

## Appendix "A"

## Claimant's contribution to the Kaupapa

## HOW DO WE DEFINE OR UNDERSTAND THE CONCEPT OF 'IDENTITY' WITHIN THE INQUIRY?

- (a) **Wai 88/89** – Identity relates to the principle of partnership, which is acknowledged at various levels of the Treaty of Waitangi (“the Treaty”) relationship. This principle entails an inherent duty on the part of the Crown to actively preserve and uphold Māori identity; failure to honour this principle, the purpose of the Treaty is compromised and undermined. Therefore, to guarantee the preservation of Māori identity, this principle requires more robust protections, clearly defined obligations, and transparent accountability. Furthermore, the notion of *tinorangatira* is inseparably linked to the concept of identity. This principle empowers Māori to express their unique ways of knowing, and living, grounded in their whakapapa, whenua, and tikanga. Recognising *tinorangatira* is important to protect our identity as Māori from being incorporated into systems that do not align with our value. Our Māori identity should not just be protected, but also empowered to thrive.
- (b) **Wai 1837** – Identity is incredibly fundamental. It is the freedom and all that I was taught by my grandparents, who raised me. In reality, identity means that Māori are battling to be ourselves, and Western perspectives contradicts our whakapapa, which stems from our tūpuna who first arrived in Aotearoa, and how we did things and behaved. Furthermore, the Crown should continue to acknowledge that every Iwi and Hapū has distinct tikanga ways of expressing our identity. The idea of *tinorangatira*, Māori have the authority to exercise control over their identity, culture, and belonging without being required to justify or explain their status as Māori to any person, organisation, or institution. Therefore, I am Māori, and that is enough.
- (c) **Wai 113C** – Identity is expressed through lived practices and actions that give effect to the Māori worldview. Māori daily norms, including knowledge structures, kawa (ancient lore), and tikanga (right way of doing things), have preserved our identity. However, the Crown has marginalised and ignored this. These are not just cultural expressions; they are foundational to Māori ways of being. Despite this, Crown systems have often disregarded or excluded these practices, dismissing them as irrelevant. This breaches the Crown's obligation under the Treaty to actively protect and give effect to Māori identity in Government, undermining *tinorangatira*.

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Waitangi Tribunal

16 Jul 25

Ministry of Justice  
WELLINGTON

**HOW DO WE DEFINE OR UNDERSTAND THE CONCEPT OF 'CULTURE WITHIN THE INQUIRY?'**

- (a) **Wai 1837** – As Māori, culture is our right to choose and the freedom to be ourselves, free from Western frameworks that define or restrict our cultural values. It is the ability to live according to our own tikanga, speak our own language, uphold our whakapapa, maintain our spiritual and physical connection to our whenua, and preserve the relationships between whānau, iwi and hapū. It is about being Māori and who we are. What sets us apart as Māori is our culture. Therefore, we deserve full recognition and respect, not as a set of customs, but as a living expression of who we are.
- (b) **Wai 113C** – Culture works not only at a community level but also through institutions, legislations, and policies. These structures have been imposed through a Western framework with no recognition of mātauranga Māori. The underfunding and under resourcing of mātauranga Māori across institutions, government sectors, and public services is a clear indication of this lack of acknowledgement. The Crown have developed structures and processes that are not only misaligned with Māori cultural norms, but often stand in direct conflict with them. Culture is not separate from identity, culture is identity. When culture is undermined and ignored, so too is the right of Māori to be who we are on our own terms.

**THINK BROADLY ON WHAT THEY BELIEVE SHOULD HELP FORM OUR UNDERSTANDING OF WHAT 'CULTURE' AND 'IDENTITY' MEANS OR INCLUDES WITHIN THE SCOPE OF THIS INQUIRY.**

- (a) **Wai 88/89** – Māori culture and identity are based on the principles of Hauora (holistic), Whakapapa (interconnected), and the dynamic aspect of being Te Ao Māori. However, colonisation and Western framework have deeply disrupted these foundations, often marginalising Māori identity in favour of systems that lack cultural grounding themselves. As a result, this has led to continued undermining of Māori culture in an effort of Western framework to gain control. Despite this, Māori continues to express their identities through language, tikanga, and cultural practices. At the heart of identity and culture, is the right to self-determination, and that must be protected and upheld.

**DISCUSS WHAT, IF ANYTHING, MIGHT NEED TO BE ADDRESSED TO THE SCOPE.**

- (a) **Wai 113C** – Our own Arts, Culture and Heritage: This includes the acknowledgement of tohungatanga in rāranga (all forms of weaving), whakairo (all forms carving), tukutuku, kōwhaiwhai, waka and whare building, Pātaka kai, taonga making, poi, taitaha, Te Ao Māori visual arts and traditional instruments such as pūtōrino, pūkaea, pūtātara, and kōauau. Despite their cultural significance, there remains a lack of sustained funding, and institutional support.

This undermines the role of the arts in affirming Māori identity, revitalising mātauranga, and ensuring intergenerational cultural transmission.

Recognition of our ancient knowledge systems: The Crown's ongoing assimilation have marginalised mātauranga Māori, our distinct knowledge systems. Central to these systems are the traditional Whare Wānanga, which upheld intergenerational learning, tohungatanga on Māori lore, pūrākau (legacy stories), and whakapapa Orokohanga (ancient genealogies and creation whakapapa). The exclusion of these systems has contributed to the erosion of Māori identity and cultural autonomy. Recognition and restoration of these traditional knowledge systems is essential to resisting further assimilation and ensuring the survival and flourishing of Māori identity.

Traditional Māori practices related to food, resource management and environmental practices: Practices such as kōhi kai (gathering food practices), tikanga kai (lore and practices around food), mara kai, and Pātaka kai, (harvesting, and storage methods) have been marginalised or replaced by Western systems that fail to reflect Māori values. Cultural practices such as fishing, kaimoana, ruku moana (diving), birding, eeling, fish trap building, forest harvesting, waka and whare building have also been restricted and redefined through legislation, limiting Māori autonomy over own sustainable practices.

Māori social, economic, and cultural structures: Systems, processes and norms; erosion of our Papakainga, kaitiaki whenua, kaitiaki ngahere, kaitiaki moana, Kaitiaki wai. Te mana o te wai (traditional knowledge and practices pertaining to waterways and rivers, and usage and access to these waterways) for traditional practices of tohi ceremonies, pure, watea cleansing processes. Furthermore, Māori games, sports and waiata, each with their own forms, and spiritual significance. These have been marginalised or reshaped within Western paradigms, diminishing their original purpose and value.

Tohungatanga and Māori health practices: The undermining of Tohungatanga and rongoā Māori, including practices such as mirimiri, romoromi, Karakia, and traditional use of flora and fauna. These practices, once central to daily life in Pāpākainga and wharenuī. Traditional knowledge around oranga hinengaro, matekite, koputanga (birthing), have been marginalised through institutional structures, and decision-making processes, undermining Māori identity and cultural practices.