Through this type of consultation, governance models can be established to take people into the future, to help heal the past, and to reconnect governing processes with indigenous values, beliefs and aspirations.

‘At the tribal level, the lesson is that those tribes that build governing institutions capable of the effective exercise of sovereignty are the ones that are most likely to achieve long-term, self-determined economic prosperity. They are the ones who will most effectively shape their own futures, instead of having those futures shaped by others’ (Cornell & Kalt, 1998).

These elements of good governance can also operate at the local level in indigenous, non-governmental agencies that are delivering services and programmes to their peoples. There are some tensions around the degree of self-determination available to these agencies when they are funded by colonial governments and must operate governance models within colonial legislative environments. However, as argued in the first section of this review, no-one can give you your sovereignty. By the same token, accepting funding and operational constraints should not stifle sovereign aspirations.

Interviews with Key Informants

A key outcome of this project, as desired and determined by Te Puāwai Tapu, is the development of a Kaupapa Māori Model of Governance. This model is primarily for their organisation, however it is also acknowledged that the model may well be applicable to a variety of organisations.

Given the relative newness of applying Kaupapa Māori Governance protocols to contemporary organisations the research design was developed to include interviews with people who are considered to have experiences that would contribute to this development. While limited funding precluded the involvement of international commentators, an international indigenous perspective was deemed imperative to the discussion. The methodology recognises that as indigenous people we can draw on each others experiences and innovations to guide our own practice when there is a scarcity of information in our own country. For that reason interviews were also conducted with people considered to have a good understanding and analysis of indigenous literature and practices of governance.

Six key informant interviews were conducted. These included a blend of face-to-face and telephone interviews, with the choice of interview style being that of the participant. Prior to the interview participants were given an interview guide with questions that would be asked by the researcher. Questions guided the participants to consider their understanding of governance both in general terms and in the context of their own indigenous experiences. Each interview lasted between 45 and 75 minutes.

The range of interviewees included: hapū and iwi based employees, board members and chief executives (or equivalent), community-based people and academics. All were known to at least one member of the research team. They came from widespread geographical areas including urban and rural.

At the conclusion of interviews, key points and common themes were analysed in relation to the literature, and summarised for inclusion in this report. These were considered and used to inform the development of the model contained later in this report. The common themes from key informant interviews are described here with links to literature.

Clear Kaupapa

The literature states that governance is underpinned by the values and philosophy of the organisation. Strong governance is therefore dependent on strong and clear values and a clear philosophical base. All participants in the study voiced this in a number of different ways. One stated quite simply that:

Clear Kaupapa and purpose are critical to a successful model of Kaupapa Māori governance... The values and philosophies which drive the direction of the organisation are what underpin governance. CT

Another said:

It is about clarity of purpose and clear vision. They have to be focused and clear about what they are doing. GB

Each of these statements reinforce the literature which asserts that once these values and philosophies are in place, the organisation can move into the real work of governance (Plumptre, 2003). This, in turn, is related to determining how you:

- * Decide where you're going;
- * Allocate power;
- * Make sure things are secure (stewardship);
- * Monitor how well you are doing;
- * Involve people in decisions; and
- * Report on results achieved.

Participants reiterated this, describing values and philosophies as the first step in good governance from which all else flows. This must precede employment and the structure of management and operations. When values and philosophies are clear then an organization can look for the people who can help it achieve to the highest possible standard.

This in turn raises the notion of excellence, evident throughout the data, as a critical factor to good governance. That is, participants were clear that good governance will be founded in a model that strives for excellence at all levels. A commitment to achieving and supporting excellence is required from those in governance, as it is from those in management and operational levels of the organisation. The skills and drive of individuals is imperative to creating a model of excellence, as voiced by this participant:

In that (clarity of vision and general governance knowledge), still balancing that with the cultural practices, who can actually uphold the tikanga and kawa side of things for you as well. You make up on your board a group of people who are diverse, who can work together, who do not lose sight of the purpose for them being there and who all bring their own piece of magic, knowing quite well, up front what it's about. CT

Another example of what is meant by the term 'clear kaupapa' was offered by this participant:

The workings of marae from wharekai to wharenui are an illustration of Kaupapa Māori governance. Everyone knows their role – there are those who are responsible for planning and those who are responsible for doing, and those who are responsible for observing and ensuring the kaupapa is carried according to the tikanga and kawa or values that underpin the marae, hapū and iwi. This last group are the governors. CT

This signals that clarity of purpose is necessary at both the organisational and the individual level in order for a successful governance model to be in place. That is, the two notions are interdependent; one cannot succeed without the other in place.

Clarity of kaupapa is critical to the notion of nation building and, as described by one participant, governance plays a key role in that advancement:

The point of difference within the notion of nation building is the cultural match. The match between the values of the organisation and the governance structure. This does not mean to say necessarily that you have by Māori for Māori, or Brown for Brown but it does mean that there are by Māori for Māori values. RE

In summary, a successful Kaupapa Māori governance model will be based on clear vision and philosophy that is well understood and shared by the individuals who are responsible for governing an organisation.

Power, Relationships and Accountability

Acknowledging the multiplicity of power relationships involved with governing organisations was identified as the second critical factor. In the first instance this can be viewed as internal to the organisation, highlighting the relationship between those in governance and those in management and operations.

The distinction between these two roles is discussed further on in the analysis. However at this point it is useful to note that participants viewed a positive relationship between management and governance as dependent on both individual understanding of the roles and the organisation's commitment to valuing the unique contributions from each level. This positive relationship is, in turn, critical to the success of the whole. It was also noted by some of the participants that overlap of the two roles can occur and that this poses challenges:

Overlap between governance and management, due in part to individuals taking on dual roles which is often necessitated through lack of numbers, can be problematic. However if people are clear about their roles and responsibilities and able to switch roles and acknowledge the duality of their work it can be successful though not optimum. CT

Secondly the notion of power, accountability and relationships can be broadened to encompass the external relationships between government, and perhaps their crown entities, and the organisation. More specifically this encompasses the power maintained by government in terms of the legislative requirements of governing entities.

As one participant commented, it is important that we acknowledge the relationships of power as they exist but it is more important to acknowledge their place in the wider picture of the organisation's development:

Governance is about power, relationships and accountability, in the support of rangatiratanga and culture. This includes social and economic development. RH

Thirdly the notion of duality of accountability was also evident in participants' views. That is, the accountability of those in governance to the legislative requirements imposed by the government entity, and the accountability to the organisation and the people it serves.

One participant described the challenges this presents, saying:

A Kaupapa Māori governance model can be fraught with tension between operating within a Kaupapa Māori framework and tikanga, and adhering to Pākehā law. CT

In summary, good governance recognises and responds to the challenges of power, accountability and relationships that contribute to the wider context of the organisation.

Wisdom of Kaumatua

All participants recognised that excellence in governance in a Kaupapa Māori framework includes the wisdom of Kaumatua. This is in line with broader Kaupapa Māori theory which acknowledges 'Taonga tuku iho' as a key principle (Smith, 1999). *Taonga tuku iho* is a term used by many to describe the wisdom and knowledge that comes from our forbears. In this instance, carried through to us for use in today's context, by our Kaumatua.

Does this mean then that a model for excellence would include Kaumatua as governors of the organisation? While this was the case for some participants, it was clearly not considered as essential by all. Participants agreed, however, that the input of Kaumatua is an essential ingredient to good governance.

As with many other aspects of tikanga or protocol, the role of Kaumatua is unique to each whānau, hapū and iwi. It would therefore be remiss of this report to dictate what the role should be in terms of governance. However it can be concluded from the interviews and literature that wisdom of our forbears contributes significantly to both traditional and contemporary forms of governance.

The role of kaumatua in governance is not just about guiding us in tikanga however, as this participant explains:

She's not just there to do the karakia. She knows the business and she's a representative of a whole group of people who, if we want to talk about sex, we have to talk with. PR

As another participant voiced governance in Māori organizations works well:

Where strategic leadership is in place to govern the organisation effectively. Where the building of a successful governance structure is to do with sound governance. RE

Distinction Between Governance and Management

The literature reviewed in this report highlighted the importance of distinguishing between the governance and management of organisations. Participants in the research gave further support to this point.

Management is the implementation of the actions; it is a very different level of work. Even in terms of the amount of time you should be spending on different parts, depending on what level that you are at. For example if you look at governance what is being said is that approximately 65% should be focused on strategy. In terms of management 25% or less should be spent on strategy, so they are the operational arm of any governing body. RH

However as eluded to earlier in this analysis there was some evidence of overlaps between the two.

Overlap between governance and management, due in part to individuals taking on dual roles, which is often necessitated through lack of numbers, can be problematic. However if people are clear about their roles and responsibilities and able to switch roles and acknowledge the duality of their work it can be successful though not optimum. CT

While recognizing that there are clear distinctions between governance and management one participant also recognized the reciprocity between the two stating:

The performance of an organisation is an issue of relativity in relation to leadership, the two are inter-related. For example, in critiquing a nation building model of development one needs to critique a number of factors that have been determined as critical to the success of the organisation. RE

Governance is just one of those critical factors.

As another participant described, it may be essential to some extent that there is an overlap between governance and management from time to time. That is, governance must intervene with management when there is a mismatch between the two:

To some degree it's personalities; history and trust – so continually navigating that. Pretty easy to back off if you have a vision of what's happening and it's happening. Harder if there's a mismatch. PR

The 'lack of numbers' is an issue common to many indigenous organisations, and so it would seem important that this is taken into consideration when developing governance and indeed management structures. A further 'overlap' was identified by another participant:

One overlap between governance and management is in responsibility for strategy and vision, with governance taking the primary role in this area. Governance and management must be distinct in order to be effective. RH

When asked to describe a situation where problems have arisen with governance of a Māori organization this participant first explained that: ‘the problems are not dissimilar to any other organization’. She highlighted issues for post-settlement governance entities including the fusion between governance and management roles and ‘the general lack of good strategic leadership, which will get you further than a whole list of financial or physical resources’.

In summary, the participants’ views suggested that strategies to counter the potential difficulties in ‘overlap of roles’ be built into the organisation. Central to such strategies is the clear understanding of ‘roles and responsibilities’.

Māori and Western Paradigms

The literature suggests that indigenous frameworks for governance often face the task of combining indigenous ways of being, ways of operating and ways of governing, in the context of dual accountability referred to earlier in this analysis. This is aptly summarised by one participant who said:

People in the Kaupapa Māori governance structure have to understand both Māori and western paradigms. They have to be reasonably fluid in both those paradigms... they have to understand te reo me ona tikanga and need to reflect that in their governance and through the organisation because that’s why they’re there, to demonstrate the Māori aspects of it all. They also need to understand the straight bald-head stuff, what are your requirements under functions and responsibilities. You can be sued for actions you do and you can be sued for inaction. GB

Excellence in indigenous governance is not devoid of a Western knowledge base. It is about knowing your organisation, knowing its tikanga, and of no lesser significance, knowing how to apply that to satisfy both the Kaupapa Māori and Western frameworks, which combined create the daily context for operations. This presents challenges, as reflected by another participant who cautions against allowing the Western paradigm to dictate the methods of governance:

We’ve got to break out of the thinking – we’re so bound by legislation. Trustees sit within the legislative stuff we’re used to having to comply with. That governs a lot of how we operate. MA

She has some clear messages about where the line is drawn saying:

It’s about making sure that our own philosophies, values and models are reflected in our Trust deed and documents. That our constitution is based on our own tikanga but they also have to somehow meet the various compliances as well. MA

And as another participant describes, knowing where and how we fit as Māori organizations is another vital ingredient to sound governance:

Critical issue for programmes like us (slice of life; single issue) is how we fit into the big picture. How we fit into the talk about sovereignty at a triballiwi level. So still have a relevance at a level beyond the kaupapa but quite an artificial presence. Especially as we're struggling to express our sovereignty. PR

So it can be suggested that rather than simply learning to combine the two paradigms, it is more about maintaining a Kaupapa Māori framework into which the Western requirements are fitted, with modifications to be negotiated when this 'fit' begins to displace the overarching framework of Kaupapa Māori. This is further evidenced in the literature referred to earlier in the report, which would suggest that the need to have a firm indigenous base is the essential first ingredient.

Passion, Commitment and Validity

The preceding sections of analysis have dealt with issues to do with the roles people take on in governance and/or management, what guides their actions, and to whom they are accountable. This final section explores the internal drivers for individuals involved in governance and the importance of external validity in the community they serve and stakeholder groups. It further describes some of the qualities and skills that participants view as critical to good governance.

When asked what makes for good governance one participant listed the following points as qualities important for each individual involved in the board of governance:

- ★ *Clarity of purpose*
- ★ *Clear vision*
- ★ *Leadership demonstrated*
- ★ *Passion*
- ★ *Commitment*
- ★ *Focused and clear about what it is they're doing. GB*

Another participant highlighted the importance of diversity:

Having a diverse range of skills – culturally and professionally... You make up on your board a group of people who are diverse, who can work together, who do not lose sight of the purpose for them being there and who all bring their own piece of magic, knowing quite well, up front what it's about. CT

And so what of the community validity? As one participant noted the notion of relationships is not devoid in a good governance model:

Governance also to be attached to the people you're governing. You've got to have an understanding, an engagement with the constituency that you're in charge of. GB

This understanding and engagement is likely to reciprocate in support from the community. Inclusive of Kaumatua support the participants all identified this community support as critical to the success of a governing board.

Support of the community is important too – it might take up to three years for your community to get a hang of what you're doing, but once they start to see some results that the community like. CT

The commitment and passion were further engaged by participants as terms connected to reaching long term outcomes through successful governance. This meaning people maintain:

Long term vision and understand that long term outcomes will sustain a generation of consistent change. Success therefore should be measured in terms of their mission, what they achieve and over what time. RE

Highlighting the commitment to the role of governance and the work involved one participant stated that it is about:

Tino Rangatiratanga and distinguishing between the enactment of it and saying you're doing it ... The effective exercising of the mission, vision and values of the organization. RE

Although commented on by all participants, the reputation held by governing members of an organisation is even more critical when applied to whānau, hapū or iwi based organisations, or indeed iwi authorities. As one participant stated:

Becoming recognised and having a reputation amongst your own people of the mahi that you do is probably the greatest (asset) – in Māoridom anyway. CT

It is recognised however that there are tensions between the skills needed on a governance board and people who are elected on the basis of their status. That is, from time to time the status and corresponding community validity of the individual may outweigh the skills required on the board. Although the skill base is essential the compromise can be rationalised and the risk managed in alternative ways:

Status is important as the networks these people have are the basis of good business. Skills might best be supplemented by external Directors. RH

It can be concluded therefore that it is both community validity, stature and skills that contribute to the essential components of governance personnel.

Commitment validity: And so what are the outcomes when we have sound governance in place? As this participant describes we will be able to:

Improve quality of service; reduce our ability to be colonizing; increase our ability to be liberatory. PR.

Finally, however and perhaps most importantly governance people are people who know understand and have a passion for the direction of the organisation:

The people who are in governance understand where it is we're going and being the missionaries and prophets for that cause. Because if they demonstrate that passion and commitment then it comes down through the rest of the organisation. GB

A Kaupapa Māori Governance Model for Te Puawai Tapu

This model is the outcome of the Kaupapa Māori Governance research project conducted on behalf of Te Puawai Tapu. It combines Kaupapa Māori Principles and Critical Practice Issues that were identified in the literature review and data analysis, into a three-part model that reflects the categories of governance essential to a Kaupapa Māori way of being. It is important to note that both the Principles and Practice Issues can be perceived as moving fluidly between each category and that their placement is merely the point of origin within the model.

Part One: Hinengaro

This category acknowledges the concepts of maumahara, matauranga and moemoea in governance. That is our actions are guided by the past, we learn from those memories and experiences, and visions and aspirations for future development are grounded in our histories. These histories reflect individual and organisational sites of struggle for tino rangatiratanga, and the gifts and practices of those who have gone before us in that struggle. The reality of the context for Kaupapa Māori Governance is one that must combine knowledge, expertise and accountability of both Māori and Western paradigms. The wisdom of Kaumatua is essential in maintaining the integrity of a Kaupapa Māori approach.

Part Two: Ngākau

This category acknowledges the concepts of maramatanga, puku and manawa in governance. That is, our actions are guided by our understanding of the world and context in which we govern; there must be substance to the policies we project in governing the organisation; and above all sound governance is reliant on a commitment from the ‘heart’ of the individual. An understanding of whānau, hapū and iwi and the mediation of environmental influences within these contexts further aids a sound governance model. Critical practice issues apparent in part two of the model reflect individual commitment and accountability in the context of relationships and issues of power contained within those relationships.

Part Three: Tinana

This category is focussed on the actioning of sound governance. It is about ‘walking the talk’. That is there are three distinct aspects critical to ensuring practices support and uphold a sound model. They are: to practice and action policy; to have effective measures of sound governance in place; to have evidence of sound governance easily visible at all levels of the organisation. Walking the talk must be based on a strong and clear kaupapa and the ability to transfer and evolve knowledge of that kaupapa within the organisation and its community.

Table 1. A Model of Kaupapa Māori Governance

KAUPAPA MĀORI PRINCIPLE	HE ATUA – HE TANGATA	CRITICAL PRACTICE ISSUES
	Hinengaro	
<ul style="list-style-type: none"> • Tino Rangatiratanga • Nga Taonga Tuku Iho 	<ul style="list-style-type: none"> • Maumahara • Matauranga • Moemoea 	<ul style="list-style-type: none"> • Māori and Western Paradigms • Wisdom of Kaumatua
	Ngakau	
<ul style="list-style-type: none"> • Kia Piki Ake i Nga Raruraru i Te Kainga • Whānau 	<ul style="list-style-type: none"> • Maramatanga • Puku • Manawa 	<ul style="list-style-type: none"> • Passion, Commitment and Validity • Power, Relationships and Accountability
	Tinana	
<ul style="list-style-type: none"> • Kaupapa • Ako 	<ul style="list-style-type: none"> • Whakawai⁵ • Mai i ... ki te ...⁶ • Ngā huanga⁷ 	<ul style="list-style-type: none"> • Clear Kaupapa • Distinction between Governance and Management

Table 1 represents these three parts (middle column) alongside the companion Kaupapa Māori principles (left-hand column) and the critical practice issues (right hand column). To demonstrate how this model turns into a day-to-day working model a series of reflective questions were then developed.

⁵ Translated here as 'practice'.

⁶ Translated here as 'measure'.

⁷ Translated here as 'evidence'.

Reflective Questions

The reflective questions have been incorporated to support implementation of the model. It is intended that they guide ‘governors’ in meeting the challenges of directing an organisation through the practices that enable achievement, sustainability and evolution of their values and mission. Reflective questions may be used as a method of peer review, to resolve potential positions of conflict and to mediate between the work of management, operations and governance.

The questions are grouped according to the Kaupapa Māori Framework illustrated above. It should be noted that this is not a finite list – it is intended as a starting point for reflective and proactive members of governance.

Hinengaro

- ★ In what ways do I demonstrate and extend my knowledge of Māori and Western paradigms in the context of the principles of our organisation?
- ★ What do I need to do to ensure I fit the Western requirements of governance of this organisation, within our Kaupapa Māori principles of governance?
- ★ How do we ensure the voice of Kaumatua is spoken, listened to and heard in all aspects of our governance?

Ngākau

- ★ Does the membership of our governance board reflect individuals who have: clarity of purpose; leadership qualities; passion; commitment; focus? In what ways are these qualities demonstrated?
- ★ In what ways do our governance practices recognise and respond to the challenges of power, accountability and relationships that contribute to the wider context of the organisation?
- ★ Do I have a clear analysis of the external relationships between government, crown entities and our organisation?

Tinana

- ★ Are the values and philosophies of the organisation clear enough to be linked directly to methods of operation at all levels?
- ★ Are the members of the governing board able to clearly articulate the values and philosophies of the organisation and make links to practice?
- ★ Does my role in governance intersect with or overlap with management or operations of the organisation? What is the impact of this?

Concluding Remarks

This report began with an examination of Kaupapa Māori with the strong ‘take home message’ that Kaupapa Māori is about our right to be Māori. Kaupapa Māori governance is therefore about our right to implement culturally appropriate models of governance to guide our institutions and organisations.

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 to establish Kaupapa Māori governance might therefore be a best approximation we can gain in a legislative and policy environment that is essentially non-Māori (cf. Dodd, 2000). Even so, the reviewed literature, the input of the key informants and the development a Kaupapa Māori Governance model in conjunction with Te Puāwai Tapu all point to ways in which Kaupapa Māori Governance equals good and sound governance.

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