



**BRIEFING PAPER**  
on the forthcoming  
**NATIONAL ACTION PLAN**  
**AGAINST RACISM**

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*Cover photograph of sunrise above Lake Te Anau in Fiordland National Park, by Tomas Sobek, CC BY 2.0.*



# BRIEFING PAPER on the forthcoming NATIONAL ACTION PLAN AGAINST RACISM

Developed by anti-racism practitioners from across Aotearoa  
at a hui at AUT South Campus on March 27, 2021. *Photo: Denis Came-Friar.*



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# EXECUTIVE SUMMARY

## Tēnā koutou

We speak to you as a collective of experienced anti-racist practitioners. In March 2021 we gathered to kōrero about anti-racism, to feed into the proposed national action plan.

The Christchurch mosque shootings in March 2019 reminded everyone that racism is well-established in our people, our institutions, and in a national culture that was built on colonial injustice. As we discuss below, Tangata Whenua continue to experience chronic and acute racism, as do other racialised communities within Aotearoa.

At the heart of our kaupapa lies a call to fulfil the commitments made under Te Tiriti o Waitangi. Likewise, it is past time that our commitments under the UN Convention for the Elimination of Racial Discrimination (1966) are similarly fulfilled.

In the briefing paper below we raise a number of issues which we believe should be included in a national action plan to address racism. Our society cannot afford decades more of ad hoc and short-term interventions – and thus remain non-compliant with our treaties – however well-meaning these programs may be.

We encourage you to read our work closely and with care. We would like to highlight the following key recommendations:

- 1. We continue to call on** the government to develop and implement a national anti-racism plan.
- 2. This initiative** must be guided by the experiences of all groups targeted by racism while being led by Tangata Whenua and grounded in tikanga and Te Tiriti o Waitangi.
- 3. Essential** to this process will be the government's active participation and resourcing of constitutional discussions such as those raised by the Matike Mai movement and the He Puapua advisory group.
- 4. Any plan** must be cognisant of intersectionality to ensure that issues such as poverty and immigration status do not continue to aggravate the effects of racism.
- 5. All these goals** will require a centralised source of evidence and expertise and this should include the creation of a national clearing-house of anti-racist research and other measures such as specific job protections for racism whistle-blowers.
- 6. Such knowledge** must inform a range of new evidence-based policies and national campaigns such as new OSH regulations and the roll-out of a national bystander training program.
- 7. We call on** the government to establish far higher standards for Crown agency compliance with Te Tiriti o Waitangi and to enforce new models of accountability for racist behaviour on the professional and institutional levels.

We offer you our following collective reflections and recommendations.

# 2 GLOSSARY

**Cultural racism** - Negative attitudes and practices about the culture and lifestyle of a racialised minority culture, and the marginalisation of that minority culture and its efforts to define itself by a power culture. Examples in Aotearoa include valuing English over Te Reo and assuming western knowledge to be superior to mātauranga Māori and other Indigenous knowledge systems.

**He Whakaputanga o te Rangatiratanga o Niu Tirene, or He Whakaputanga** – First drafted in 1835, this Declaration of Independence asserted that mana (authority) and sovereign power in Aotearoa resided fully with hapū, and that foreigners would not be allowed to make laws.

**Kāwanatanga** – Government. Referred to in article 1 of Te Tiriti; Māori signatories understood this to mean that the British would have the right to set up government over the settlers only, not over Māori.

**Koro** – Male elder/s

**Kuia** – Female elder/s

**Mahi pono** – Honest work

**Manaaki** – To show respect and care

**Mana motuhake** – Autonomy, self-determination

**Mauri** – Life force, vitality of a being or entity

**Ōritetanga** - Equality

**People of colour** – A term encompassing Indigenous peoples and other populations facing racism from dominant cultures.

**Pou** – Pillar

**Racialised** – People and communities singled out for racist treatment on the basis of real or imagined characteristics

**Rangatira** - Leaders

**Tamariki** – Children

**Tangata** – People, hence Tangata Tiriti, people of Te Tiriti

**Tika** – Right, just, correct

**Tino rangatiratanga** - Sovereignty

**Wairua** – Spirit

**Whakamana te tangata** – Give authority to, empower the people

**Whakapapa** – Genealogy, lineage

**Whakatika** – To correct or rectify

**Whānau** – Family/ies

**Whanaungatanga** – Building and strengthening relationships and connections

**Whenua** – Land

**White supremacy** – Any system of beliefs, assumptions, laws and principles that maintain direct domination by white people and/or support racist colonial assumptions that white people or culture are superior. It refers to white domination across different dimensions – such as the political, economic, cultural, cognitive-moral and somatic.



# 3 BACKGROUND

1. United Nations. (1966). *International Convention on the Elimination of all Forms of Racial Discrimination*. New York, NY: Author.
2. United Nations. (2007). *Declaration on the Rights of Indigenous Peoples*. New York, NY: Author.
3. Cormack, D., Harris, R., & Stanley, J. (2020). Māori experiences of multiple forms of discrimination: Findings from Te Kupenga 2013. *Kotuitui: NZ Journal of Social Sciences*, 15(1), 106-122. doi:10.1080/1177083X.2019.1657472
4. Moewaka Barnes, H., & McCreanor, T. (2019). Colonisation, hauora and whenua in Aotearoa. *Journal of the Royal Society of New Zealand*, 49(sup1), 19-33. doi:10.1080/03036758.2019.1668439
5. Crothers, C., & O'Brien, T. (2020). The contexts of the Christchurch terror attacks: Social science perspectives. *Kotuitui: NZ Journal of Social Sciences*, 15(2), 247-259. doi:10.1080/1177083X.2020.1746364
6. Song, J., & McDonald, C. (2021). Experiences of New Zealand registered nurses of Chinese ethnicity during the COVID-19 pandemic. *Journal of Clinical Nursing*, 30(5/6), 757-764.
7. Paradies, Y., Ben, J., Denson, N., Elias, A., Priest, N., & Pieterse, A. (2015). Racism as a determinant of health: A systematic review and meta-analysis. *PLOS One*, 10(9). doi:10.1371/journal.pone.0138511
8. Smith, C., Tinirau, R., Rattray-te Mana, H., Tawaroa, M., Mowewaka Barnes, H., Cormack, D., & Fitzgerald, E. (2021). *Whakatika: A survey of Māori experiences of racism*. Whanganui, NZ: Te Atawhai o Te Ao Charitable Trust.
9. Commission on Social Determinants of Health. (2008). *Closing the gap in a generation: Health equity through action on the social determinants of health*. Geneva, Switzerland: World Health Organization.
10. Marriott, L., & Sim, D. (2014). *Indicators of inequality for Māori and Pacific people* [Working paper 09/2014]. Wellington, NZ: Victoria University.

Racism remains a normalised part of New Zealand society, despite the existence of Te Tiriti o Waitangi and the government's endorsement of human rights treaties such as the United Nations' Convention on the Elimination of all Forms of Racial Discrimination (CERD)<sup>1</sup>, and the UN Declaration of the Rights of Indigenous Peoples (UNDRIP)<sup>2</sup>.

Cormack, Harris and Stanley<sup>3</sup> in a recent analysis of the Māori social survey found that Māori reported experiencing multiple forms of discrimination in their lifetimes and specifically within the last year. Their findings confirmed a pattern of racism that began at contact, was entrenched through colonisation<sup>4</sup> and remains a deep-seated, persistent breach of human rights. On March 2019, a white supremacist killed 51 people in a raced-based attack on a mosque in Christchurch<sup>5</sup>. During the initial Covid-19 outbreak, Asian New Zealanders experienced a spike in racial discrimination fuelled by xenophobia<sup>6</sup>. In multiple forms, targeting numerous groups, racism remains embedded in our interpersonal relations, hegemonic national narratives, and social institutions, including the education, criminal justice and health systems, as well as our constitutional and governance arrangements.

Furthermore, by advancing attitudes or actions that are driven by hate, such racial aggression contributes to a cultural climate in which other forms of discrimination are normalised and enabled – to the detriment of every other marginalised or intersectional group.

International and local research demonstrates the detrimental impact of discrimination and racism on physical and mental health.<sup>7,8</sup> The WHO Commission on the Social Determinants of Health<sup>9</sup> includes racism and discrimination among the key modifiable determinants of health. The outcomes of racism are manifest in the significant and enduring disparities in health, economic and social well-being between Māori and non-Māori.<sup>10</sup>

Aotearoa has a generic national human rights plan and a range of ad hoc strategies and interventions that attempt to deal with inequities between various population groups. However, this weak framework falls far short of the aspirations of the UN for its members.

*CERD 1(2) maintains state parties should pursue the end of racism through all appropriate means and without delay.<sup>1</sup>*

Although New Zealand was commended by the World Conference against Racism and the Durban Review Conference, CERD in their concluding observations<sup>11,12</sup> note that our government continues to lack a coherent national strategy to eliminate racism.

A national plan to end racism could provide a much-needed focus for government, institutional and civil society action. It could intensify progress towards the ending of racism, establish a monitoring/accountability system and mobilise efforts to uphold Te Tiriti o Waitangi.

To this end, in 2015 Came and McCreanor<sup>13</sup>, recognising the need for a national action plan, developed four evidence-based pathways that could inform a national anti-racism strategy. These pathways were: i) address historical racism, ii) improve racial climate, iii) pursue equity by enacting systems-change interventions in public institutions, and iv) mobilise civil society for collective impact. Came, Baker, and McCreanor<sup>14</sup> also advocated for constitutional transformation aligned to the ground-breaking Matike Mai Aotearoa report of 2016.<sup>15</sup>

In March 2021, a group comprising STIR: Stop Institutional Racism and the New Zealand Public Health Association called a national gathering to revisit what should be included in a national anti-racism strategy. Approximately 75 people gathered at Auckland University of Technology South Campus on March 27. The gathering was structured around three streams: Tangata Whenua, Tangata Tiriti (Pākehā), and Tangata Tiriti (Tauīwi of colour). Each caucus gathered to provide input on tangible ideas that could strengthen anti-racism efforts to reduce, marginalise and eliminate racism.

Tangata whenua refers to the people of the land; the Indigenous people of Aotearoa. The broad term Tangata Tiriti refers to all people who reside in Aotearoa under the provisions of Te Tiriti o Waitangi. The first group to arrive in large numbers were settlers from Europe and specifically the British Isles. Groups of Chinese were also early arrivals to Aotearoa. Tangata Moana – those of Pacific descent – have longstanding whakapapa connections with Māori that predate Te Tiriti and are also informed by Te Tiriti.

The term Pākehā initially referred to all non-Māori, but over time it has been appropriated to refer primarily to settlers of British or European descent. Pākehā are the numerical and politically dominant group at this time and have unique experiences as the beneficiaries of racism and colonisation. Many anti-racist activists uphold the aspirational definition of Pākehā given in a quote by elder Mitzi Nairn:

*We need to be the Pākehā that Māori wanted us to be when Te Tiriti o Waitangi was negotiated with good will.*

11. Committee on the Elimination of Racial Discrimination. (2017). *Concluding observations of the CERD on New Zealand* (CERD/C/NZL/CO/17). Geneva, Switzerland: United Nations, Office of the High Commission for Human Rights.

12. United Nations. (2014). *Developing national action plans against racial discrimination*. Geneva, Switzerland: Author.

13. Came, H., & McCreanor, T. (2015). Pathways to transform institutional (and everyday) racism in New Zealand. *SITES: A Journal for South Pacific Cultural Studies*, 12(2), 1-25.

14. Came, H., Baker, M., & McCreanor, T. (2021). Structural racism, constitutional transformation and the New Zealand health sector: Learnings from the Matike Mai Aotearoa report. *Journal of Bioethical Inquiry*, 18(1), 59-70. doi:10.1007/s11673-020-10077-w

15. Matike Mai Aotearoa. (2016). *He whakaaro here whakaumu mō Aotearoa*. New Zealand: Author.



The term *Tauiwi* is a more recent one and it captures the multi-cultural diversity of contemporary Aotearoa. It is an inclusive term that encompasses all non-Māori with a connection to this land. Many within the *Tauiwi* group are people of colour who have their own extensive lived experiences of racism. On the day, our *Tauiwi* of colour caucus was relatively small and sadly did not include any Pasifika members.

This report was collated by Grant Berghan, Leah Bain, Maria Baker, Manjeet Birk, Heather Came, Isla Emery-Whittington and Garrick Rigby. We did our best to capture the amazing *kōrero* on the day. Two things stand out:

**Racism is a denial of freedom and undermines our potential to flourish. We cannot be ambiguous in the face of it. It is not knowing what is right that counts; it is the doing what is right that counts. Grant Berghan (2021).**

**Anti-racism for the purposes of this briefing paper is the art and science of naming, reducing, disrupting, preventing, dismantling and eliminating racism. It takes a multiplicity of forms but centres around solidarity with those targeted by racism, an analysis of power and a commitment to reflective, transformative practice. In the context of Aotearoa it involves engagement with *te Tiriti o Waitangi*.**

# 4 INTRODUCTION

Racism is a violent disruption to human rights that can cause material, physical, emotional and spiritual harm. It is an often deadly combination of prejudice plus power and a key social determinant of health and wellbeing. It involves one group of people being privileged while another is disadvantaged. It can involve intergenerational discrimination, marginalisation, hatred, violence and the denial of access to goods, services and opportunity. It can involve both action and inaction in the face of need, as well as structures, policies, narratives and practices that produce and maintain injustice on the basis of race, ethnicity or religion. Racism is pervasive, and harmful, but fundamentally modifiable and amenable to elimination.

Colonisation, like slavery and genocide, is an extreme form of racism with lasting long term effects. Underpinned by white supremacist ideology, colonisation involves the supplanting of Indigenous systems by those of the coloniser. In the context of Aotearoa, British colonisation disrupted existing social, economic, political, health, education and justice systems while acting to marginalise Indigenous knowledge, traditions and practices.

Māori are Tangata Whenua; the sovereign, Indigenous people of this land. Contracts with Britain made in the 1800s, particularly He Whakaputanga o te Rangatiratanga o Niu Tīrene and Te Tiriti o Waitangi, set out to negotiate and agree upon the relationships between Tangata Whenua and British settlers. The British Crown was guilty of multiple horrific and deliberate breaches of Te Tiriti – including invasion, warfare and confiscation – driven by power, greed and racism. In the contemporary context such breaches are often expressions of institutional racism. Pākehā have been the primary beneficiaries of Te Tiriti breaches, accruing many advantages including population dominance, 96 percent of Māori lands, political control, economic power, and cultural dominance. Racism is unacceptable and an entirely preventable determinant of wellbeing.

This paper combines analysis and recommendations from the caucuses at the hui by theme in sections, and ends with final words from each caucus.

# VALUES TO INFORM ANTI-RACISM

Effective anti-racism practice needs to be informed by values. The Tangata Whenua caucus identified the following principles as pou to guide anti-racism in this whenua.

**Table 1: Values to inform anti-racism in Aotearoa**

Values	Descriptors
<b>Wairua</b>	<b><i>Influence, impact and discomfort of racism occurs at a spiritual level,</i></b> The system we seek to dismantle is deeply rooted in a non-Māori architecture embedded by generations of racist and discriminatory thoughts / beliefs / actions against Māori. The malign energy of racism (spoken or unspoken) within organisations, locations, and people is easily discerned and felt by Māori. The sustainability of anti-racism praxis requires ongoing collective healing processes.
<b>Tangata</b>	<b><i>Dismantling racism is often inter-personal.</i></b> The initiation and maintenance of social change requires the recognition and capacity to address and monitor power imbalance. Power is held by people in systems and structures that are curated by people. As such, anti-racist praxis involves internal and interpersonal actions. Any ambiguity, confusion or inaction in the face of persistent harm and insult is therefore collusion with racism. If we act consciously, we evolve consciously.
<b>Mana</b>	<b><i>Mana-enhancing anti-racist praxis is an antidote to and opposite to racism.</i></b> Through respectful acknowledgement of the mana in everyone, everyone's mana is enhanced. The purposeful creation of opportunities to enhance mana is a necessary aspect of upholding shared values and realising the potential of everyone to be anti-racist. Mana is the enduring, indestructible power of the atua and is inherited at birth. Mana goes hand in hand with tapu, one affecting the other.
<b>Reo</b>	<b><i>Language of anti-racism praxis.</i></b> Language is a power that builds community through shared experience and understanding. As well, every kupu and word has mauri and particular energy. The Tangata Whenua framing of anti-racist praxis requires careful and responsive means of communication.
<b>Tikanga</b>	<b><i>Tikanga is grounded in the notion of doing what is tika and proper and intrinsically related to Māori values.</i></b> The levers of institutional racism – legislation, policy, operating systems – can be disrupted utilising tikanga in process and policy. Commitment to the wellbeing of those harmed by colonisation and racism is tika.
<b>Mahi pono</b>	<b><i>There is much work to do to disrupt racist systems.</i></b> Anti-Māori racist practices and systems require transformational thinking, strategy and implementation. The sustainability and manaaki of the workforce is central to the mahi.
<b>Rangatiratanga</b>	<b><i>The right to self-determination.</i></b> Māori will continue to exercise this right as it nourishes our wairua, strengthens us as tangata, enhances everyone's mana, evolves reo, manifests tikanga and is expressed through mahi pono. Rangatiratanga necessitates an embrace of responsibilities and a commitment to achieve our shared goals in ways that weave all communities together.

# HE MAHI TE ĀTA NOHO

Ko Te Kore, Ko Te Pō , Ko Te Ao, Ka Awatea, Ko Te Ao Mārama , Tihei Mauri Ora.

Ahakoā ngā pūnaha kaikiritanga, me te rere o te pohēhētanga o te kaikiri, ka taea e ngāi tātou tangata whenua Māori me ngā tini ngohe whakawera ki te hopu me arohaehae ngā momo āhua , rapua kōrero taupā, whakatūngia ngetahi rautaki rā nō hoki, ki te ārai atu te hē tā te kaikiri kūwaretanga . I whakatewhatewha, i rangahaua, i wānangahia kei roto i te ihirangaranga roopu Māori, ā, ka areare te kounga ō ngā rongoā kei roto. Koianeī ngētehi puna rongoā e koropupū ana tonu, ngētehi huarahi ruarua hei whakamana, whakarauora, whakatiketike hoki Te Tiriti o Waitangi i waenga ngā pūnaha katoa o te motu.

## **Development and implementation of a national anti-racism plan**

The national anti-racism action plan is important to us as people targeted by racism, as anti-racism practitioners and indeed as progressive citizens in Aotearoa. We encourage those with responsibility for developing the plan to be critical, constructive, transformative and transparent in their process, mindful of He Wakaputanga, Te Tiriti, UNDRIP, UNCERD and Matike Mai, along with tikanga and mātauranga Māori as expressed in local mana whenua. As Tangata Tiriti (and more specifically tangata kāwanatanga!) we are interested stakeholders and our honour as fair and just upholders of these agreements and conventions is at issue; we want to know how the plan is being developed, who is involved, how were they selected, and who is drafting it.

A review of the literature<sup>16</sup> shows five key benefits to embedding accountability and transparency, including: “better budget utilisation; improved service delivery; greater state responsiveness to citizens’ needs; the creation of spaces for citizen engagement; and the empowerment of local voices” (p.10). Transparent practices achieve better results, and maintain community engagement in successful development, implementation and evaluation.

Anti-racism work requires accountability and transparency to the communities who are most directly impacted by the imposition of an overlay of western culture upon the peoples of Aotearoa. We will welcome a transparent system of accountability for the anti-racism action plan, including:

- Clear implementation milestones with tangible and actionable solutions for Māori, Pasifika and migrant communities.

**16.** Gaventa, J., & McGee, R. (2013). The impact of transparency and accountability initiatives. *Development Policy Review*, 31(s1), s3-s28. <https://doi.org/10.1111/dpr.12017>



- An independent monitoring body to oversee implementation with transparent nomination structures.
- Transparency around investment of social, cultural, and fiscal capital in anti-racism.
- A consideration of and commitment to equitable access to engagement in government mandated and funded anti-racism planning. For example, funds that can provide access for single parents through free and accessible childcare at programme venues, which will remove additional barriers to participate in meetings, consultations and training opportunities.
- Acknowledgement and mindfulness of the government's role in perpetuating and maintaining racism.

# WHAKAMANA TE TANGATA

A Kaupapa Māori theory of change could usefully guide and support this work. Based on tikanga Māori, underpinned by Māori values, and predicated on Māori notions of tino rangatiratanga and mana motuhake, a Kaupapa Māori theory of change could illuminate the priorities and the tika processes required to achieve a vision of an Aotearoa that is free from racism. This work needs to be mandated and endorsed by Māori throughout Aotearoa. To this end Matike Mai<sup>17</sup>, painstakingly developed through hundreds of hui held throughout the country in the years preceding the publication of the report in 2016, provides a powerful exemplar of what is needed.

## He tangata, he tangata, he tangata

*Fighting racism is like building an army. To fight racism we need an army of our people. Linda Thompson.*

Regardless of the ongoing and persistent impacts of colonisation, there is a long history of Māori resistance to it, with initiatives including armed defence, development of alternative institutions and practices, adaption of new technologies and growing economic independence, along with kaupapa Māori education, health services, arts and technology developments. Generations of Māori have suffered the indignities and long-term consequences of colonisation and racism. The costs have been terrible, and the legacy of the constant undermining of a people are manifest in the enduring disparities between Māori and non-Māori in this country. Despite this, Māori have persisted, survived, and grown but there is much work to be done to deconstruct a system that has been intentionally built to harm Māori and other members of our society.

In deconstructing the system, and building a new one, consideration must be given to building a system that not only sustains and affirms Māori but enables Māori (and others) to flourish. Paulo Freire<sup>18</sup> has pointed out that decolonisation involves both coloniser and colonised embracing change, and entails different pathways for the different groups, which here might be characterised as Māori advancement and settler development. Within the Matike Mai framework, this can be characterised as work respectively within the Tino Rangatiratanga sphere and the Kāwanatanga sphere, so that justice and fairness prevails in the shared Relational sphere in which society as a whole is constituted.

It is not for Māori to take the weight of this burden alone – Māori have carried that for too long already. It is for Tauīwi brothers and sisters to take that weight. Together we must use this dreadful journey as a

17. Matike Mai Aotearoa. (2016). *He whakaaro here whakaumu mō Aotearoa*. New Zealand: Author.

18. Freire, P. (1970). *Pedagogy of the oppressed*. New York, NY: Continuum.

means to instruct ourselves to be better than what we currently are. For anti-racism gains to be achieved and sustained over time within organisations, there is need for a critical mass of workers who are familiar with the art and science of anti-racism. Pathways need to be developed to train people in this field to have the political and cultural competencies<sup>19</sup> to disrupt racism. Workers fluent in anti-racism need to be recruited and well placed within organisations so that existing staff can be supported to build site-specific (and universal) competencies, cultures and practices, which supplant the underlying ideology of white supremacy.

## RECOMMENDATIONS

- Appoint an anti-racism taskforce to develop a co-ordinated approach to build an anti-racist-competent workforce, which includes Māori and those targeted by racism, as well as Pākehā who hold unique expertise in working with their own communities.
- An anti-racism curriculum might include:
  - He Whakaputanga o te Rangatiratanga o Niu Tirene
  - Te Tiriti o Waitangi
  - The colonial history of Aotearoa and the breaches of Te Tiriti
  - Institutional, cultural and personally-mediated racism
  - White privilege and cultural safety
  - Structural analysis
  - Decolonisation.
- Strengthen efforts to educate new and established migrants about Te Tiriti o Waitangi.

19. Came, H., & da Silva, S. (2011). Building political competencies for the transformation of racism in Aotearoa. *Kotuitui*, 6(1-2), 113-123. doi:10.1080/1177083X.2011.615332

20. United Nations. (2007). *Declaration on the Rights of Indigenous Peoples*. New York, NY: Author.

21. Charters, C., Kingdom-Bee, K., Olsen, T., Ormsby, W., Owen, E., Pryor, J., . . . Williams, G. A. (2019). *He puapua: Report of the working group on a plan to realise the UN Declaration on the Rights of Indigenous Peoples in Aotearoa/New Zealand*. Wellington, NZ: Te Puni Kōkiri.

## Declaration on the Rights of Indigenous Peoples

New Zealand has been a signatory to the Declaration on the Rights of Indigenous Peoples (DRIP)<sup>20</sup> since April 2010. This Declaration established a universal framework of minimum standards for the survival, dignity and well-being of Indigenous peoples. It elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous peoples. It turns on transparency and the fully-informed consent of Indigenous peoples in the development of their territories, material and human resources. It also entails comprehensive reparations and compensation for breaches of its protections of property, peoples and potentials. An expert advisory group in 2019 drafted He Puapua<sup>21</sup>, a national roadmap to support the implementation of the Declaration.

## RECOMMENDATION:

- That the government endorse the recommendations in *He Puapua* and urgently resource its implementation.

## Addressing intersectionality

Kimberlé Crenshaw<sup>22</sup> first coined the term intersectionality. It acknowledges that people of colour do not live with a singular identity as racialised, but rather experience multiple, simultaneous forms of oppression through interlocking forms of power. Intersectionality therefore acknowledges the impacts of gender, class, age and ableism on Māori and other racialised populations, and the ways in which people of colour experience systems such as law<sup>23</sup> and education.<sup>24</sup>

Because racism is intersectional, racialised communities are more likely to live and die in poverty. Māori and Pasifika children continue to be more likely to live in low-income households with material hardship. Māori (19.5%) and Pasifika (26.1%) children were also more likely to live in households without six or more of the 17 basic needs, compared with the national average of 11.3%.<sup>25</sup> Poverty is a modifiable social determinant of health, which impacts on educational outcomes and can disassociate families from communities.

To address the harmful effects of racism there must be a stronger commitment to ending poverty. This commitment must address the complicating factors associated with systemic cycles of poverty that are inflamed by racism. Action needs to be more than a superficial headline and include tangible solutions that will support children and their families. In June 2020, Statistics NZ showed that the improvement in child poverty statistics to date has been minimal. Critics have suggested the current government policies are insufficient in meeting the targeted goals.<sup>26</sup>

We call on the government to increase investment by providing wrap-around resources to address income inequality in Māori, Pasifika and migrant communities. This includes extending the free lunches in schools programme, ensuring whānau access to communications technologies, and committing funding for updating playgrounds in schools. The widespread introduction of a living wage<sup>27</sup> would also help lift families out of poverty.

Immigration and migrant labour practices continue to influence the demographics of Aotearoa and determine who is entitled to entry to this country. This creates unfair and unequal advantages based on factors like education and socio-economic status.<sup>28</sup> Current policy is considered by affected communities to be insufficient and racist.<sup>29</sup> These inequities have been heightened during the COVID-19 pandemic that has closed borders and only allowed access to New Zealand citizens, despite immigration standing or history.

For example, New Zealand visa holders who had been working in the country, with homes and livelihoods, were denied entry into the country when the borders closed because they did not have residency or citizenship. This happened quickly, and those with precarious

22. Crenshaw, K. (1989). *Demarginalizing the intersection of race and sex: A Black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics*. University of Chicago Legal Forum, 139-167.

23. Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, 43(6), 1241-1299.

24. Ladson-Billings, G. (1998). Just what is critical race theory and what's it doing in a nice field like education? *International Journal of Qualitative Studies in Education*, 11(1), 7-24. doi:10.1080/095183998236863

25. Statistics NZ. (2021). *Latest release of child poverty statistics - corrected*.

26. McClure, T. (2021, 20 May). *Ardern makes good on child poverty promise, but a long road lies ahead*. *The Guardian*.

27. Living Wage Aotearoa. (2020). *Living wage*.

28. Simon-Kumar, R. (2015). Neoliberalism and the new race politics of migration policy: Changing profiles of the desirable migrant in New Zealand. *Journal of Ethnic & Migration Studies*, 41(7), 1172-1191. doi:10.1080/1369183X.2014.936838

29. Andelane, L. (2021). *Concerns for migrant workers, temporary visa holders as govt's immigration overhaul slammed as 'racist'*. *Newshub*.



status were not given the opportunity to re-enter the country before the border closed. This reality remains as the border closure is still in place, with no clarity about when the borders will reopen. This is further complicated by legislation that has barred entry for Indian and Pakistani nationals since April 2021, due to the worsening COVID-19 reality in South Asia.

In addressing these issues of racial discrimination and exploitation, a crucial role could be played by the introduction of Tangata Whenua co-governance in the sphere of immigration. To support each group in their common experiences of racial discrimination, while also alleviating any superficial antagonisms driven by disenfranchisement between them, we recognise that migrant communities may benefit if the injustice and exploitation they encounter were addressed with greater Tangata Whenua leadership.

Given the intersectional realities that contribute to the lives of racialised New Zealanders, intersectional factors need to be minimised.

### **RECOMMENDATIONS:**

- A stronger commitment and detailed action plan with clear timelines for ending poverty.
  - Extending free lunches in school programmes
  - Ensuring whānau access to internet services and communications technologies
  - Commit all Crown departments, agencies and their contractors to a living wage policy.
- An overhaul of the immigration system that addresses the inherent biases in the different categories.
- A review of government funding within ethnic communities of colour.

# TE TIRITI O WAITANGI AND CONSTITUTIONAL TRANSFORMATION

Te Tiriti o Waitangi (Te Tiriti – the Māori text) confirms Māori tino rangatiratanga over Aotearoa and establishes the terms and conditions of Tangata Tiriti settlement in this land. Any national action plan to end racism needs to centre a strong commitment to honouring Te Tiriti. Such a commitment statement and plan needs to be co-created with Māori, and include specifics about how each element of Te Tiriti will be addressed separately and as an entirety. This needs to form a substantive part of the national action plan.

To eliminate racial discrimination in Aotearoa we need to see i) constitutional transformation; ii) a commitment to Te Tiriti o Waitangi (the Māori text); and iii) Te Tiriti compliance across Crown agencies.

## Constitutional transformation

In colonial settings, constitutional arrangements often serve to legitimate the significant structural racism and violence of colonisation. Once Indigenous people become a minority within their own country, governance structures often serve to entrench the power of the colonisers. The Waitangi Tribunal<sup>30</sup> ruled that Māori did not cede sovereignty to the British in signing Te Tiriti o Waitangi in 1840. Our constitutional arrangements are therefore based on the false assumption of unitary (British) parliamentary sovereignty.

The Committee on the Elimination of All Forms of Racial Discrimination<sup>31</sup> (p. 4), in their concluding observations on the State party report on compliance with CERD<sup>32</sup>, recommended that the New Zealand government issue, without delay, a timetable for debating the recommendations of the Constitutional Advisory Panel<sup>33</sup> regarding the role of Te Tiriti o Waitangi in the constitutional order, alongside the proposals from Matike Mai Aotearoa<sup>34</sup>. To our knowledge this has never occurred.

The Matike Mai Aotearoa report was the product of a widespread constitutional conversation, led by Margaret Mutu and Moana Jackson and instigated by the National Iwi Chairs Forum. Derived from more than 300 hui, it attempted to articulate what a future might look like that centred He Whakaputanga, tikanga and Te Tiriti. Mutu<sup>35</sup> (p. 6) has argued “after 178 years of struggle against our oppressors, it is clear that only constitutional transformation will free us from suffocating colonisation”.

Constitutional transformation could provide the foundations for Te Tiriti-compliant legislation, policy and practice within the public sector. Came, Baker and McCreanor<sup>36</sup> have articulated what this might look

30. Waitangi Tribunal. (2014a). *Te paparahi o te raki* (Wai 1040). Wellington, NZ: Author.

31. Committee on the Elimination of Racial Discrimination. (2017). *Concluding observations of the CERD on New Zealand* (CERD/C/NZL/CO/17). United Nations, Office of the High Commission for Human Rights.

32. United Nations. (1966). *International Convention on the Elimination of all Forms of Racial Discrimination*. New York, NY: Author.

33. Constitutional Advisory Panel. (2013). *New Zealand constitution: A report on a conversation*. Wellington, NZ: NZ Government.

34. Matike Mai Aotearoa. (2016). *He whakaaro here whakaumu mō Aotearoa*. New Zealand: Author.

35. Mutu, M. (2018). Behind the smoke and mirrors of the Treaty of Waitangi claims settlement process in New Zealand: No prospect for justice and reconciliation for Māori without constitutional transformation. *Journal of Global Ethics*, 14(2), 208-221.

36. Came, H., Baker, M., & McCreanor, T. (2021). Structural racism, constitutional transformation and the New Zealand health sector: Learnings from the Matike Mai Aotearoa report. *Journal of Bioethical Inquiry*, 18(1), 59-70. doi:10.1007/s11673-020-10077-w

like within the context of the health system. More academic research and political work needs to be done to conceptualise and resource the implementation of the Matike Mai recommendations.

## RECOMMENDATIONS:

- That the government respond to the call from the National Iwi Chairs Forum by enacting and resourcing the recommendations of the Aotearoa Matike Mai report in full by 2025.
- That more research be undertaken to conceptualise how to implement Matike
- That funding be released to support mass civil society education in relation to constitutional transformation.

## Te Tiriti o Waitangi - the authoritative text

We maintain that Te Tiriti o Waitangi (the text in Te Reo) is the authoritative text that should consistently take precedence over the Treaty of Waitangi (the English version). It has authority because Te Tiriti is what was discussed and signed by more than 500 Māori rangatira, while the English version attracted only 39 signatories. The legal doctrine of *contra proferentem* also applies in the event of disagreement, providing that treaties ought to be interpreted in favour of the non-drafting party, in this case privileging Te Tiriti o Waitangi.<sup>37</sup> Māori were demographically a significant majority at the peaceful time of the negotiation of Te Tiriti in 1840, so were in a strong position to negotiate. In addition, in 2014 through WAI 1040 the Waitangi Tribunal ruled that Ngāpuhi never ceded sovereignty, further reinforcing the importance of Te Tiriti as the authoritative text.<sup>38</sup>

However, in legislation, policy and regulation the New Zealand government persists in referring to the Treaty of Waitangi (the English version), sometimes the Treaty of Waitangi / Te Tiriti o Waitangi, other times the principles of the Treaty of Waitangi and occasionally Te Tiriti. We maintain that Te Tiriti (the Māori text) and the Treaty (English version) are two separate documents that say different things. The first reaffirms Māori tino rangatiratanga as outlined in He Whakaputanga, and the second is widely accepted to mean that Māori ceded sovereignty.

Crown discourse around Te Tiriti including the recent Cabinet circular<sup>39</sup> needs to be consolidated to refer definitively and consistently to the authoritative Māori text. Crown misdirection in referring to both the Treaty of Waitangi and Te Tiriti of Waitangi needs to cease, so that the Crown and Tauīwi can focus on the more critical issue of how we are fulfilling our Te Tiriti obligations. O'Sullivan, Came, McCreanor and Kidd (under review) have undertaken a critical review of a new Cabinet circular posing critical questions that could have strengthened Te Tiriti compliance.

We propose that this reconfiguration also requires the revoking of the Treaty of Waitangi Act 1975, to be replaced with the Te Tiriti o Waitangi Act 2021. This new act would have a cascading impact across all Crown

37. Healy, Huygens, I., & Murphy, T. (2012). *Ngāpuhi speaks*. Whangarei, NZ: Network Waitangi Whangarei, Te Kawariki.

38. Waitangi Tribunal. (2014b). *Te paparahi o te raki* [Wai 1040]. Wellington, NZ: Author.

39. Cabinet Office. (2019). *Te Tiriti o Waitangi/ Treaty of Waitangi guidance*. Wellington, NZ: Author.

legislation, policy, regulation and practice by recentering the Māori text and recognising the importance of WAI 1040, which confirmed that Māori never ceded sovereignty.

We maintain that treaty principles generated by Crown agencies have limited efficacy. Durie<sup>40</sup> outlines a widely held Māori scholarly view that the text of Te Tiriti rather than Treaty principles is the authoritative guide for policy-making. This preference was reinforced in the Waitangi Tribunal's health claims report,<sup>41</sup> where the principles of partnership, protection and participation, widely used within the health sector, were described variously as 'out of date', 'reductionist', and not in keeping with contemporary Māori policy thought.

## RECOMMENDATIONS:

- Refer only to Te Tiriti o Waitangi (the authoritative Māori text) in all government legislation, policies, regulation and strategies.
- Revoke the Treaty of Waitangi Act 1975 in favour of Te Tiriti o Waitangi Act 2021
- Discontinue all reference to "treaty principles".
- Display Te Tiriti (the Māori text) in a prime and permanent position in Te Papa Tongarewa and remove the English version.
- Make Waitangi Tribunal recommendations legally binding.

<sup>40</sup> Durie, M. (1994). Te kawenata o Waitangi: The application of the Treaty of Waitangi to health. In M. Durie (Ed.), *Whāiora: Maori health development* (pp. 82-98). Auckland, NZ: Oxford University Press, p. 85.

<sup>41</sup> Waitangi Tribunal. (2019). *Hauora report on stage one of the health services and outcomes inquiry*. Wellington, NZ: Author.



# DECOLONISING THE DOMINANT NARRATIVE

Colonial ideas and ways of doing things have been normalised within our social institutions, particularly news media and schooling systems. Research<sup>42,43</sup> shows the durability and flexibility of a nationally known ‘standard story’ of Māori-Pākehā relations, which draws on widely-accessible language patterns or themes that constantly denigrate Māori and other racialised communities while they naturalise the status quo. A critical component of this suite of resources is a ‘silent’ theme that articulates the notion of ‘Pākehā as the norm’ – the unspoken standard against which others are measured and judged – through the dominance of the English language, the use of pronouns, cultural tropes, and assumptions about the whiteness of their target audience. Together these discursive forms constitute a hegemonic discourse which is consistent through all levels of racism – internalised, interpersonal, institutional and systemic – and outweighs all others to unfairly and unreasonably impose the settler account as the foundation of colonial life. One consequence of this is that the teaching of colonial history has often been inadequate or absent; a significant silence sending the message ‘nothing to see here’. Many New Zealanders need to learn facts (and/or to unlearn falsehoods) about Te Tiriti, including Te Tiriti breaches and the drivers of ethnic inequities. This lack of knowledge about our history plays a clear role in maintaining the prejudices upon which racial discrimination depends. New Zealanders need both cultural and political competencies to make a positive contribution to race relations.<sup>44</sup>

## Anti-racism and the schooling system

Aotearoa has rich and diverse places and people (settler groups and hapū) among whom there are different stories and perspectives on our history. A national campaign to increase public awareness of our history must avoid reinforcing existing colonial narratives and cultural biases. We advocate for a more place-based perspective in our schooling system as well as in the teaching of the New Zealand wars. We recognise that history is often a site of trauma for Māori and other Indigenous people, so this education needs to be taught with great care and respect. We maintain that any curriculum needs to consider the roots of colonisation and how these roots inform the reality of contemporary racism. It must also consider how to advance decolonisation.

We suggest all education institutions should have a Te Tiriti o Waitangi and anti-racism strategy for their workplaces. This will provide some confidence and accountability around the quality of this specialised

42. Moewaka Barnes, A., Borell, B., Taiapa, K., Rankine, J., Nairn, R., & McCreanor, T. (2012). Anti-Maori themes in New Zealand journalism; toward alternative practice. *Pacific Journalism Review*, 18(1), 195-216. doi:10.24135/pjr.v18i1.296

43. Nairn, R., McCreanor, T., & Moewaka Barnes, A. (2017). *Mass media representations of indigenous peoples*. Auckland, NZ: Shore and Whāriki Research Centre.

44. Came, H., & da Silva, S. (2011). Building political competencies for the transformation of racism in Aotearoa. *Kotuitui*, 6(1-2), 113-123. doi:10.1080/1177083X.2011.615332

education work. Within Te Tiriti and/or anti-racism plans there needs to be clear objectives and timeframes, along with clear measures around accountabilities, consequences, transparency, and ideally, external review. Te Tiriti citizenship is a core competency and responsibility for all New Zealanders. Inaccurate racist colonial histories need to be removed from open-library shelves in schools and rehoused in academic libraries in protected sections for scholars to access.

## RECOMMENDATIONS:

- Ensure the school-based curriculum gives prominence to early and precolonial history, especially the history of He Whakaputanga, Te Tiriti development and the subsequent breaches.
  - Avoid sanitising history
  - Include role models of “honourable” Pākehā and Māori leaders.
  - Prioritise place-based histories
  - Draw on stories and other taonga currently held in the Waitangi Tribunal records
- Ensure there is meaningful compensation for hapū groups for the work of sharing local knowledge and histories with schools and public institutions.
- Include in our curriculum the early and modern histories in Aotearoa of other Tāiwi groups such as Chinese, Indian, Muslim and Pasifika.
- Rehome inaccurate, racist, colonial histories from school libraries to protected collections in academic libraries.
- Commit to addressing anti-racism in school curricula from Year 1.

## Anti-racism and news media

Mass news media were an instrument of racist attack on Tangata Whenua before they even arrived in the country, gathering and spreading negative, and decontextualised accounts of Māori, biased to serve colonial interests, which expanded and accelerated once they were established here. As commercial ventures, news media were critically involved with the creation and maintenance of the settler state, linking populations in small, widely-scattered settlements through common, discursive infrastructures. Newspapers reflected and drove public opinion, creating widely-shared, racist settler narratives, actively promoting white supremacy and anti-Māori sentiment wherever it was seen to impede “progress”.<sup>45</sup> Affiliations with politicians, commerce, the church and other institutions made the news media a communications system by which power, privilege and domination was manifest.

These fundamental characteristics have been adapted to work for settler interests in other news media formats as they became available. Research<sup>46,47,48,49</sup> shows that across all formats, the recognisable features of colonial coverage continue to dominate. Māori are in the first instance radically under-represented in what has been referred to as the ‘symbolic annihilation’ of their identity, rights and interests.<sup>35</sup> In addition, where Māori stories are included, they amount to overwhelmingly negative representations of topics such as illness, failure, crime and death, reinforcing the dismal ‘standard story’ of

45. Ballara, A. (1986). *Proud to be white? A survey of Pakeha prejudice in New Zealand*. Auckland, NZ: Heinemann.

46. Kupu Taea. (2015). *Alternatives to anti-Maori themes in news media*.

47. McGregor, J., & Comrie, M. (2002). *What's news: Reclaiming journalism in New Zealand*. Palmerston North, NZ: Dunmore Press.

48. Rankine, J. (2020). *Affective combat against online racism about Māori*. (Unpublished Doctor of Philosophy). University of Auckland, Auckland, NZ.

49. Spoonley, P., & Hirsh, W. (1990). *Between the lines: Racism and the New Zealand media*. Auckland, NZ: Heinemann Reed.

Māori inferiority that underpins the colonial national narratives of the country. News sources that use this colonial standard story and otherwise express covert racism give implicit permission for racist comments, and have been associated with increased rates of online racist abuse by commenters.<sup>50</sup>

Māori have been actively involved in the production of their own news media since the 1850s and both within and outside of mass news media still continue to resist and counter settler racism. The recent changes within the Stuff organisation, which has published a detailed apology for the racist past of its constituent media channels, was brought about by Māori journalist activism and gave a breath of fresh air to mass news media. However, there is much work to be done to shift the entrenched colonial coverage to a critical emancipatory accounting, one that fairly represents and tells the stories of the diverse communities that make up society.

## RECOMMENDATIONS

- Actively re-invest in Māori news media enterprises to ensure that Māori and diverse other communities can tell their news stories as they need to.
- Support mass news media organisations to shift their practices to produce decolonising discourses of national life.
- Re-regulate the industry to prevent racism and hate speech from continuing to corrode and corrupt equitable social relations and transformations.

50. August, C., & Liu, J. C. (2015). The medium shapes the message: McLuhan and Grice revisited in race talk online. *Journal of Community & Applied Social Psychology*, 25(3), 232–248. doi:10.1002/casp.2212

# BUILD AN ANTI-RACISM CLEARING-HOUSE

To eliminate racial discrimination, we must find accurate ways to monitor its occurrence while also developing academic research to strengthen our understanding of how to disrupt, dismantle and prevent racism. The monitoring of racial discrimination by the Human Rights Commission through Tūi Tūi Tuituiā: Race relations reports appears to have been discontinued in 2014. This means that details about types and levels of racism are collected in an ad hoc manner, rather than systematically by interested academics. We thus lack a comprehensive picture of the problem.

Currently, there is no national clearing house of research into racism/ anti-racism, nor any database of anti-racism programmes and activities across the country. This lack of co-ordination and the duplication of effort leaves us with an incomplete picture of gaps in services, and a lack of evidence about what works in the context of Aotearoa. This disrupts the effectiveness of anti-racism work.

We suggest a clearing house should also have a role in supporting Te Tiriti and anti-racism education. They could support early childhood, primary, secondary, tertiary, workplace and civil society education efforts by providing specialised resources and training. This is urgently necessary to build capacity if we wish to fulfil our CERD responsibilities.

Anti-racism practitioners and community groups are well placed to conduct education work with civil society to strengthen understanding, awareness, knowledge and confidence to engage in anti-racism praxis. This group may also have a role as an independent watchdog on institutional racism enacted by news media, education and health systems as well as local and central government. To date other independent bodies tasked with this role have failed to adequately perform this duty.

## RECOMMENDATIONS:

- Reinstating the Tūi Tūi Tuituiā: Race Relations reports through the Human Rights Commission or another body, engaging with academics and others working in the field
- Resourcing Māori collectives to share and further develop Māori models of anti-racism praxis and theories of change.
- Create a Centre of Excellence for Anti-Racism that is well co-ordinated and resourced, with a diverse leadership structure.
- Establish and resource a national clearing house for racism and anti-racism with a Te Tiriti-based governance structure, which would have a role in -
  - Building anti-racism and Te Tiriti teaching capacity
  - Funding anti-racism work.

# 11 WHAKATIKA

Whakatika is about making that which is not tika, tika again. Whakatika presupposes a vision for the better and reimagines alternate and potentially healing futures. Whakatika spans the smallest of gestures to the broadest of strategies but importantly, whakatika has an unstinting commitment to future generations.

## Te Tiriti compliance across Crown agencies

Decades of Waitangi Tribunal reports show a relentless consistency of Crown Minister and Official involvement in the breaching of Te Tiriti. These breaches are often examples of institutional racism and are highlighted within the landmark *Puao-te-ata-tu* report,<sup>51</sup> and more recently in powerful evidence presented to the [Royal Commission of Inquiry into Historical Abuse in State Care and in the care of Faith-Based Institutions](#).

The behaviours and actions of Crown agencies and Crown officials toward Māori must be open for scrutiny. We need transparency and accountability about Crown practice and investment strategies. Misconduct in relation to racist behaviour – for example, racial profiling – needs to be identified within the system and stopped. When appropriate systems and processes are in place, and training has been provided, if the behaviour persists there will need to be tangible consequences for officials at all levels.

From providing evidence to the WAI 2575 health kaupapa hearings, Came, O'Sullivan and McCreanor<sup>52</sup> developed the tool of Critical Te Tiriti Analysis (CTA) to assess Te Tiriti compliance of policy. Analysis involves a five-stage process of i) orientation, ii) close reading, iii) making a determination against a set of indicators iv) suggestions for strengthening practice and v) Māori final word. This approach involves working with the five elements of Te Tiriti – the preamble, the three written articles and the fourth oral article. In this way, it exposes engagement with each element of Te Tiriti and also allows for an overall assessment. CTA has already been applied to a range of Crown policy documents and has informed evaluation design, curriculum review, and policy development. We believe CTA is a useful tool that will clarify and inform the efforts of Crown agencies to become compliant with Te Tiriti.

Te Tiriti compliance will involve a range of transformed practices, new structures, mechanisms, systems and processes. It might involve the introduction of co-leadership models across the public service. Tangata whenua co-leaders across all senior leadership roles could ensure Māori worldviews are embedded within the public service, that power is shared and that transformative change is sustained. The guidance of

51. Ministerial Advisory Committee on a Māori Perspective for the Department of Social Welfare. (1988). *Puao-te-ata-tu (Day break)*. Wellington, NZ: Department of Social Welfare.

52. Came, H., O'Sullivan, D., & McCreanor, T. (2020). Introducing Critical Tiriti Analysis through a retrospective review of the New Zealand Primary Health Care Strategy. *Ethnicities*. doi:10.1177/1468796819896466

a co-leader could create a tipping point in addressing systemic racism within the public service.

In addition, an external independent agency needs to be resourced to monitor Te Tiriti compliance from the outside. This Māori-led agency needs to be able to make binding recommendations to strengthen Te Tiriti compliance and to hold senior management teams within Crown agencies accountable for these outcomes. A successful example of external monitoring is the Independent Māori Statutory Board which audits Te Tiriti compliance of the Auckland City Council. Other things to consider in this broader field include holding governance boards accountable for racist outcomes.

## **RECOMMENDATIONS:**

- Normalise and incentivise bi-political co-leadership across every government department at every level of leadership.
- Re-orientate quality assurance systems to ensure meaningful engagement with Te Tiriti at all levels, including measurable targets for service delivery.
- Identify and eliminate any policies used by government departments to “opt-out” from compliance with Te Tiriti.
- Establish an independent body to monitor and publicly report on Te Tiriti compliance in each department.

## **Legislative and regulatory protections**

International human rights conventions are one mechanism for keeping people systemically protected from racial discrimination. There are also existing processes for citizens to make complaints about racial discrimination through the Human Rights Commission, the police and assorted tribunals, regulatory bodies, and standards authorities. Generally, these mechanisms work poorly if at all for systemic racism and collective complaints. These systems need to be overhauled to ensure they work for those communities that are persistently targeted by racism. However, before things reach this point, every effort needs to be made to prevent the need for citizens to use such complaint systems.

We must create environments, systems and processes that make it safe to report racial discrimination for those who are targeted and those who witness racism. We therefore urge the government to extend provisions for the protection of whistle-blowers to address institutional racism in the workplace. This could be an extension of the existing work of the Human Rights Commission, which already serves as an independent body with expertise in dealing with racial discrimination.

We propose that the government conduct a review of quality assurance and occupational health and safety regulations and processes in the context of its obligations to eliminate racial discrimination. As a pre-existing structure for compliance in the workplace, such regulations are a promising mechanism to build safer workplaces. By extending the reach of these regulations to include categories such as “emotional



safety” and “cultural safety”, the government could achieve significant reductions in racial harm without needing to invest in any new structures for support or training. Such changes to these regulations should be coordinated with the roll-out of bystander training and related evidence-based campaigns.

We acknowledge the important global work being done regarding the Christchurch Call to end hate speech on the internet. We advocate for strengthening surveillance on far-right, white supremacy groups that pose a real and active threat to the wellbeing of New Zealanders. We note with disappointment the recent widespread backlash at the increased presence of Te Reo and the prospective establishment of the Māori health authority. Responsible news media representations of Māori and Te Tiriti issues and other racialised communities should not generate hate speech and racist backlash.

## **RECOMMENDATIONS:**

- Engage in civil society education to raise awareness of where people can lodge complaints about racial discrimination, especially institutional racism.
- Ensure these formal complaint pathways are appropriate for complaints of institutional racism and complaints by collectives.
- Ensure these complaints processes are safe, well-supported and non-traumatising for complainants.
- Strengthen whistle-blower protections to protect whistle-blowers and their job security, to ensure accurate information-gathering across government institutions and timely resolutions of complaints.
- Incorporate “cultural safety” and prevent racial harm in the workplace with occupational health and safety and quality assurance programmes.
- Strengthen controls on reportage of issues related to Māori, Te Tiriti, other racialised communities, immigration and similar issues in news media with a goal to minimise the generation of harmful racist backlash.
- Continue the existing global work on addressing hate speech on the internet.

## **Indigenising spaces**

The indigenising of places reconnects contemporary moments with pre-colonial lives, legacies and knowledge. Furthermore, the honouring of diverse histories in spaces can serve to powerfully signal decolonising, inclusive futures. Racial justice is not only about people, but is also about how we manage the spatial, temporal and symbolic life of our society. How do our public spaces look and feel, and whose statues do we see? Who gets time to speak in public, and in what language?

Public spaces should be safe and inclusive environments for Tangata Whenua. They should also hold broad recognition of the different cultural groups in our society. We welcome the roll-back of place- street names that celebrate colonial leaders who breached Te Tiriti as well as the restoration of Māori place names and the introduction of street and public buildings celebrating Māori leaders. Perhaps we could name Kiro Avenue after Dame Cynthia Kiro, the first Māori woman governor

general, or Tuhiwai Smith Drive after Professor Linda Tuhiwai Smith, a global leader in Indigenous Research.

We applaud the increasing presence of Te Reo in our national media, homes and classrooms. We welcome Te Reo being made compulsory across all New Zealand schools as a commitment of *ōritetanga* alongside core subjects such as maths, English and science currently being delivered as a part of compulsory curriculum. We encourage the government to strengthen these initiatives to ensure Te Reo becomes normalised within the public sector and beyond. Learning a language is a critical pathway to understanding a culture and building a Te Tiriti-based future.

### **RECOMMENDATIONS:**

- Formalise the principle of Te Reo first as a permanent practice across the public sector.
- Introduce new communication protocols that reflect this principle in all public sector correspondence, publication and information online.
- Commit to “indigenising” more place names.
- Erect a statue of Te Whiti next to Gandhi outside the Wellington railway station.

# INVESTING IN EVIDENCE-BASED CAMPAIGNS

We were pleased to see initiatives such as the social marketing campaign “Give nothing to racism”. Building on this momentum, we need campaigns based on strong anti-racism evidence and evaluation to address racial discrimination. We believe anti-racism work must be driven both from the bottom-up, by communities, and from the top-down, by government.

## Dismantling racism – systems change programmes

Dismantling racism programmes are widely used internationally to disrupt racism. There is a body of evidence about the effectiveness of systems change approaches.<sup>52</sup> These programmes mobilise staff, increase levels of awareness, knowledge and confidence to enable people and organisations to engage in anti-racism. Their successful implementation needs a nuanced and multi-level response that is tailored to the local socio-economic and historical context. An analysis of power needs to be at the forefront to transform structures, systems, policies, hearts and minds. Courage is required to confront and map the racism within organisations, systems and sectors and co-create iterative solutions with those who are targeted by racism.

## RECOMMENDATIONS:

- Invest in demonstration interventions where organisations undertake systems change-based anti-racism programmes, where the organisation is committed to -
  - Sharing their learnings and supporting others
  - Upholding Te Tiriti o Waitangi and restoring power to Māori
- Develop tools to support organisations as they map and disrupt racism.
- Invest in training change-agents in system change-based anti-racism programmes.

## Bystander training

A persistent impediment to progress against racism is the apathy and passivity of ‘ordinary’ citizens. When faced with instances of racial harm or discrimination, it is extremely difficult for any individual (including ourselves) to know what steps we can take – and to have the confidence to take them.

This tendency to “enable” racism is a complex problem with no short-term fix. However, the bystander training model is known to address these issues in a constructive way.<sup>53</sup> By appealing to a sense of collective responsibility, a wide-spread campaign of bystander training would assist in the government’s goal – to protect targets of racial harm and discrimination – even as it empowers people to act as the agents of change.

Bystander training would reinforce longer-term shifts in public opinion while offering opportunities to boost exposure to materials from the

52. Came, & Griffith, D. (2017). Tackling racism as a “wicked” public health problem: Enabling allies in anti-racism praxis. *Social Science & Medicine*, 199, 181-188. doi:10.1016/j.socscimed.2017.03.028

53. Nelson, J., Dunn, K., & Paradies, Y. (2011). Bystander anti-racism: A review of the literature. *Analyses of Social Issues & Public Policy*, 11(1), 263-284. doi:10.1111/j.1530-2415.2011.01274

government's existing anti-racist campaigns. It would also enable the promotion of more affirmative and "honourable" role models of Pākehā conduct.

## RECOMMENDATIONS:

- Adapt existing models of bystander training to address the specific contexts of racial harm and discrimination in Aotearoa.
- Create a national campaign of anti-racist bystander training for government employees and the public.
- Co-ordinate the roll-out of such training to reinforce existing campaigns and policies.

54. Rankine, J. (2020). *Affective combat against online racism about Māori*. (Unpublished Doctor of Philosophy). University of Auckland, Auckland, NZ.

55. Fitzpatrick, C. (2020). *Tauwi Tautoko: Data analysis of August engagements, 2020*. Unpublished. Wellington: ActionStation.

56. Rahman, K. S. (2018). [The new utilities: Private power, social infrastructure, and the revival of the public utility concept](#). *Cardozo Law Review*, 39, 1621-1692.

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## Social media interventions

Giant social networking corporations have clearly become a threat to the health and wellbeing of populations. While they deliver constructive connections among people and serve as an online infrastructure for public discussion, they also, as commercial entities, produce and profit from thriving cultures of abuse, terror and crime.

Their sites can be tools for progressive social change, including creative anti-racism interventions<sup>54,55</sup>. But because they own and sell individual data, drawn algorithmically from the mundane traffic on our phones and computers, they have oriented themselves with the corporate interests that purchase this data. Social networking corporations, particularly the near-monopoly giants, must be regulated<sup>56</sup>, taxed, and required to serve the interests of their users rather than other corporations. This includes regulating for Māori data sovereignty with Māori oversight<sup>57</sup>.

## RECOMMENDATIONS:

- Regulate social networking corporations to prevent them from spreading hate speech and racist/white supremacist ideologies.
- Require these corporations to make public the algorithms that promote and support racist and other abuse online, so these algorithms are open to independent critique
- Regulate all algorithms, machine learning and automated artificial intelligence according to ethical guidelines, to ensure that data is used only ethically and with permission; and that racist, sexist and other unjust social biases are not built into such systems. Such regulation must also aim to ensure Māori data sovereignty and involve Māori oversight.
- Fund anti-racist NGOs to create and sustain campaigns that use social networking sites, virtual and creative methods to express anti-racism. Such groups also need to be supported to constantly generate and distribute anti-racist imagery, animations and videos, responding to the changing ways in which everyday racism is expressed, and to monitor the effectiveness of these interventions.
- Support initiatives such as Action Station's Tauwi Tautoko programme, which trains Tauwi in effective ways to disrupt and counter online racism.

# TANGATA TIRITI - TAUIWI OF COLOUR CAUCUS FINAL WORD

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## RECOMMENDATIONS:

- Consider the complexity of language and naming that contributes to inclusion/exclusion, including their use in government policies and reports.
- Enhance diverse representation in all aspects of civil society as a necessary but not a sufficient part of addressing racism.
- Address global trends such as Islamophobia, Black Lives Matter, white supremacy and anti-Asian racism as part of the anti-racism plan.
- Allocate sufficient direct funding to create connection and action amongst Māori, Pasifika and Taiwiwi of colour communities across Aotearoa.
- Reaffirm community knowledges by reducing institutional power and holding up community voices in government consultations and policy development.

Taiwiwi of colour are often left out or are a noticeable afterthought in conversations about racism. In Aotearoa this community is becoming increasingly large and vibrant across the country, but especially in urban centres like Auckland and Wellington. It is crucial to consider the noticeably different historical context and lived realities of these New Zealand migrant communities to understand the full landscape of racism in Aotearoa.

Taiwiwi of colour are a hugely diverse group. The diversity in migration history within the diaspora is considerable, including the distinct experiences of Black New Zealanders. This diversity is one of the considerable challenges of language that forces dichotomies like Māori/Taiwiwi. Pasifika communities carry a unique history, migration and relationship to Aotearoa and as a result are often a key absence in the conversations and solutions. As a result, this caucus indicated a need to further consider the unique needs of this community. Tangata Moana must be consulted, considered and included in addressing racism in Aotearoa as a community with their own distinct experiences of racism.

Racialised communities have unique experiences under white settler colonialism. These experiences vary considerably, however they are based on societal and institutional barriers.<sup>58</sup> These racist realities are also well documented in education<sup>59</sup>, healthcare<sup>60</sup> and the law.<sup>61</sup> Racism is also present amongst racialised communities as they work to resist the racism they have acquired.<sup>62</sup> As a result, racialised communities need opportunities over an extended period to learn and develop, to connect and collaborate, as that learning is further dismantled. Diverse representation in all aspects of organisations, government and policy making are essential to reduce and correct the existence of racism within institutions<sup>63</sup> but is not sufficient for ending racism. Clear and deliberate anti-racism action must be taken.

# TANGATA TIRITI – PĀKEHĀ CAUCUS

## FINAL WORD

The Pākehā anti-racism and Te Tiriti education practitioners who attended this forum recognise the urgent need for a planned approach to address the dominant group racism which is our culture's default position. The suggestions in this brief vary from citizen education for action, to Crown responsibilities under both international and Aotearoa-based legal commitments. All these ideas and mechanisms highlight the need for practical changes in Pākehā institutions and communities to reduce racism towards all other communities and to specifically realise our role as Tangata Tiriti.

For Pākehā to become Tangata Tiriti in more than name we have to address intersectional discrimination, and also apply the last few decades of learning about challenging racism within the dominant culture. The normalising of anti-racism programmes in all institutions and communities is vital work, and Pākehā can play a useful and accountable role in supporting this. The vision of Matike Mai lays down a challenge to all, but particularly those benefiting from the current racist systems. Pākehā, as the chief beneficiaries of inequity, have to work with our own people to acknowledge and dismantle overt racism, as well as the more problematic collusion with racism by passive inactivity, tokenism or cultural appropriation.

It is clear from some responses to the He Puapua report<sup>64</sup> and the terror attack on the Muslim community, that a Pākehā racist backlash to Te Tiriti-based progress must be addressed vigorously at every level. From the schools to the streets to government and business environments, we have urgent work to be done.

For the Pākehā caucus of this inspiring anti-racist event; we recognise racism as a national scourge and we welcome the opportunity to approach our responsibilities in a multi-layered and creative way. We offer our experience and commitment to a national plan so that we can assist with identifying programmes, monitoring and messages that will engage Pākehā to take responsibility for the historic and contemporary perpetuation of racism in Aotearoa. Any plan must be guided by Tangata Whenua and other cultures marginalised by racism, and be supported by Pākehā as Tangata Tiriti.

The opportunity to transform the cultural default from racist norms to a healthy and just respect for Te Tiriti and all cultures in Aotearoa requires resources, planning and the unwavering determination of collective leadership. The plan must be based on a collaborative approach, informed by experienced anti-racism practitioners and led by the people most affected.

<sup>64</sup> Charters, C., Kingdom-Bee, K., Olsen, T., Ormsby, W., Owen, E., Pryor, J., . . . Williams, G. A. (2019). *He puapua: Report of the working group on a plan to realise the UN Declaration on the Rights of Indigenous Peoples in Aotearoa/New Zealand*. Wellington, NZ.



# MĀORI CAUCUS FINAL WORD

*Hūtia te rito o te harakeke  
Kei hea te kōmako e kō?  
Ki mai ki ahau  
He aha te mea nui o te Ao?  
Māku e kī atu,  
He tangata, he tangata, he tangata...*

*If the heart of the harakeke was removed,  
Where would the bellbird sing?  
If I was asked what is the most important thing in the world  
I would be compelled to reply:  
It is people, it is people, it is people...*

Meri Ngaroto speaks to the common metaphor of the flax bush as representing a healthy and functional family – the plant has deep roots and the central shoots (the rito), representing the children, are protected from harm by the older shoots (the parents). The harakeke plant stands both alone but also as part of a cluster in its efforts to survive, grow and develop. But Ngaroto is really referring to the protection of whakapapa, our genealogy, the continuation of ourselves through our progeny into the future. This implies a duty of care and responsibility, not only for those in the present, but more importantly, for those yet to come.

That is the context within which we, the Māori caucus, address ourselves to the violence and injustice of racism in its many forms. We want to ensure that our children, and their children's children, are not shackled by the constraints that racism places upon their rights to be free.

For the Māori caucus, racism is not a new kaupapa; we cannot opt out of facing racism after an anti-racism hui; it is a visceral, everyday reality we face as Māori in Aotearoa. We are the Tangata Whenua of this nation who have carried the heaviest burden from Te Tiriti breaches for decades. We as the Indigenous peoples of this land, with our koro, kuia, whānau and tamariki, consistently feel the sharp end of fragile whiteness, systemic institutional racism, conscious and unconscious bias, and the consistent impacts of colonisation of our minds, bodies and souls.

We are the Indigenous people of Aotearoa who lost our connection to our lands through confiscation, and our connection to each other from the loss of whakapapa, tikanga, and whanaungatanga as an intentional outcome of colonisation. Racism is normalised in Aotearoa, and Māori are often not heard, or protected as whistle-blowers.

Through kōrero, and the sharing of our experiences within a safe Māori space, this hui gave us the opportunity to reimagine Aotearoa without racism and to conceive of solutions to address racism from a Māori perspective.

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